

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

Official Report
(Hansard)

*Published under the
authority of
The Honourable Daryl Reid
Speaker*

MANITOBA LEGISLATIVE ASSEMBLY
Fortieth Legislature

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, May 16, 2012

The House met at 1:30 p.m.

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

Good afternoon, everyone. Please be seated.

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

Bill 23—The Local Government Statutes Amendment Act

Hon. Ron Lemieux (Minister of Local Government): I move, seconded by the Minister of Finance (Mr. Struthers), that Bill 23, The Local Government Statutes Amendment Act; Loi modifiant certaines lois d'administration locale, be now read for a first time.

Motion presented.

Mr. Lemieux: Proposed amendments to municipal legislation are aimed at supporting municipalities to govern objectively, fairly, and with the best interests of their communities in mind. Manitoba's municipalities make important decisions every day that impact the lives of their citizens. We know that municipalities take this responsibility seriously and strive to govern in an accountable and transparent manner. It is an expectation that municipal councils, like all governments, make decisions that are in the best interest of the municipality as a whole. This bill has provisions that will strengthen citizens' trust and confidence in their municipal governments.

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

Bill 32—The Highway Traffic Amendment Act (Powers of Traffic Authorities over Cycling Traffic)

Mr. Lemieux: I move, seconded by the Minister of Health (Ms. Oswald), that Bill 32, The Highway

Traffic Amendment Act (Powers of Traffic Authorities over Cycling Traffic), be now read for a first time.

Motion presented.

Mr. Lemieux: This bill amends The Highway Traffic Act to provide municipalities with the power to make bylaws that regulate bicycle traffic in their communities. Commuter cycling is largely an urban activity and the 'propoach'—proposed changes give municipalities a larger role in managing the flow of traffic on their streets and in their neighbourhoods.

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

Bill 214—The Freedom of Information and Protection of Privacy Amendment Act

Mrs. Mavis Taillieu (Morris): I move, seconded by the member from Arthur-Virden, that Bill 214, The Freedom of Information and Protection of Privacy Amendment Act, be now read a first time.

Motion presented.

Mrs. Taillieu: This bill changes the process by which an access to information request is handled under The Freedom of Information and Protection of Privacy Act. Currently, access to information requests are made to the public body believed to have the information, and a complaint may be made to the Ombudsman regarding the response.

Under this bill, the request is delivered to the Ombudsman, who delivers it to the public body. The public body must provide a copy of its response to the Ombudsman, and in the event access is provided, the 'ombudses' must treat the matter—sorry—in the event that access is not provided, the Ombudsman must treat the matter as a complaint. And if the Ombudsman recommends action that the public body refuses to take, the Ombudsman must ask the Information and Privacy Adjudicator to review the matter.

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

Any further bills? Seeing none, we'll move on to petitions.

PETITIONS

Personal Care Homes and Long-Term Care—Steinbach

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

These are the reasons for this petition:

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

Mr. Speaker, this is signed by B. Fender, J. Chornoboy, S. Woods and thousands of other Manitobans.

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

Cellular Phone Service in Southeastern Manitoba

Mr. Cliff Graydon (Emerson): Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

And the background to this petition is follows:

During early October 2011, parts of southeastern Manitoba were hard hit by wildfires. Thanks to the swift action of provincial and municipal officials, including 27 different fire departments and countless volunteers, no lives were lost and property damage was limited.

However, Mr. Speaker, the fight against the wildfires reinforced the shortcomings with the communications system in the region, specifically the gaps in cellular phone service.

These gaps made it difficult to co-ordinate firefighting efforts and to notify people that they had to be evacuated. The situation also would have made it difficult for people to call for immediate medical assistance if it had been required.

Local governments, businesses, industries and area residents have for years sought a solution to this very serious communications challenge.

We petition the Legislative Assembly as follows:

To urge the appropriate provincial government departments to consider working with all stakeholders to develop a strategy to swiftly address the serious challenges posed by limited cellular phone service in southeastern Manitoba in order to ensure that people and property can be properly protected in the future.

And this petition has been signed by B. Dueck, E. Gosselin, J.P. Gosselin and a thousand others. Thank you.

*(13:40)

Mr. Speaker: Committee reports. No committee reports.

Introduction of Guests

Mr. Speaker: Prior to oral questions, I would like to draw the attention of honourable members to our public gallery where we have with us today Anne Lindsey, who is the guest of the honourable member for Fort Garry-Riverview (Mr. Allum).

And also in the public gallery, we have with us Marlene Schellenberg, who is the guest for the honourable Minister of Advanced Education and Literacy (Ms. Selby).

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

And on—also in the public gallery, I believe we have Brigitta Schuler, who is the daughter of the honourable member for St. Paul (Mr. Schuler).

And we also have in the public gallery the former member for Portage la Prairie, Mr. Brian Pallister.

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

ORAL QUESTIONS

Bill 33

Government Intent

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, this morning on the Notice Paper appeared new legislation that the NDP plan to introduce called The Election Financing Act and Elections Amendment Act. I suppose it shouldn't be a surprise. In fact, there's a pattern that's emerged. After every election, the NDP government has brought in election changes to try to gerrymander the next election or clean up election laws that they broke in the previous election.

Will the Premier confirm today whether or not this legislation is intended to cover up past violations or benefit the NDP in the next election or both, Mr. Speaker?

Hon. Greg Selinger (Premier): Just before I answer the member from Steinbach's question, I just want to, on behalf of all members of the Legislature, express my regrets and condolences to the family of the Leader of the Opposition (Mr. McFadyen) for the loss of his father. And we know that's always a tragic event when you lose your father, especially at a quite a young age, and I just wanted to express my sincere condolences to the Leader of the Opposition.

With respect to the question on public financing, Mr. Speaker, the answer to the member's question is neither of the alternatives that he has put forward is the purpose of the legislation.

Mr. Goertzen: Thank the Premier for the statement that he made regarding the father of the Leader of the Official Opposition. We'll pass that along, and I know it's shared by all members in this House.

In the past, Mr. Speaker, we have seen the NDP bring in legislation, try to cover up false elections returns filed by the member himself, from St. Boniface, for bundling union donations, and, after the 2007 election, legislation that would've forced MLAs to vet their correspondence through a government committee, and also the introduction of a vote tax.

The vote tax would have put \$250,000 into the pockets of the NDP party. My hope is that with this new legislation they will follow the example of the federal Conservatives in Ottawa and eliminate the vote tax.

I want to ask the Premier whether or not the legislation that's on the Notice Paper today will eliminate the vote tax.

Mr. Selinger: Just a couple of points. The member that raises the question, member from Steinbach, is the House leader; he knows that it's not appropriate to debate the legislation before it's actually tabled in the House. I'm a little surprised that he's trying to jump the gun in that respect.

I do note, though, that this was the first government in the history of Manitoba to ban corporate union donations in the province of Manitoba. And lo these many years later, Mr. Speaker, the members of the opposition have never actually endorsed the banning of corporate union donations in Manitoba.

I wonder if the member from Steinbach today would like to affirm or deny whether or not he supports the banning of corporate union donations in Manitoba for electoral purposes.

Mr. Goertzen: Mr. Speaker, I certainly support the banning of NDP Cabinet ministers breaking election laws.

Given the track record of this NDP government, we should view any changes to The Elections Act or The Elections Finances Act with great suspicion. In the end, they break the laws that they don't want to follow, and then they change the laws after they've broken them.

Mr. Speaker, is it the government's intention to alter the 90-day blackout window on government advertising and announcements prior to an election? Are they looking to change that legislation so the Minister of Health (Ms. Oswald) can go ahead and do the same kind of stunt she did before the last election?

Mr. Selinger: Again, Mr. Speaker, the member from Steinbach seems awfully anxious to debate a bill which he has not even seen yet. And he knows how inappropriate that is. I'm surprised he would be trying to encourage the House to break the procedures of the House. It's not a very honourable way to proceed as the House leader.

Mr. Speaker, we know, historically, that there had always been the ability to take corporate union donations in the province. That has now been banned in the province.

We also know that we've said you no longer can take tickets from public or private entities with

respect to professional sports on this side of the House. The members have nether—the members have—

Some Honourable Members: Oh, oh.

Mr. Speaker: I know members are very excited to be in this Chamber and to be having the opportunity to ask their questions and to pose their answers, so I'm asking for the co-operation of all honourable members. Please allow for the questions to be posed and for the answers to be given.

The honourable First Minister, to conclude your remarks.

Mr. Selinger: Thank you, Mr. Speaker.

As I was saying, the first government in the history of the province of Manitoba to ban corporate and union donations was the government on this side of the House. The members opposite have never, ever publicly endorsed that decision. They've never supported that decision. That is very unfortunate. That shows just how far behind the curve they are.

Now, we find that they're not prepared to disclose with respect to whether or not they've received any tickets with respect to professional sports, particularly hockey, in Manitoba. Mr. Speaker, it's very clear the members opposite really don't have any policy positions with—

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

Manitoba Hydro Stability of Power Grid

Mr. Reg Helwer (Brandon West): Manitobans are trying to recover from the aftermath of Monday night's windstorm. Crops have been damaged, trees downed, and utility services have been interrupted. Manitoba Hydro has publicly stated it cannot repair all the damage done in a timely fashion due to its need to, and I quote, manage finite manpower resources.

Under this NDP's government's mismanagement, Manitoba Hydro must starve its main power grid of resources. The reliability of electrical power for Manitobans is at risk, and this government continues to drain its resources.

Mr. Speaker, this was a substantial windstorm, but nowhere near what we've experienced in the past. If we can't handle this one, how are we going to handle future ones?

Hon. Dave Chomiak (Minister charged with the administration of The Manitoba Hydro Act): The biggest risks to Hydro is to not build a Bipole III line, as members opposite did not do when they were in office, and which we're proceeding to do. And the biggest risk to Manitoba Hydro is if you do not have that alternative line to provide the power.

And it is unfortunate the members opposite seem to have a real disinterest or dislike for Hydro so that every occasion that Hydro tries to move forward in building that line, members put blockage in the way. We intend to build that line for reliability for all Manitobans and into the future.

Mr. Helwer: Mr. Speaker, this government loves Hydro because they can suck its resources dry.

Hydro is starving its main power grid of resources and putting the reliability of power at risk due to NDP political interference. This NDP government has already taken over \$2.3 billion from Manitoba Hydro, resources that have—could be better used to improve the reliability of Hydro instead of masking this government's deficits.

When will this government stop interfering and let Manitoba Hydro do its job?

Mr. Chomiak: I think that Manitobans know that they have a reliable provider of electricity, unlike locations in other parts of the country. Manitobans know that they have the lowest hydroelectric rates in the country, unlike other jurisdictions.

Manitobans know what the Conservatives did with the Manitoba Telephone System. They privatized it, and rates went up. Manitobans know that.

They trust Hydro. They want to see Hydro grow and expand and see those 5,000 megawatts put to use, and we'll do that, notwithstanding the opposition of the Conservative party who have always opposed every venture we've done in Hydro, including Limestone, which they called "lemonstone," and which now makes money every single year.

Mr. Helwer: Mr. Speaker, instead of focusing on building a strong power grid that is safe from natural disasters, Hydro is wasting billions of dollars on a long, west-side bipole route, a route forced on them by a letter directly from this Premier. This route means that bipole will run right through where this storm went.

* (13:50)

When will the government admit that their decisions are making Hydro's power supply less reliable and putting the safety of Manitobans at risk, Mr. Speaker? It's maybe not nice to say—make light of wildlife damage, but is Hydro's goose cooked?

Mr. Chomiak: Mr. Speaker, at least Hydro won't go on a wing and a prayer like members opposite tend to do. The decision on the Hydro bipole has been made. Work is under way; money's been spent.

I like to ask members opposite where they can name in Canada a major transmission line has been built in the last 20 or 30 years, or even a major pipeline. It doesn't get built; it's very difficult. I'd like to ask them where the Alaska Pipeline is, the one that was supposed to be built in 1977, which is still not built, Mr. Speaker.

We made a decision, we consulted, we put the resources there, and we'll build the reliability. We'll export to the United States, and we'll continue to have the most profitable company with the highest retained earnings in its history right now.

Manufacturing Sector Sales Statistics

Mr. Dennis Smook (La Verendrye): Mr. Speaker, manufacturing sales statistics have been released by Statistics Canada, and the numbers aren't good for Manitoba. Canada achieved an increase of 5.9 per cent over the last year. Saskatchewan achieved an increase of 8.8 per cent, and Manitoba managed a small increase of 3.5 per cent. Mr. Speaker, this province is falling behind in manufacturing, sales, relative to other province.

In light of poor performance figures like these, can the Minister of Entrepreneurship, Training and Trade tell this House why his government continues to make the manufacturing sector less competitive by raising taxes?

Hon. Peter Bjornson (Minister of Entrepreneurship, Training and Trade): Well, Mr. Speaker, let me start by saying I'm very proud of the 106,000 companies that operate here in Manitoba. I've had the opportunity to tour a number of them, and, you know, one of the issues that they speak to me about, they talk to me about a trained labour force.

And we're the government that's put in apprenticeship initiatives, doubling the apprenticeship seats in Manitoba to deal with skilled trades. We have the University College of the North

to provide skilled trades for those northern companies, Mr. Speaker.

And the biggest source of employment for many of the companies in Manitoba come through the Provincial Nominee Program, which they stood down on when we were having the debate about the value of the Provincial Nominee Program here in Manitoba. So I don't need any lectures from members opposite.

Mr. Smook: Mr. Speaker, 14,600 jobs have been lost in manufacturing between 2008 and the beginning of 2012. Manitoba's manufacturing sales, reported for March 2012, are still \$155 million below the level achieved in August 2008. This industry is not recovering because of this government's high taxes and massive regulatory burdens.

Will the Minister of Entrepreneurship, Training and Trade admit that they are on the wrong track?

Mr. Bjornson: Well, Mr. Speaker, we're on the right track as far as developing CentrePort is concerned, which will be a tremendous asset for the manufacturers here in Manitoba.

We're on the right track as far as our initiatives to reduce the tax burden by, first of all, eliminating small business tax. We're the first province in Canada to do so, Mr. Speaker. We have many advantages that we've been working with the manufacturing sector to deliver on meaningful tax relief.

But again, the main issue that I hear from the manufacturing sector is skilled trades and employees, and we're working very hard on skilled trades and training, which members opposite never mentioned during the election. They never talked about training. They never talked about any tax relief that they were prepared to provide for manufacturers here in Manitoba. But we've been doing so, providing meaningful tax relief, providing training opportunities, expanding trade.

Now we have a world trade centre coming to Manitoba, and we have a very diverse economy—

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

Bill 210 Government Support

Mr. Dennis Smook (La Verendrye): Mr. Speaker, Manitobans are concerned about the long-term decline of manufacturing under this government's

rule. Instead of focus on expanding the economy and creating jobs through things like joining the New West Partnership, they focus on raising taxes.

I was proud to introduce a bill to join the New West Partnership to stop this backwards trend. Will the government admit its direction is wrong? Will they stand up for Manitoba by supporting Bill 210 and stop bleeding of jobs from this province?

Hon. Peter Bjornson (Minister of Entrepreneurship, Training and Trade): Mr. Speaker, we've stood up by eliminating the corporation capital tax, saving manufacturers \$25 million since 2008. We stood up by extending the co-operative education and entrepreneurship tax credit. We've increased the research and development tax credit, and it's an interesting contrast to what's happening federally. We've increased the payroll tax exemption in 2008 as well, and we go from \$1 million to \$1.25 million, and we reduced the rate threshold from 2 million to 2.5.

So we have been standing up for manufacturing; we'll continue to stand up for manufacturing. We'll continue to work on new markets for our manufacturing and we'll continue to see this province grow and prosper, Mr. Speaker, in spite of the members opposite.

Manitoba Public Insurance Corporation Misinformation on Jets Season Tickets

Mr. Ron Schuler (St. Paul): Mr. Speaker, in a freedom of information request to the Manitoba Public Insurance Corporation we asked for, and I quote, the total number of season tickets required by the corporation for the Winnipeg Jets in fiscal year 2011-2012. And on April 26th we received a response saying, of the total 340 tickets, 160 were for employee recognition. However, after the NDP got caught taking Jets tickets paid for by taxpayers, we received another response issued on May 15th with conflicting information.

I ask the minister responsible for the freedom of information act, the member for Logan (Ms. Marcelino): Why did she deliberately withhold information about who got tickets, that is, until she got caught?

Hon. Jennifer Howard (Minister of Family Services and Labour): I think we've been very clear on this issue, that what we are bringing forward is a new policy and a new day, really, in Manitoba, when it comes to the issue of receiving complimentary

tickets, certainly a policy that we know from the auditor's report was never in place throughout the '90s; that our policy now, on a go-forward basis, is going to be very clear; that there will be no tickets allowed to be received by members on this side of the House from Crown corporations or from businesses or from unions.

We're still waiting to know what the policy is from across the way, and maybe today is the day and we'll find out, Mr. Speaker.

Mr. Schuler: Perhaps the minister responsible would like to answer this question, Mr. Speaker.

In the second, more truthful response, it says that it wasn't really just employees who got all these tickets, but NDP-appointed board members and executives. This information was not reported until the NDP got caught taking Jets tickets on the taxpayers' dime.

I ask the minister responsible for the freedom of information act, yes, the member for Logan: Does she allow FIPPA reports to deliberately withhold public information—while, that is, at least until they get caught? How are we ever to believe any FIPPA reports from this NDP government? Will the minister responsible get up and answer this question?

Ms. Howard: I'm really interested in what the member for St. Paul, who asked that question, had to say just a few days ago about disclosure and putting information forward. He said, with respect to the declaration of tickets received, that the regulations are very clear that you're supposed to declare gifts. I think common sense would tell you that, chances are, that that was a gift you should have registered.

Now, Mr. Speaker, I'm still waiting. A few days ago, I had asked from the opposition if there was a list available that declared all of the tickets that any of the members over there had received from public Crown corporations, from public organizations, from businesses, from corporations. We haven't seen that list yet. We've seen them kind of duck and weave around the issue, but I think they should take the advice from the member for St. Paul and disclose any tickets that they have received from private businesses.

Mr. Speaker: Order, please.

Mr. Schuler: Mr. Speaker, I'll make this question easier for the minister so perhaps she could get up and she could answer the question. I'll direct it to her.

Mr. Speaker, clearly this NDP government cannot be trusted. This is a government that breaks election promises, allows Cabinet ministers to break the election law without consequences, allows Cabinet ministers to politicize the civil service, stacks Crown corporations with NDP donors, takes Jets tickets paid for by the public. And now we know they will deliberately withhold information from the public, that is, until they get caught.

The person who signed the freedom of information request admitted in the revised true report that he himself got a ticket to a Jets game, something he can–neglected to mention in the first report.

* (14:00)

I ask the minister responsible for the freedom of information act: Why did she deliberately withhold information? How will anyone be able to trust any future FIPPA reports from this NDP government? Will the minister–the member–

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

Ms. Howard: Well, I guess we're not going to find out today if any members opposite have received any tickets from any private entity. We didn't find out yesterday; we haven't found out the day before.

I noted this morning that some of their friends at City Hall have disclosed what tickets they received, but they are not interested. I know they've tried to draw a distinction that somehow some tickets are different than other tickets, which isn't what the member for St. Paul said to the *Free Press*.

So, we'll continue to wait to get that information from them, Mr. Speaker. I am sure there are members opposite who are waiting and ready to disclose any tickets that they may have received from businesses.

Regional Development Corporations Funding Cancellations

Mr. Blaine Pedersen (Midland): We are hearing from regional development corporations in regards to the cancelling of the partnership agreements with the Province.

With no consultation, no prior notice, these community-based organizations are now left to pick up the pieces. Participating municipal budgets have been approved, and now the development corporations are scrambling due to this NDP government's unilateral move.

Mr. Speaker, will this Minister of Agriculture reverse his decision and continue to provide support for these valuable regional development corporations?

Hon. Ron Kostyshyn (Minister of Agriculture, Food and Rural Initiatives): I see that we've–have the same discussions that we had yesterday.

But I want to 'reate' the discussion I had with the minister yesterday is that, you know, as I'm sure as they've realized, government–rural development–economic development corporations have been in existence since 1960.

We have to move forward on making changes, and I understand that we also have number of other agencies that have a certain amount of comparison alternatives for the businesses to develop. And I'm–I want to assure the MLA for midlands that we have documentation to provide for the RDCs. Thank you.

Mr. Pedersen: Singular.

Mr. Speaker, the regional development corporations are very vocal about their important role in community-based support to new businesses and local-based tourism initiatives. Local governments continue to support these entities because they recognize their value, but by unilaterally cancelling these agreements, this NDP government has turned their back on rural and northern community-based economic development initiatives.

Mr. Speaker, why has this government and this minister turned their backs on economic development in rural and northern Manitoba? Where is the sense in that?

Mr. Kostyshyn: Just to inform the–we have to understand the fact that in the 1960s, we had seven–*[interjection]* but it's oddly showing in the–but the program was brought forward, and I think what we have to–

Some Honourable Members: Oh, oh.

Mr. Speaker: Order, please.

We have members of the public who are here with us this afternoon to observe question period. I'm sure members of the Assembly would want to leave a good, positive and lasting impression of our activities here with our members of the public. So I ask for the co-operation of all honourable members. Please conduct ourselves accordingly.

The honourable minister, to conclude his remarks.

Mr. Kostyshyn: Thank you, Mr. Speaker.

As we may recall, there were seven RD—
[interjection]

Mr. Speaker: Order, please.

The honourable member for St. Paul (Mr. Schuler), I'm asking, please, for your co-operation, please.

Mr. Kostyshyn: As—when this program was originally set up, there was seven RDCs, with the understanding it was a 50-50 contribution from the municipal governments with the provincial governments.

Presently, what we have is three RDCs that are only matching the original agreement, and I believe that is something—and the other ones are not. So I would suspect that that might be some of the reasoning why we had to have some further discussions regard that. And I want to ensure the RDCs have alternative agencies that they can resort to, to provide the continuation—

Mr. Speaker: Order, please. Time has expired.

Mr. Pedersen: Mr. Speaker, I would suspect that this minister hasn't got a clue what he's talking about. This minister continues to stonewall in the real reason for this unilateral decision. The minister has local government experience and yet he has no influence within his own government to stop this cash grab at the expense of rural economic development.

Mr. Speaker: Why won't this minister stand up and represent rural and northern Manitoba within the NDP caucus? That's his responsibility. Why doesn't he stand up and represent rural Manitoba?

Mr. Kostyshyn: And I guess I—I'm very proud to say being involved in municipal politics for 20—some-odd years, and I know that the member opposite really, maybe, doesn't somewhat agree with his vision of what it takes to be in municipal government. But I do want to ensure that we are there to protect the—but I think the main thing, today, is the members opposite tend to forget when we talk about the Manitoba's economy.

My question is to the critic: Where is—where was their support when the Canadian Wheat Board was being discussed, and how many people did we lose in job production in the province of Manitoba?

West Perimeter Bridge Project Status

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, one of the biggest issues for people in Charleswood right now is the two-year partial closure of the West Perimeter Bridge and the near accidents that this is causing. The minister told us late last year that the project was on schedule and was supposed to have reopened last fall, but six months later, there's only one lane of traffic in each direction and nothing is happening. In Estimates, the minister said that now a steel girder needs to be replaced or repaired.

Can the minister tell us: What is the extent of this problem with the girder and when can we expect that particular area to open? When can that bridge reopen, Mr. Speaker?

Hon. Steve Ashton (Minister of Infrastructure and Transportation): Well, indeed, Mr. Speaker, we did discuss this matter in Estimates, and I certainly look forward to detailed discussions when we resume in Estimates.

I know the critic for MIT has asked many questions as well in terms of this, and again, the issue here is an issue of safety. We have to make sure it is in a position to be safe. And I can assure the member that our staff is working with the engineering expertise to get that open again, and, you know, I know sometimes it's difficult for members—understand that. But we have—our commitment, when it comes to any kind of projects, is make sure it's done properly, to make sure it's done safely, and that's what we're doing in this particular project.

Mrs. Driedger: Well, Mr. Speaker, that is all very interesting. The minister, in Estimates, said it was a steel girder problem. I did speak with his office a few weeks ago and they said that the concrete cracked when they poured it over the footings, so the deck core samples were sent for analysis in January. Results were only to take a few weeks. So I'm not sure if this problem is with the steel girders or the concrete deck, but it's been months since the samples were sent.

And if more work needs to be done, Mr. Speaker, why isn't that happening now? There's nothing going on on that bridge for the last six months. What is going on with this?

Mr. Ashton: Mr. Speaker, we've been very up front with the difficulties with that, and I'm rather surprised here. I thought the member did the right

thing in asking this question in terms of Estimates, but I can tell you this is work that is done by consulting engineers in conjunction with our department, with the contractors that are out there. They're certainly doing their best.

But one thing we will not do—and I know the member's not an engineer; neither am I. We're going to rely on the engineering expertise. We'll make sure it's safe before we open it, and I'm really surprised that the member considers this a political issue. It's an issue of safety. Safety comes first when it comes to transportation in this province.

Mrs. Driedger: Mr. Speaker, he's right. This is a safety issue and I don't know why they're not doing something for the last six months. There's red lights and stop signs there and there's near accidents happening because they are doing nothing.

Mr. Speaker, I was also told that load testing was being done to determine the level of stress on the bridge. In the meantime, we've got four lanes down to two lanes on a major stretch of highway

* (14:10)

Mr. Speaker, I was also told that load testing was being done to determine the level of stress on the bridge. In the meantime, we've got four lanes down to two lanes on a major stretch of highway because the bridge may not be able to handle the load. In fact, we're only supposed to go 70 kilometres now over the bridge. So, I'd like the minister to get his story straight.

This is a safety issue, Mr. Speaker, and I'd like to ask the minister: If this bridge is safe for the 20,000 vehicles that go over that bridge every day, is that bridge safe right now?

Mr. Ashton: I want to remind members opposite that one of the things that we have done over the last number of years is been proactive when it comes to assessing the structure of our bridges, Mr. Speaker.

And unlike other jurisdictions, where you had significant problems, whether it be in the Portage area with the bridge, in terms of No. 1, where we've been dealing with rebuilding bridges and again, we get no credit from members opposite. They don't even vote for the funding for it. We have put bridges No. 1. In fact, we in our current capital program, we're putting 80 bridges, Mr. Speaker, a prime focus because of the flood.

Now, Mr. Speaker, you know, if the member opposite wants to politicize this issue, it is an issue of

safety but, you know, I'd like to know why every time we put money in for infrastructure, quadruple the capital budget that they have in their office, she votes against it.

First Nations Communities Water and Sewer Infrastructure

Hon. Jon Gerrard (River Heights): Mr. Speaker, for 12 years the Premier (Mr. Selinger) and his NDP government have presided over a province in which some of our citizens in northern Manitoba are living in Third World conditions without clean, running water. Shamefully, the Premier has not ensured in more than 12 years that all Manitobans will have clean, running water. On Monday, the Premier said he had put a proposal to the federal government to address this issue.

I ask the Premier: Does his proposal aim to have the 1,400 homes which are without clean, running water connected by the MKO deadline of December 31st of this year, 2012, and if not, why not?

Hon. Eric Robinson (Minister of Aboriginal and Northern Affairs): Mr. Speaker, yesterday the member for River Heights tabled an agreement that was signed in 1992 between the government of Canada and the government of Ontario.

Now, before we talk too in-depth about the agreement that was tabled, which is the first time our government's had an opportunity to look at it, upon quick glance, it appears to me that the agreement that the member has been talking about is more than about the issue of water.

This has outstanding issues relating to land in the province of Ontario transferred back to the federal government. So, I just want to get the record straight that, in fact, what they did in Ontario is quite different from what our reality here in the province of Manitoba.

The agreement in Ontario is for 21 First Nations that had a backlog of water and sewage services, and the federal government contributes their portion, as does the Ontario government back in 1992.

So, I don't want to—anybody to be misled by this agreement that we keep hearing about, that we saw for the first time yesterday.

Mr. Speaker: Order, please.

Mr. Gerrard: Mr. Speaker, I am absolutely astounded that the minister has never seen this agreement. I was told by representatives of MKO

that the government was told about this agreement back in around 1999 and they have no excuse for not knowing about this agreement. I have been talking, in fact, I asked questions last year, about this agreement, so I don't know where this government has been.

And the essential thing about this agreement is that it addresses clean, running water to First Nations communities so communities are not without clean, running water to their homes.

The Premier has been talking about a proposal earlier this week. Will the Premier table his proposal to get clean, running water to homes in northern Manitoba?

Mr. Robinson: To date, as I indicated yesterday, Mr. Speaker, we have—we've had three of the four communities, excluding St. Theresa Point, give this government band council resolutions in order for us to work with them. On board, we have the Frontiers Foundation, in addition to the support of the Mennonite Central Committee. What we need is the treaty partner in this, and that's very key.

The government that has the primary responsibility of this is the federal government because of their treaty obligations under Treaty No. 5. Without them we cannot proceed. I may not agree with that and—but this government indeed has done whatever it can in its power to ensure that these people, the good people in Island Lake and in other remote communities, are treated like Manitobans and treated like Canadians, and that's exactly what our government has done.

Mr. Gerrard: Once again, this government has had more than 12 years to get the job done of connecting homes to clean, running water. I am astounded that they didn't even know what was happening in other provinces and previous agreements to get this same objective, and even if they packaged the agreement slightly differently, it provides a way that the government of Manitoba and the government of Canada can move forward together.

On Monday, the Premier said he'd made an offer, a proposal to the federal government. Will the Premier table his offer, his proposal, today, so we can see it, or has he never actually made a proposal?

Mr. Robinson: Well, Mr. Speaker, the Aboriginal Affairs Working Group, which is the Aboriginal affairs ministers from each of the provinces and territories, will be meeting in Winnipeg in the late fall, and again this issue will be among the many

issues that will be discussed that are challenging Aboriginal people currently.

I just want to indicate to the member, he belongs to a political party that once advocated the assimilation of Indian people into Canadian society. Let's not forget about the 1969 white paper, and here all of a sudden he's a champion of Indian issues.

Let me say, Mr. Speaker, that our contribution has been the east-side road that the First Minister has spoken about so eloquently in previous answers to questions raised by the member from River Heights. We have installed, for the first time ever and anywhere in Canada, renal treatment centres to deal with the issue of people requiring dialysis. Nobody has done that elsewhere—

Mr. Speaker: Order.

Standardized Report Card Implementation

Ms. Erna Braun (Rossmere): Success in learning for our children involves many people. We all know that students do better when parents are full partners in the education of their children.

Can the minister please tell us about her announcement from the other day of a very important initiative that will improve the quality of our education system and assist parents to help their children succeed?

Hon. Nancy Allan (Minister of Education): Well, we actually are excited on this side of the House about the new report card.

This is a new report card. I had the honour of unveiling the new report card yesterday at Sister MacNamara School, a very diverse school in this wonderful province of ours, and this is the first time in the history of the province that Manitoba has a common report card that is portable from school to school, school division to school division, and it is in plain language and it is consistent and it will help parents know the strengths and weaknesses of their young people in our public education system. It is a communication tool to determine what supports they need so that they can do better in school. It's part of our quality initiative.

We are implementing the report card voluntarily for the first year because we want teachers to have the opportunity—

Mr. Speaker: Order, please. Time has expired.

**Provincial Road 227 Intersection
Traffic Safety**

Mr. Ian Wishart (Portage la Prairie): In April of this year, requests were made for a temporary ford crossing to replace the bridge on Provincial Road 227 on the Portage Diversion. Local producers and farm equipment dealers and others are concerned about safety as they currently have to use the busy Trans-Canada Highway to cross the Portage Diversion.

It has come to light that a permanent ford crossing already exists on Dunning Road where it crosses the Winnipeg floodway. It has been used successfully for many years.

Mr. Speaker, could the minister explain why this option was not made available for producers on 227?

* (14:20)

Hon. Steve Ashton (Minister of Infrastructure and Transportation): I do want to thank the member for raising the question.

We have a series of bridges in this province that are impacted by flooding, and in each and every case, whether it's in Coulter or whether it's in Killarney or whether it's the bridge in question, we're—our first priority is to rebuild the bridge. And, in fact, we're doing that with 80 bridges across the province, some cases, totally reconstructing.

But when it comes to temporary access issues, we're looking at it on each particular site. I know we're still discussing the Coulter area. Some proposals from the local municipality. There's a different situation in Killarney again, and in each situation it comes down to ensuring access where possible, yes, but we have to look at not only cost but safety factors, and this is the situation in this area. It's no different from any of the other issues we're dealing with related to the flood, Mr. Speaker.

Mr. Speaker: Order, please.

Mr. Wishart: The minister must recognize there's substantial risk to motorists on Highway 1 at the Portage Diversion when large farm equipment leaves the nearby service roads to cross on either the east or westbound bridges. There's been several near misses at this intersection. Requests have come in from many stakeholders to consider a permanent ford crossing on the Portage Diversion at the north service road of Highway 1. All believe this would greatly reduce the risk to motorists.

Mr. Speaker, would the minister commit to move forward on timely manner to implement this solution?

Mr. Ashton: I certainly appreciate that a member is talking about potential solutions as well. And I want to indicate that—you know, at times we may have debate on issues related to transportation. I may have mentioned the fact we've tripled our highway spending, quadrupled our highway capital budget—members don't always support that end.

But when it comes to looking at solutions, one thing I want to put on the record, and I think it's really important to note this, I'm really proud of a department, MIT, that last year really proved itself in terms of the flood, like many other departments of government, like our municipal governments. And you know what? We're seeing tremendous work done by them in the reconstruction—we'll look at any creative solutions.

And I encourage members, as this member is doing, is to be part of the solution, Mr. Speaker, because it's going to be a stark rebuilding process, and I hope that members opposite will be part of that historic rebuilding of this province.

Mr. Speaker: Time for oral questions has expired.

Speaker's Ruling

Mr. Speaker: I have a ruling for the House.

Order. Following grievances on Thursday, May 3rd, 2012, the honourable Official Opposition House Leader (Mrs. Taillieu) raised a point of order regarding incorrect information being brought to the House in relation to the issue of a Cabinet minister breaking a law. She stated that when the Premier (Mr. Selinger) defended the Minister of Health (Ms. Oswald) during oral questions, he did—in quotations, "did not bring factual information to this House." End of quotations. The honourable Minister of Justice (Mr. Swan) also spoke to this point of order.

I took the matter under advisement to review *Hansard* and to consult with the procedural authorities.

I would first like to respectfully advise the House that the Speaker has no authority to determine questions of law, as the Chair can only decide whether we are following our own rules. This principle is supported by long-standing and consistent Manitoba practice, including rulings from Speaker Rocan in 1994, Speaker Dacquay in 1996,

and Speaker Hickes in 2006 and 2009. Each of these Manitoba rulings affirms that the Speaker has no authority to determine questions of law.

At the root of this point of order are disputes over the interpretation of a ruling from the Elections Commissioner and over information the Premier brought to the House. While these points may be valid matters of debate, as is noted on page 200–or 634 of the second edition of House of Commons practice and procedure, members may not—in quotations, may not direct remarks to the House or engage in debate by raising a matter under which—under the guise of a point of order. End of quotations.

Further, as previous occupants of this Chair have noted: It is not the Speaker's role to decide on questions of facts or to determine whether or not information brought before the House is correct. Speaker Hickes offered this advice to the House on at least seven occasions during his time.

Additionally, as Speaker Dacquay stated in a 1996 ruling, in quotations, all members of this House—of this Chamber are honourable members, and I as Speaker and, indeed, this House, must accept the word of each honourable member. End of quotations.

As well, House of Commons Speaker Peter Milliken stated in 2004 that, in quotations, it is not the role of the Speaker to adjudicate on matters of fact, as this is something that the House itself can form an opinion on during debate. End of quotations.

Finally, *Beauchesne* citation 494 indicates that statements by members within their own knowledge must be accepted. On rare occasions, *Beauchesne* reminds us that this—that may result in the House having to accept two contradictory accounts of the same incident.

For all of these reasons, I must respectfully rule that there is no point of order.

MEMBERS' STATEMENTS

Sagkeeng's Finest

Mr. Wayne Ewasko (Lac du Bonnet): I rise today to honour three young men from Manitoba's Sagkeeng First Nation who have accomplished something truly remarkable. Two brothers and a close friend, Mr. Brandon Courchene, Mr. Dallas Courchene and Mr. Vince O'Laney entered their traditional clogging trio into the national competition known as the—known as *Canada's Got Talent* last

August, and on Monday, May 14, 2012, they won the competition. They called themselves Sagkeeng's Finest, and they joined 11,000 other auditioning individuals and groups for a chance to perform on the national stage.

Brandon and Dallas began dancing in Sagkeeng as part of an eight-person square dance team they called the Sagkeeng Elders of the Past. Two years later, Vince joined the team and the three of them were able to practice their particular jig style of dancing together.

It is truly a remarkable achievement, not just because they won the competition, but also because of the incredible motivation and discipline they carried with them throughout the championship performance Monday night. Following lavish praise from each of the judges, one thing which stood out was how the judges seemed most impressed with the improvement of the trio over the competition. It seems they, in fact, learned the principles of tap dancing in about a week, which is no small feat.

As part of their prize package, they had received a sports car, a trip to Tobago, a chance to perform in Las Vegas, and they will perform at Citytv's televised New Year's Eve party, and most importantly, they've considered building a dance hall in their hometown with their prize money. It makes us all proud to see these young stars already considering how they can use this experience to share it with their community.

These young men have a bright future, a unique talent and an incredible dedication to their art. As the member from Lac du Bonnet, I am honoured to tell their story, represent their community here at the Manitoba Legislature and wish them all the best in the future.

Thank you, Mr. Speaker.

Marlene Schellenberg

Hon. Erin Selby (Minister of Advanced Education and Literacy): Mr. Speaker, I bet many of us here in this room can credit a remarkable teacher for giving us the skills that it took to get here. As the MLA for Southdale, I know that in my constituency, students at J.H. Bruns give credit to one special teacher. Marlene Schellenberg has been teaching for 25 years, and in that time she has inspired and encouraged many students. With a bachelor of music degree as well as a master's in education, Ms. Schellenberg is one of many fine teachers across

Manitoba who 'guv'—go above and beyond to support young people in their learning.

For the past six years, Ms. Schellenberg has been involved with the J.H. Bruns social justice group, Students Helping our World, or SHOW, and when people tell me that young people today are apathetic, I tell them about this group of students who have proven over and over again how much they care about local and international issues. SHOW has been raising awareness and fundraising for tsunami relief, land mine 'eriduction' and also other social causes.

*(14:30)

In 2011, SHOW members completed a two-year investigation into poverty in Winnipeg. These students conducted primary and secondary research into the systematic problems that contribute to economic disadvantage in our society. They presented their findings to the Louis Riel school board of trustees and to this government's former minister of family services and consumer affairs. SHOW offered practical suggestions and strategies and showed that they'd gained a clear understanding of the challenges related to poverty in Winnipeg.

Louis Riel School Division has a mission to develop responsible, global citizens. Marlene Schellenberg is a teacher helping to make that goal a reality.

I ask all members to join me in thanking her for her dedication to the young people of Manitoba. Young activists today are leaders for tomorrow, and people like Ms. Schellenberg are ensuring that we are all well-prepared for future roles.

Thank you.

Manitoba Softball Hall of Fame Induction

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, I rise today to recognize those who were honoured at the Manitoba Softball Hall of Fame's 11th annual banquet and induction ceremony, which took place in Brandon on May the 5th, 2012.

In particular, I'd like to congratulate two storied softball teams from southwest Manitoba: the Boissevain Border Queens and the Melita Browns, who were both inducted into the hall of fame's team category. Between 1963 and '68, the border—the Boissevain Border Queens dominated the league that featured teams from Deloraine, Killarney and Boissevain. The Border Queens won 11 of 12 regular season games in '66, and in 1968, claimed the

provincial title with a win over a team from Portage la Prairie. All 27 living members of the Border Queens team that played in the mid-'60s gathered at the Boissevain Curling Club to reminisce the night before arriving in Brandon for the induction ceremony, and I was told a good time was had by all.

The Melita Browns Men's Fastball Club was formed in 1932 by a group of farmers that travelled across western Canada and into North Dakota for games and tournaments. The Manitoba Softball Hall of Fame specifically recognized the teams and that—the club fielded between 1959 and 1964. During this time, the Browns had tremendous success, including an amazing 33-2 and 2 record in 1959. Amid all of the victories and the awards, however, most players cited the long-lasting friendships they made on the ball diamond as the most memorable part of their playing days.

In the builder category, the Manitoba Hall of Fame recognized the efforts of Gord Wooley and Jim Nay. For over three decades, Mr. Wooley has been involved with Softball Manitoba as a player, coach, umpire and pitching technician. In 1980, he was the delegate to the Minto Mustangs—for the Minto Mustangs in the Manitoba South West Men's Fastball League and later became the league president. Mr. Nay occupied a variety of leadership and managerial positions between 1974 and 2009. As vice-president of the Manitoba Major Fastball League he played an instrumental role, merging four Winnipeg men's fastball leagues in 1978.

Mr. Speaker, the contributions of these individuals to sport in Manitoba are immense. It gives me great pleasure to congratulate all of the athletes, coaches and managers who were recognized by the Manitoba Softball Hall of Fame.

And, Mr. Speaker, I'd ask leave to have the names of the two teams entered into the *Hansard*.

Mr. Speaker: Is there leave of the House to include the names of the two teams in our *Hansard* recording? [*Agreed*]

1959-1964 Browns Fastball Club: Robert Anderson, Gerry Anderson, Everett Barker, Bill Brigden, Mert Coates, Bill Coleman, Orvel Coleman, Harry Compton, Jim Compton, Bill Harmon, Dick Harmon, Jack Harmon, John Harmon, Stewart Harmon, Jim Lamport, Wayne Lamport, Lorne Lilley, Morley (Moe) Mark, Jim McKinnon, Orval Parker, Cecil Patterson, Lloyd Patterson, Harvey Renwick, Larry Renwick, Lorne Richter, Charlie Roblin, Boyd

Robertson, Doug Snyder, Ernie Stewart, Frances Tilbury, Jesse Tilbury, Fred Watson, Duane Williams

1963-1968 Boissevain Border Queens: Norma (Whiteside) Arnold, Judy (Paterson) Burton, Betty (Olson) Challner, Laura (Verhelst) Cuvelier, Betty (Ireland) Devins, Shirley (Bell) Forester, Pat (Coates) Gibson, Barb (Facey) Glover, Pat (Riddell) Gouldie, Liz (Toth) Guttman, Myrna (Black) Hall, Margaret (Sprott) Hammond, Grace (Ross) Jones, Leonie (Couckuyt) Hooper, Lori (Claeys) Langton, Dawn (Park) Lucy, Jane Martin, Neta (McArter) Mains, Audrey (Mogk) McKinney, Lorna (Hammond) McLeneham, Chris Moore, Laurie Park, Sharon (Couckuyt) Patterson, George (Bus) Riddell, Doreen (Pagee) Riddell, Lynne (Gouldie) Shipley, Phyllis (Riddell) Struth, Marilyn (Challner) Wiens

Anne Lindsey

Mr. James Allum (Fort Garry-Riverview): Mr. Speaker, I rise today to acknowledge one of my constituents in Fort Garry-Riverview, who has made an enormous contribution to environmental justice in Manitoba and who has promoted and practised environmentalism throughout her distinguished career. For 23 years, my friend and constituent, Anne Lindsey, was the executive director of the Manitoba Eco-Network. She was the first director in the network's history and held that challenging position until her retirement this past fall.

The Manitoba Eco-Network is a non-profit organization that promotes positive environmental action by connecting people and groups in our communities. The network is about education and facilitation, but under Anne's leadership, it has most of all been about action.

As the driving force behind the Eco-Network, Anne oversaw the growth of an organization that once operated out of a cubbyhole, but now binds together over 50 progressive groups. The network has provided leadership on a host of projects, including climate change, water conservation, organic farming, active transportation, organic lawn care and many, many others.

In her role as executive director, Anne courageously fought for a greener, healthier and more 'equital' future for all people. Her dedication to improving ecological literacy reflected her desire to help us understand the environmental consequences of our daily decisions. In her final letter as executive director, Anne described her work as being about,

quote, raising awareness, promoting behaviour change, encouraging smarter practices and regulations, building capacity, and helping people to connect with each other, all in the interests of reversing the desecration of the earth, living more harmoniously within the planet's carrying capacity. These are words to live by, Mr. Speaker.

I'm sure the current Eco-Network staff and their new executive director, Kristine Koster, will continue this essential work. Mr. Speaker, on behalf of this House and the people of Manitoba, I salute Anne Lindsey for her incredible contribution to the growth and development of the Manitoba Eco-Network and her commitment to environmental action.

Thank you.

Lake Manitoba Flood Rehabilitation Committee

Hon. Jon Gerrard (River Heights): Mr. Speaker, last night I was in Ashern for a meeting of the Lake Manitoba Flood Rehabilitation Committee and their efforts and the need for action to prevent future flooding on Lake Manitoba and Lake St. Martin. The meeting was ably chaired by Tom Teichroeb and included representatives from around both Lake Manitoba and Lake St. Martin.

The meeting focused on the water levels to which Lake Manitoba and Lake St. Martin should be regulated and the means of achieving the regulation. For Lake Manitoba, the lake levels which people wanted to achieve were in the range 810 to 812.5 feet above sea level, with the majority asking for the lower end of this range. For Lake St. Martin, I heard requests for 796 feet above sea level and 800 feet above sea level. More work needs to be done to achieve a clearer consensus of the desired range for Lake St. Martin.

When it came to the means of achieving the regulation of Lake Manitoba and avoiding future problems should there be a lot of water coming through the Portage Diversion in a future flood year, it was a very, very strong consensus that there needs to be the capacity to have water flowing from Lake Manitoba to Lake Winnipeg in an amount which will balance the extra input of water through the Portage Diversion.

Two options were talked about. One option, a channel north of the existing Fairford River was rejected because it's got the potential to make flooding worse around Lake Pineimuta. The second option, a channel from Lake Manitoba to

Lake St. Martin, which goes from Watchorn Bay on Lake Manitoba to Birch Creek on Lake St. Martin, was very strongly supported as the best option.

There was, however, recognition that there needs to be work done on Lake St. Martin and the flow of water from Lake St. Martin to Lake Winnipeg to be sure that any additional water flow into Lake St. Martin can be offset by increased flow from Lake St. Martin to Lake Winnipeg. The latter's been addressed to date through the construction of the Lake St. Martin channel, which flows water from Lake St. Martin to Big Buffalo Lake, and additional capacity from Big Buffalo Lake toward Lake Winnipeg.

But it's not clear if this will be enough to sufficiently balance the additional water which may come through the Watchorn Bay to Birch Creek channel, should it be constructed.

There were also impassioned pleas from Matthew Traverse, the flood co-ordinator for Lake St. Martin community and others to consider the option of moving the community of Lake St. Martin to the east side of Lake St. Martin, which is much higher than the existing location and safer in cases of flooding.

ORDERS OF THE DAY

GOVERNMENT BUSINESS

House Business

Hon. Jennifer Howard (Government House Leader): Yes, thank you, Mr. Speaker, firstly on House business. I'd like to announce the following meetings for the Standing Committee on Public Accounts—

An Honourable Member: No.

Ms. Howard: May—they're all quivering with anticipation.

May 23rd, at 7 p.m., to consider the Auditor General's Report, Follow-Up of Previously Issued Recommendations, dated January 2012: Section 7, Use of Derivative Financial Instruments in the Province of Manitoba; Section 8, Audit of Mandatory Legislative Reviews; Section 9, Public Sector Compensation Disclosure Reporting. Witnesses to be called: Minister and Deputy Minister of Finance.

June 19th, at 2 p.m., to consider Auditor General's Report, Annual Report to the Legislature, dated January 2012: Chapter 4—Food Safety;

Department of Agriculture, Food and Rural Initiatives and Department of Health. Witnesses to be called: Minister and Deputy Minister of Agriculture, Food and Rural Initiatives; Minister and Deputy Minister of Health.

June 19th, at 6:30 p.m., to consider Auditor General's Report, Annual Report to the Legislature, dated January 2012: Chapter 6, Special Needs Education: Department of Education. Witnesses to be called: Minister and Deputy Minister of Education.

Mr. Speaker: It has been announced that the following meetings on Standing Committee on Public Accounts: May 23rd, at 7 p.m., to consider the Auditor General's Report, Follow-up of Previously Issued Recommendations, dated January 2012: Section 7, Use of Derivative Financial Instruments in the Province of Manitoba; Section 8, Audit of Mandatory Legislative Reviews; and Section 9, Public Sector Compensation Disclosure Reporting. Witnesses to be called are the Minister and Deputy Minister of Finance.

* (14:40)

And then June 19th, at 2 p.m., to consider the Auditor General's Report, Annual Report to the Legislature, dated January 2012: Chapter 4—Food Safety: Department of Agriculture, Food, and Rural Initiatives and the Department of Health. Witnesses to be called for that meeting are the Minister and Deputy Minister of Agriculture, Food, and Rural Initiatives and the Minister and Deputy Minister of Health.

And for the meeting also on January the 19th, at 6:30 p.m., to consider the Auditor General's Report, Annual Report to the Legislature, dated January 2012: Chapter 6—Special Needs Education: the Department of Education. Witnesses to be called include the Minister and Deputy Minister of Education.

Ms. Howard: I'm sure you meant to say June 19th. It sounded like you said January 19th. I'm sure it was June 19th.

Mr. Speaker: If I've misstated that, it is June the 19th, at both 2 p.m. and 6:30 p.m.

Ms. Howard: I also want to—just for the information of the House, our intention tomorrow will be move—to move back to Committee of Supply, which would

mean that we would also be sitting in Committee of Supply on Friday.

Today we are asking you to call second readings, and we'll start with bills 12, 16, 8, 17, 28, and 26.

SECOND READINGS

Mr. Speaker: We'll now call second reading of bills.

Okay, for the information of the House, it's been indicated that we'll be calling for second reading of bills—Bill 12, bill number—The Consumer Protection Amendment Act; Bill 16, The Consumer Protection Amendment Act; Bill 8, The Highway Traffic Amendment Act; and Bill 17, The Non-Smokers Health Protection Amendment Act; Bill 28, The Residential Tenancies Amendment Act; and Bill 26, The International Interests in Mobile Equipment Act.

And we'll start with Bill 12.

Bill 12—The Consumer Protection Amendment Act (Motor Vehicle Work and Repairs)

Hon. Jim Rondeau (Minister of Healthy Living, Seniors and Consumer Affairs): I move, by the—seconded by the Minister of Finance (Mr. Struthers), that Bill 12, The Consumer Protection Amendment Act (Motor Vehicle Work and Repairs), now be read a second time and referred to a committee of this House.

Motion presented.

Mr. Rondeau: Mr. Speaker, this bill amends The Consumer Protection Act to add a new part dealing with car repairs.

The complexity of today's vehicles can make it very difficult for consumers to understand the repair work that may be needed for their vehicles. This can result in consumers being put at great disadvantage when dealing with car repair businesses. While most of the repair business in Manitoba are reputable and treat consumers fairly, situations do arise where consumers need protection. For example, few consumers have the ability to debate the technical merits of a repair, particularly if they're told by businesses that it is a safety issue. The—this vulnerability may lead some consumers to be taken advantage of.

Three provinces have legislation specific to car repairs: Alberta, Québec, and Ontario. Alberta and Québec have had legislation in place since the 1970s, and Ontario introduced legislation in the late 1980s. These laws have been walking well—working well,

and we have the opportunity to build Manitoba's framework on what is working elsewhere.

Through complaints filed with the Consumer Protection Office and responses to the consultation paper, we know that consumers have experienced the following challenges when getting their cars repaired: charges for estimates without being told that there would be a charge; the total cost of the repair far exceeding the estimate; and charges for repairs that were not authorized; and, of course, repair work that does not last.

From the business perspective, industry associations in repairs reported that good businesses already follow many of the provisions in place in the other provinces, such as: providing a detailed estimate; informing customers of the—upfront about the fees; obtaining customer authorization before performing the repairs; disclosing whether a new or used part is being used; and returning old parts if the consumers request them.

As part of The Consumer Protection Act, this legislation applies to transactions between consumers and businesses. For clarity, the legislation does not apply to claims through MPIC since MPIC has its own protective measures and processes.

Mr. Speaker, under this bill repairers will be provided to provide consumers with an estimate unless the consumer declines one, provide the repairer with a maximum amount they're willing to pay for the repair and, as in other provinces, the information to be included in the estimate will be standardized and prescribed in the regulation. Businesses may charge a fee for providing the estimate, but if they do they must tell the consumer upfront about the fee and the amount. The fee for the estimate must include all costs associated with diagnosis and putting the vehicle back together again. Essentially, the consumer needs to be sufficiently informed in order to make a decision on whether to proceed or not with the repair.

Under this bill, the final cost of the repair must be within a certain range of the estimate to be outlined in the regulation. The bill looks to accommodate realities of repair work, but also ensure that there's no surprises to the consumer. Repairers will need to seek authorization to do further work, and if more extensive problems are identified with the vehicle that will increase the cost of the estimate, the consumer must be informed.

Under this legislation, the repairer will not be able to charge for repairs that the consumer did not authorize. Authorization will be required in writing or in other ways. It is recognized that repairs commonly receive authorization over the phone. Such authorizations will be permitted, but regulations will 'stete'—state how they must be recorded.

Mr. Speaker, under this bill, repairers will be required to post signage and provide specific information to consumers to advise them of their rights. This information will support transparency and clear communications between business and consumers and enable a consumer to make informed decisions.

With these amendments, repairers will need to offers consumers their old parts. The parts would be kept separate from other parts in the shop during the repair and should be returned to the customer if they were requested. This will allow the consumer to be able to confirm that the old part was, indeed, problematic and confirm it was actually replaced.

The proposed amendments will require repairers to provide consumers with an invoice containing specific details of the repair. The required information will be specified in the regulation.

Mr. Speaker, under this bill, repairers will be required to provide a warranty for parts and the labour required to install them of 5,000 kilometres or 90 days. The warranty will not cover damage resulting from misuse or abuse.

If the repairer uses a subcontractor both businesses will be jointly liable for the repair. This will ensure that the consumer does not get caught between business in the case of disagreement between the two business.

To support compliance and enforcement of these protections the bill will also include provisions—stress the records kept by businesses and the authority of the Consumer Protection Office to conduct inspections and investigations.

Mr. Speaker, many of these provisions in the bill are—reflect the best practice currently used by businesses. They're supported by CAA and others, and they treat consumers fairly. This legislation will raise the bar for the rest of the industry and ensure greater consumer protection. I strongly recommend it to the House.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to put a few comments on the record on Bill 12.

This—but before I do that, I want to express my condolences to the Leader of the Opposition (Mr. McFadyen) on the loss of his father. His father was a great contributor—Eriksdale to the—had a creamery. Just, what I understand, a wonderful person, and this is a tragic loss and very early. So Naomi and I express our condolences to Hugh McFadyen—sorry—the Leader of the Opposition and—on this occasion.

* (14:50)

The—now, to this bill, let me first say a few words about the industry and provide a salute to the many people in the motor vehicle service industry who provide such, by and large, excellent work in terms of maintaining the cars and trucks that go around our highways. There are, of course, some exceptions, and this is why this bill is necessary. But I think it's important to recognize the importance of this industry in contributing to safety, to making sure that cars on the road are safe. And, of course, that's not only the car that one is driving, but the other cars, because if something goes wrong with one of the other cars that could lead to an accident and help—and loss of lives and injuries and so on. So safety is very important in this respect.

It's also an issue of good business practices. It is important that people who come to Manitoba, people who live in Manitoba, know and respect this industry because there are good business practices and that the industry here can be relied upon.

I was talking just yesterday to some people who are quite concerned about some of the road signs in the city of Winnipeg, because they're not done as well as they could be, or not as well as in other jurisdictions, and this has led some to get speeding tickets when they shouldn't have got them. And it's an example of how bad practices can cause problems and drive away people who are visiting because they have bad experiences. So it's important that we've got an industry which is doing good things, providing best practices.

And, of course, it's also important in terms of performance of the vehicles. We want to make sure that vehicles are performing well for individuals, but it's also important that they are performing well in terms of reducing greenhouse gases. And so that the good repairs done by people in this industry can

make a significant contribution, and it's important to recognize that.

The car that I happen to drive, which is a Prius, all right, which is not a gas guzzler, it's a greenhouse gas saver, it has really good, you know, distance, kilometres for each litre of gas used. Usually it's running about 5 litres per 100 kilometres. *[interjection]* Yes, I know the minister's bicycle does a little better, but—anyhow, I want to pay tribute to the people at Frontier Toyota who have been involved in repairing and maintaining this Prius.

It's had, in the approximately 200,000 kilometres that I've driven it in the last few years, it's had remarkably few repairs or needs to go in for anything of any real significance. So I want to say thank you to the folks at Frontier Toyota who provided excellent service, and note that the word Toyota and the company Toyota was built on a philosophy of continuous quality improvement, making sure that, not only the cars, but the service were as good as they possibly could be.

Indeed, I didn't get any Jets tickets from Frontier Toyota or anything like that, but I did talk to Val Thompson, who until recently was the owner there, and she was actually a little surprised at the bill because she thought that much of what was in this bill was actually already standard practice and, in fact, the law.

But, indeed, there are a few others in Manitoba who are not as good quality monitors and who don't have as good standards in workplace as they do at Frontier Toyota, and, therefore, it is important that we have this legislation.

We've also had very good service from a variety of other dealers for not just my car but my wife's car—for example, at the Academy Road Service on Academy Road, which is in River Heights and very close to where we live. And we're appreciative of them and the service and the quality of work that they have provided.

I want to make a few comments on this, you know, legislation from people that I have talked to. For example, Amaro Silva, who is the CEO of the Better Business Bureau, has had a careful look at this. His experience there is, of course, with people very often are complaints that come in because of poor business practices. And so his experience would be those areas where there are real concerns, and he, because of his experience in this area, is very aware

of where there are problems and where there are changes that need to be made.

And in looking at the changes that this bill 'mades,' which include, of course, requiring that there be an estimate, and there be limits—limitations in the circumstances in which a fee can be charged for an estimate. This bill includes caps on how much more than an estimated amount a consumer may be charged, but, of course, has the exception that where something turns up in the middle of work being done that was completely unknown when the estimate was done, that it is important to notify the owner immediately of the situation and provide an estimate for that additional work where it would need to be done under such circumstances.

It is important, this, to continue to have quality work and make sure that all the work and repairs are appropriately authorized by the consumer. I think this bill, which requires that the parts be kept separate and returned to the consumer in certain circumstances, that this is a good provision. This, actually, at Frontier Toyota is standard practice.

This bill requires invoices to be provided and signs to be posted and records to be kept by the person who performs the work or repairs. It requires a warranty to be provided on new or reconditioned parts and labour. A good provision includes provisions for administration and enforcement and, of course, the power to make regulations.

But what Amaro Silva has commented is that, you know, this is a worthwhile and valuable amendment to The Consumer Protection Act. It's not a bad amendment—a credit to the minister—but it's not good enough. Certainly, the minister should have included in this bill the protection related to trade competency licensing. Manitoba's consumers should have the protection of trade competency licensing to be sure that, you know, any person on the street can't just pick up a wrench and call himself a mechanic or pick up a hammer and call himself a carpenter. That—this is a change that the minister should consider, and maybe he would consider an amendment in looking at this situation. He's shaking his head. All right, well, the minister will read about it and, hopefully, will include some changes and consider some changes.

* (15:00)

The—there are—you know, trade competency licensing can also provide, you know, protection in

terms of other aspects, and the bill could have looked, for example, at circumstances where people actually get ripped off and what would be the follow-up, what would be the adequate, you know, complaints and assurance that there would be protection in future.

I was talking very recently to a woman who had, in this case, purchased, or her husband purchased some investments. And there was a real problem in terms of the follow-up investigation and correction and addressing of the situation. And whatever we're dealing with in terms of retail, but certainly in this area, one needs to have those kinds of procedures well looked after and make sure that they are looked after well.

What happens when an individual, you know, closes a business with, you know, these guarantees that have been made, the commitments that have been made, and all of a sudden they're gone? Has the minister looked at this and whether there could be some changes or improvements to address the situation of when somebody closes their business?

Interestingly enough, the Minister of Health (Ms. Oswald) has brought in a bill which deals with what happens to medical records when a doctor closes a business, that they are not abandoned.

And the minister who's responsible for Consumer Affairs could actually look at this area and see if there could be some things done in terms of protection. When you've got somebody who's just done some work, and they go out of business and there's no real way to follow up or to get any way to adequately address this except to go to somebody else who—and pay all over again for the work that should have been done right the first time.

So, when—the other thing is that sometimes you have businesses which, you know, close and disappear, and then reopen shortly afterwards with a completely different name and carry on. And the minister could look at this issue to make sure that a business which has been closed by somebody who's owning and operating the business, that there's protection against the circumstance where somebody has been not brought—operating ethically or doing poor quality work or, you know, running into problems of this sort, that this bill has decided—designed to protect from.

And yet they start up again under a different name and then, you know, you don't have the same ability. And this may be an amendment that the

minister could actually have a look at and see if this bill could be improved.

And, certainly, you know, I would hope that there would be a number of people who would be ready to come in and talk about their experiences at the committee stage, and we can potentially learn from them and make additional improvements.

But, for the moment, Mr. Speaker, those are my comments on second reading. And I look forward to the discussion later on and at committee stage, and the amendments that, hopefully, the minister will bring in to improve this. Thank you.

Mrs. Mavis Taillieu (Official Opposition House Leader): I move, seconded by the member from La Verendrye, that debate be now adjourned.

Motion agreed to.

Bill 16—The Consumer Protection Amendment Act (Improved Enforcement and Administration)

Mr. Speaker: The honourable Minister of Healthy Living, on Bill 16.

Hon. Jim Rondeau (Minister of Healthy Living, Seniors and Consumer Affairs): I move, seconded by the honourable Minister of Justice (Mr. Swan), that Bill 16, The Consumer Protection Amendment Act, now be read a second time and be referred to a committee of this House.

Motion presented.

Mr. Rondeau: This bill amends The Consumer Protection Act to improve the administration and enforcement of the act. These amendments, which include new—some new provisions as well as revisions to the existing provisions, fall under four separate 'categories:' the first, stronger administration and enforcement in a variety of areas including payday lending; No. 2, communicating important information to consumers to alert them when the caution is necessary; No. 3, protecting consumers from businesses who may try to take advantage of them by suggestion that they waive their rights under The Consumer Protection Act; and No. 4, consistent terminology.

Mr. Speaker, The Consumer Protection Office, which is responsible for the administration and enforcement of The Consumer Protection Act, has found that some businesses are asking consumers to waive their rights to protection under this act. Section 96 of the act currently states that an agreement in which a consumer has been requested

or required to waive his or her rights are void. Unfortunately, consumers may not be aware of this part of the law and may actually believe they have waived their rights. In these instances, consumers who encounter this problem do not file a complaint with the Consumer Protection Office. We need to take stronger action to ensure that consumers are not taken advantage of in these situations. This bill adds a provision to prohibit a business from asking someone to waive their rights under the act. This strengthens the act by enabling the Consumer Protection Office to take action to address this business practice such as issuing an administrative penalty or recommending prosecution.

Mr. Tom Nevakshonoff, Deputy Speaker, in the Chair

Mr. Deputy Speaker, this bill also proposes amendments that will allow the Consumer Protection Office to alert the public when caution is necessary. The current information disclosure provisions in the act are quite narrow. The bill proposes to broaden seven—several provisions in the act so that the director may communicate information collected in the administration of the act when it is in public interest to do so in order to protect consumers. When the director of the Consumer Protection Office, in the course of administering the act, becomes aware of a business practice with potential harm to other consumers, amendment in this bill would allow the director to publicly disclose information to alert consumers to exercise caution with a particular business.

In addition, the amendments would enable the Consumer Protection Office to inform the public about a compliance order issued to a payday lender once it has been issued rather than the appeal—once—after the appeal process has been exhausted. Consumers will be better protected and informed about potential problems.

Mr. Deputy Speaker, this bill also includes a number of other amendments to improve the administration and enforcement of the act. The proposed bills broadens the information that can be considered for payday lending licences application and renewals. This will allow the Consumer Protection Office to take into account information about a business compliance history in other jurisdictions when deciding to issue or renew a lender's licence.

In addition, the current payday lending provisions in the act will be strengthened by clarifying that failing to comply with the compliance

order can be used as a reason to refuse—or to renew, cancel, or suspend a payday lender's licence.

Finally, Mr. Deputy Speaker, there are several minor amendments to improve the consistency and the language used in the act.

A healthy economy requires that consumers have confidence in the companies that they do business with and that will—they will treat them fairly and honestly. It also requires that consumers have accurate, sufficient, clear information to make the informed choices. Mr. Deputy Speaker, these amendments will help ensure consumers are treated fairly, have the enforcement and information needed to make informed choices, and to make sure that people comply with the law. I highly recommend it to this House.

Hon. Jon Gerrard (River Heights): Mr. Deputy Speaker, I rise to put a few words on the record with respect to Bill 16, the consumer protection act improved enforcement and administration.

And, you know, I'm all for improved protection and enforcement, but one of the things which is in this bill which I think needs to be looked at quite carefully is that the bill amends The Consumer Protection Act to permit the director to communicate information to the public when it's in the public interest. And it's permissive in allowing the director to communicate to the public, but it seems to me that in some ways it could even be stronger. That there are instances where it is vital that the public have communication about what—where there are problems and, indeed, that there could be—you know, this information provided in a fairly organized and structured fashion, for example, very easily, you know, on a web page or something like that in addition to communicating it in a fashion that might be through the media, but creating a—awareness of where there are issues can be very important in terms of protecting consumers.

* (15:10)

I had a—an example recently of a—an instance where there was a business problem, and I had a husband and wife come to me with this business problem, and they said, you know, there were a whole lot of people who had problems with this and if only there had been some public awareness of this, they would've never got into the mess that happened because of, basically, unethical business practices, you know. And so, it becomes—you know, it's not a, sort of—may communicate. It needs to be that there

really is effective communication and that that communication be done in a way where people can find the information easily. In this case, the information was actually quite hidden, even though certain aspects of it were in the public domain.

And so, clearly, it was an example of where there could be, you know, much better public awareness of the problem. It would've saved a lot of Manitobans from getting into a very difficult situation for themselves as a result of these unethical business practices, and it could've been resolved had there been the public awareness of what was happening.

And so, I think that this is an area which is extraordinarily important and needs some extra attention to make sure that the information which is so critical for people to be able to, you know, protect themselves from bad business practices.

We've had—you know, and it's worthwhile talking about this—in the last several years, with what's happening, you know, in the stock markets and the economy and it going up and down and the concerns over what's happening in Greece and Europe at the moment, that there are, clearly—you know, you want to make sure that where people are involved in, you know, unethical business practices, like Madoff and, I think, Earl Jones, and there was a couple of people in Manitoba, that this is something which there is a public awareness of as quickly as possible, and that information is there so that when people are searching out which business to work with, that they know that they've got a business which is reputable and people which are reputable.

And so I think in this bill, which, I think, is a reasonable bill, this is one of the areas which I would suggest to the minister, he should look—pay a little bit of extra attention, because it is important in terms of protecting Manitobans and making sure that people don't inadvertently, you know, get into trouble because that public awareness was never provided. And so, with these few comments, I'll support this legislation as it move forward and look forward to any further discussion in second reading and at committee stage and, of course, at third reading. Thank you.

Mrs. Mavis Taillieu (Official Opposition House Leader): I move, seconded by the member from La Verendrye, that debate be adjourned.

Motion agreed to.

Bill 8 – The Highway Traffic Amendment Act (Use of Child Safety Seats)

Mr. Deputy Speaker: Now call Bill 8, The Highway Traffic Amendment Act (Use of Child Safety Seats).

Hon. Jim Rondeau (Minister of Healthy Living, Seniors and Consumer Affairs): I move, seconded by the Minister of Justice (Mr. Swan), that Bill 8, The Highway Traffic Amendment Act (Use of Child Safety Seats), now be read a second time and referred to a committee of this House.

Motion presented.

Mr. Rondeau: Mr. Deputy Speaker, this bill amends The Highway Traffic Act to amend—to add a new section requiring the use of booster seats.

Mr. Deputy Speaker, when we launched our injury prevention strategy, we included a commitment to address serious motor vehicles injuries and fatalities. In Manitoba, motor vehicle collisions are a leading cause of injury and death among booster-seat-age children, aged 4 to 9 years old. This is truly unfortunate, as many of these injuries can be prevented through the proper use of booster seats.

Research has shown that a correctly used 'booner'—booster seat can reduce the risk of serious injury by more than 60 per cent. Over the last few years, health and safety advocates have been asking for better protection for children riding in motor vehicles. When a seat belt does not properly fit, it can cause serious abdominal and spinal cord injuries in the event of a collision. A booster seat elevates a child to their correct height at which seat belts can be worn properly.

Seven provinces have legislation specific to booster seats: British Columbia, Ontario, Québec, New Brunswick, Nova Scotia, Prince Edward Island and Newfoundland and Labrador. Québec and Ontario have had legislation in place since the early 2000s. The remaining jurisdictions introduced legislation in 2007 and 2008. These laws have proven to reduce serious injuries by increasing the use of booster seats.

We have the opportunity to build on Manitoba's existing car seat legislation to what is working

elsewhere in Canada. With this bill, all four car seat stages outlined in Transport Canada will be covered by comprehensive car seat legislation in Manitoba.

Currently, The Highway Traffic Act addresses the use of rear-facing and forward-facing car seats and the use of seat belts. The proposed amendment will require a child to use a booster seat in accordance with the regulations.

The actual benefits of the proposed legislation are anticipated to be great. There will be an improvement to the health and well-being of children, parents and families across the province. In addition, this bill will also benefit our communities, health system and economy by reducing the demands on costly services, as a result of serious motor vehicle injuries. Estimates by SMARTRISK, a national injury prevention organization, show that motor vehicle injuries cost \$70 million in health-care costs to the Manitoba economy annually.

Mr. Deputy Speaker, under this bill, the use of booster seats will be required until the child meets certain age and physical characteristics as prescribed in regulation. The proposed regulation would require booster seat use until a child reaches nine years of age, or four foot nine inches in height, or at least 80 pounds.

This bill will require that specific booster seat standards are used as prescribed in regulation. The safety standards for booster seats are governed by the Canadian Motor Vehicle Safety Act that requires all booster seats sold in Canada to meet specific Canadian motor vehicle safety standards. The proposed amendment will also prescribe that booster seats are to be used in accordance with the manufacturer's instructions. These instructions are important as they give important additional safety information to parents and caregivers.

These amendments will come into force on proclamation. This will allow time for regulatory development and public education, as well as time for the public to purchase the required car seats.

Mr. Deputy Speaker, many of the provisions of the bill are a reflection of the best practices currently used in injury prevention and health community that best protect children riding in motor vehicles. This will save lives and create less injuries. This legislation is a huge step forward, improving the

health and safety of children in Manitoba. I strongly recommend it for the House.

Hon. Jon Gerrard (River Heights): Mr. Deputy Speaker, I want to thank the minister for bringing this forward and following our lead of about five years ago when we first introduced this legislation. I think the minister has close to copied my speech of five years ago, with a—you know, a few changes. So I had—this is—they say that, you know, copying is the most serious form of flattery, so I'll take it for what it's worth.

* (15:20)

The—you know, it is interesting that the size and the ages and the weight are the same as what we had proposed five years ago. And I'm pleased that the minister has seen that, you know, these were the sizes and the weights which essentially are being used across the country, and they are—it's a good decision. It was a good decision, you know, five years ago and it's a good decision now, but it's good that we are finally having it.

And I'm pleased that the minister realizes that this is talking about best practices. It's talking about saving dollars and it's talking about, you know, helping kids. And these are all really good things and one of the reasons why I'm going to support the minister's bill, which is really my bill from several years ago. But that's okay, we'll give the minister credit for finally, you know, waking up, and thank you, the minister.

It's been recognized, Mr. Deputy Speaker, that booster seat legislation has been badly needed in Manitoba for quite some time and, of course, Manitoba Liberals have battled for a number of years for this legislation. And as the minister has pointed out and I have already mentioned, there are seven other provinces with this legislation. It is practically standard across the country, and it is good that we are moving in this direction here.

I think it's worthwhile noting that the legislation is particularly important in preventing spinal cord injuries which can happen when children who are five to eight years old are in a car accident when using a regular seatbelt instead of a booster seat, and preventing—preventing such spinal cord injuries is important because they can be very severe. Children can end up in wheelchairs and, you know, their life can be completely changed in terms of the opportunities.

And, certainly, you know, this an important part of this legislation, an important part of the reason that we are moving now, finally, on this area. I think, you know, as I pointed out in previous instances—and the minister has said this will save money. It's interesting that every dollar, it's estimated, spent on a child restraint device has been found to save about \$32. That's quite a good return on the investment and certainly worthwhile.

For many years, of course, the Canadian Paediatric Society was giving Manitoba a failing grade in this area, but that now should change thanks to the fact that the minister has woken up and realized that this is essential.

This legislation that we had introduced was introduced for the first time in April of 2008 when I moved this, seconded by my colleague then from Inkster, Kevin Lamoureux, who's now the Member of Parliament for Winnipeg North. It came in, then, at first reading in June of that year, 2008. We had a second reading debate. There were a number of comments in that debate which may be worthy of a little, you know, retrospective attention. In—you know, in my remarks then, I had emphasized many of the things that we've talked about today. I talked about the various research efforts that has been done and the evidence that this saved lives and saved injuries.

There were, you know, various very good pieces of research which led and demonstrated very clearly that this legislation and, in fact, the implementation of this legislation and the use of booster seats can save lives as well as save public dollars on our health-care system, and as well as, you know, protecting children from injury.

It is of interest, back in 2008, the then-minister of Healthy Living who, at that point, was minister—or the member from Fort Garry, and she spoke eloquently, but she did everything but support the legislation. The then-minister said that, you know, we want education instead of having legislation. We want people to sort of make up their minds, and—but she certainly was not ready at that juncture to move to support this legislation. So I—I'm pleased that the new minister is ready to support the legislation.

The then-MLA and current MLA for Southdale got up on this legislation and she said, Mr. Deputy Speaker, I quote: I'm going to consider myself something of an expert in this area. And she went on

to provide arguments against this legislation and she also provided arguments which suggested that there was far too much confusion about the right size and weight and height, and so it's rather interesting that now we have a change in mind of the caucus and a recognition that the original height and weight and age that we presented back in 2008, was the right one.

And then, Mr. Deputy Speaker, we had the MLA for Kirkfield Park and she got up, she said, this is a debate about converting weights, I'm not a metric speaker and—but she went on into a debate about the heights and the weights and, you know—and she was anything but supportive of this education and argued as the then-minister of Healthy Living that all that was needed was education. And I—*[interjection]* Yes, we needed better education, yes. It took them five years to learn. I—I'm glad that—you know, that the—that there is recognition of what we had called for so many years ago, is now being implemented.

And then the other member of the NDP who got up in—and to speak on this—you know, went so far as to ridicule the bill. He said, this proposal is so short on substance that it's not worth supporting. That was—you'll never guess—the MLA for Wolseley, and—but he's—I'm glad that, you know, he said that this bill would bring in something that the vast majority of people in some neighbourhoods I represent would never ever implement.

Well, I'm glad that the current Minister of Healthy Living (Mr. Rondeau) has been able to, you know, overcome the resistance in his caucus—the tremendous resistance in his caucus to improvement. The member for Wolseley (Mr. Altemeyer) went on and talk about this bill as if it was assuming that people don't know and can't access the information about how properly to use a booster seat. Well, I mean, he was obviously implying that, you know, maybe he himself, we now know, had something to learn and something to be educated about, and clearly the MLA for Wolseley—I hope the MLA for Wolseley will be speaking on this legislation. I was accused by the MLA for Wolseley of grandstanding. When we now know and it is so obvious from the—even the Minister of Healthy Living acknowledges that this is something which is essential for the health of children. That the evidence piece by piece and bit by bit has mounted to the point where, you know, even the NDP have to realize that this is essential safety measures for Manitoba children. And, finally, it is good to see them coming to their senses and

realizing that the safety of Manitoba children is important. There is still a long way to go, but at least this step is being taken.

* (15:30)

The legislation which Kevin Lamoureux and I had introduced in 2008 was talked out by these members. In fact, specifically, I believe it was talked out—I should—oh, it was talked out by the member for Fort Rouge—

An Honourable Member: Oh, was it?

Mr. Gerrard: Oh, yes. The member for Fort Rouge (Ms. Howard) got up to make sure that it couldn't be voted upon, and so she talked about, you know, various things and made sure that it was talked out and couldn't come to a vote so it wouldn't be passed.

Now, the—this legislation was introduced a second time in November of 2008 and we—Kevin Lamoureux and I—again, introduced this at first reading and in June—June the 2nd of 2009, we moved that bill. It was Bill 200; it was the first one that we introduced that session and had a priority, but, you know, it wasn't a priority for the NDP. It was debated at some length and, indeed, the bill was supported by the member for Arthur-Virden (Mr. Maguire) and—which was good to see. I think that, you know, he has had some personal family experience with some car accidents and recognizes the importance of road safety, and that was good to see the support from the Conservative Party on that occasion. But there was no support, again, from the NDP. And—[interjection] I will—I will share. I pleaded for the NDP to support the bill on that occasion. I pleaded for support for children, for safety, for cost savings, but they wouldn't listen.

Once again, the MLA for Southdale got up and said, and let me quote: Once again, I'm going to stand in this House and claim myself an expert on this particular issue. And you know, I think we now can all appreciate—and, you know, thanks to the more enlightened position taken by the MLA for Assiniboia, now is the minister responsible, that—the recognition that his MLA for Southdale was—although she proclaimed herself as an expert, was going down the wrong path. And she argued, again, that, you know, the numbers were a question you—but, of course, they chose the same numbers as we presented in our two bills. And she actually mentioned that it's important for parents to understand the importance of booster seats, but she wouldn't support the legislation. The—and she went

down a whole series of excuses why, you know, this wasn't the right legislation and so on and so forth. But this is—you know, when you look at the excuses, that's basically what they were.

And then, of course, we had the contribution, which I mentioned, of the MLA for Arthur-Virden. And the MLA for Arthur-Virden stood up and he said, and I quote: And I just wanted to say that, as a grandparent myself, I'm certainly very aware of the use of car seat and booster seats in regards to what's required today and what and what is practical and what's really practical, Mr. Deputy Speaker. And common sense comments from the MLA for Arthur-Virden, who had the opportunity of meeting with some people from the booster seat car seat coalition and, indeed, was supportive.

He said, and I quote: I believe that this is a good bill. I believe that this is something I would certainly support. I believe that the situation we've got in Manitoba today, we should have unanimous support for this kind of a bill in the House. But, of course, we had anything but unanimous support, as the NDP were not supportive.

And then we moved on. This is to have the MLA for Kirkfield Park once again, and she hadn't said enough the first time around; she wanted to make sure that she got on the record as opposed to this a second time. And she talked about, you know, the uniqueness of children and various other things, about the cost of car seats. But she never talked about the savings, which is the really important thing, because this bill and the use of car seats have truss—such a tremendous saving, not only in terms of lives and injuries, but the cost of hospital care to somebody with a spinal cord injury can be huge, and it can be not just short-run; it may be that you've got increased hospital care for somebody's lifetime.

And the MLA for Kirkfield Park talked about, you know, we have to balance out a whole bunch of other effects. That's an odd way of trying to weasel out of supporting the bill. And, you know, it went on and on and with more and more excuses, but she certainly wasn't going to support this legislation then, but thankfully the NDP have seen the light and they've come around to introducing the bill.

The last—well, the other speaker for the NDP was the member for Transcona (Mr. Reid), who's now our Speaker. And he got up, he said, and I quote: I've listened very carefully to the comments, in particular to my three colleagues that I've mentioned here today, and—but he went on and he said—you know, he

talked about people and the NDP assuming that people are going to take the safety and prevention measures necessary.

But the fact of the matter is that when you're dealing with children and when you're dealing with things like booster seats, you actually need to have a law. And there's a number of reasons why you need to have legislation. Just to make sure that all kids are safe is the primary one. Of course, to save dollars would be another one, but it also means that parents can say to their kids, well, this is the law, you have to be in a booster seat. They can no longer sort of make an excuse and try to persuade their parents that they don't need to be in booster seats.

* (15:40)

And this comments by the member for Transcona (Mr. Reid), he says there has to be other alternatives available to booster seats. Well, I'm not sure what he was meaning, and, certainly, you know, we haven't found other alternatives available that would—met his description, and the rest of the country pretty much has accepted that booster seats are the alternative.

And so I'm glad to see, as I said, that the NDP have opened their eyes and have read the evidence, and it may have taken several years to do that reading, but finally we're at that stage.

The MLA for Transcona said, and I quote: I have to say that our government has taken the steps necessary to provide for the injury prevention for our children, and I think, with respect to this particular legislation, we've take the steps necessary already, whether it be in the Farm Safety Walkabout program, the Safe Play Area grants, et cetera, et cetera.

But he's talking primarily about education. And the fact that he didn't support this legislation then was, you know, in my measure—mind, inexcusable, given the overwhelming evidence. And, of course, we now have a recognition that that overwhelming evidence is there and that, you know, once again, the legislation was talked out.

Now, I mentioned before that it was the MLA for Fort Rouge who is responsible for Child and Family Services currently who had talked out, and I was actually wrong. It was not the first time, but it was this time, in 2009, that the MLA for Fort Rouge talked out this bill so that it couldn't be passed.

Back in—and I'll go back to 2008, when it came the first time, and correct the record because it wasn't

the MLA for Fort Rouge, it was the MLA for Gimli who was then the minister of Education, Citizenship and Youth. The member for youth—the Minister for Youth would not support this legislation back in—on June 10th, 2008.

And, you know, the MLA for Gimli said—*[interjection]* This is interesting. I will quote the MLA for Gimli. He says, I know my children are very good at educating me. Well, they didn't do a good enough job in terms of educating him about this legislation. And maybe the MLA for Gimli can go back and talk to his kids and, you know, explain that he's changed his mind. And we appreciate the fact that he's changed his mind and salute the fact that the MLA and the government and the current Minister for Healthy Living (Mr. Rondeau) are fully supportive of this bill, and look forward, Mr. Deputy Speaker, to this bill getting full attention and being passed by the middle of June because it would be a bill that should be passed on an urgent basis.

Thank you very much, Mr. Deputy Speaker.

Mrs. Mavis Taillieu (Official Opposition House Leader): I move, seconded by the member for Midland (Mr. Pedersen), that debate be now adjourned.

Mr. Deputy Speaker: It has been moved by the honourable Opposition House Leader, seconded by the honourable member from midlands, that debate—

An Honourable Member: Midland.

Mr. Deputy Speaker: —now be adjourned.

Midlands?

Some Honourable Members: Midland.

Mr. Deputy Speaker: Midland. Excuse me—the honourable member for Midland—that debate now be adjourned.

Is that agreed? *[Agreed]*

Point of Order

Mr. Rondeau: Mr. Deputy Speaker, on a point of order.

Earlier today, when I moved the second reading for a motion for Bill 16, I neglected to read the full title of the bill. In the interest of clarity, then, I would like to state the proper title in full.

It's Bill 16, The Consumer Protection Act (Improved Enforcement and Administration)—

[interjection] Yes, The Consumer Protection Amendment Act (Improved Enforcement and Administration).

Mr. Deputy Speaker: I thank the honourable minister. He does not have a point of order, but we do appreciate the clarification of the record.

Bill 17—The Non-Smokers Health Protection Amendment Act

Hon. Jim Rondeau (Minister of Healthy Living, Seniors and Consumer Affairs): Mr. Deputy Speaker, I move, by the—seconded by the Minister of Finance (Mr. Struthers), that Bill 17, The Non-Smokers Health Protection Amendment Act, now be read a second time and be referred to a committee of this House.

Motion presented.

Mr. Rondeau: Mr. Deputy Speaker, this bill amends The Non-Smoker Health Protection Act to prohibit the sale of tobacco products in health-care facilities and pharmacies. It also prohibits the sale of tobacco products in establishments such as retail stores, if a pharmacy is located on the premises, unless the pharmacy is accessible by customers by a separate entrance.

The bill also prohibits the use of vending machines to sell tobacco products.

Mr. Deputy Speaker, when we launched the provincial tobacco control strategy way back in 2002, we included a commitment to achieve the goals of preventing youth from starting to smoke, protecting non-smokers from exposure to second-hand smoke, helping smokers to quit, and denormalizing smoking in tobacco products.

This bill is another step in the right direction and helps us meet the goals of this strategy. I might like to add that that bill was passed unanimously with all members voting for it because it was the right thing to do. And I'd like to thank a person from Carman who actually moved that from the Conservative Party, that would—to start this—us on the journey.

Manitoba's pharmacies have been asking us to pass such legislation for some time now. In fact, in 2009 the Manitoba Pharmaceutical Association, the regulating body for pharmacists in Manitoba, reaffirmed their policy on this issue, stating in part that the association is of the opinion the sale of tobacco products is contrary to public health and should not be for sale in a pharmacy.

In addition, the association is also in support of any legislation action to prohibit sales of tobacco from pharmacies in the province of Manitoba. We are glad to be bringing in legislation that's consistent with the wishes of the pharmacist and eliminates the contradictory practice of providing medicines and products to improve the health and well-being of the customers while, at the same time, selling an inherently dangerous and addictive product.

Of the 365 pharmacies in Manitoba, 259 had already made the decision not to sell tobacco products, so this legislation will only affect 106 pharmacies, less than one third that are now in existence. This bill's—us—brings us into line with other provinces and helps ensure that Manitoba's in keeping pace with accepted tobacco use-reduction practices. Large retailers like Safeway, Costco and Superstore have adapted this restriction in other provinces and can be expected to do so in Manitoba as well.

This bill also prohibits the use of vending machines to sell tobacco products. Our tobacco tax licence data indicates that there are only about 17 of these types of vending machines licensed, and they will—be mostly located in bars and taverns. With so few of these machines in operation, we can expect the impact to be minimal. And it's also important that we remove the opportunity for someone who may be underage from obtaining tobacco products from these machines.

* (15:50)

Mr. Speaker—Mr. Deputy Speaker, we must recognize that tobacco products are inherently 'harmfill.' Like—unlike other consumer products on store shelves today, that is why Manitoba removed them from display in 2005 and all other provinces have taken that same step. Tobacco use results in substantial cost to the Manitoba economy, including \$237 million annually in direct health-care costs. Measures, such as this bill, are an important part of the provincial strategy aimed at reducing those costs and improving the health of Manitobans.

Mr. Deputy Speaker, this bill is set to come into force on May 31st, 2013, giving retailers and pharmacies a full year to prepare and adjust. We will ensure compliance with existing enforcement resources, but anticipate full co-operation as retailers and pharmacists support our efforts to reduce tobacco use.

Mr. Deputy Speaker, my department and this government remain steadfastly committed to reducing tobacco use and, therefore, improving the health of Manitobans, and this bill is one more step in achieving that goal. I strongly recommend it for the House.

Hon. Jon Gerrard (River Heights): Mr. Deputy Speaker, I rise to support this legislation. I think it is important that we move on legislation like this, which will decrease the ready availability of purchasing in smokes—or cigarettes, and at locations where people are purchasing health products, and clearly distinguishing between what is a health product and what is a cigarette, which is associated with increased incidence of heart disease and cancer and a variety of other problems.

Certainly, you know, the history of the effort to address the high incidence of smoking and of lung cancer in Manitoba took a turning point with the task force on environmental tobacco smoke, which I was one of the people who was very involved with, along with our former colleague from Carman constituency. And Denis Rocan was important in this effort and needs to be recognized. There were a number of others who served on that task force as we travelled to various locations around the province, got input from a wide variety of people and were able to table legislation, which made a significant difference in the fight to reduce smoking and to decrease the incidence of diseases like cancer, lung cancer in particular, which are related to smoking.

I think it needs to be said that, no, it's not just lung cancer, but, in fact, a wide variety of cancers from esophageal cancer and others, which are probably either caused or potentiated by smoking and that this is, as a number of people have acknowledged who've worked in this field, one of the single most effective measures that can be taken to improve the quality of people's health and to decrease the costs to health care, is to reduce the incidence of tobacco smoking.

The—it is good to see that not just in Manitoba, but nationally, we are now starting to see a decrease in the incidence of lung cancer. And that is, at this point, for men. The incidence of lung cancer in women has started to level off and, hopefully, in the near future, we will see an actual decrease in the incidence of lung cancer among women.

Women started, as a group, slower and after men. There were, of course, obviously, individuals who were women who were smoking earlier and so

on, but the number of young women who have started in the last decade is still significant. And one of the important, you know, reasons for having this legislation is that it will particularly address or support a reduction in smoking among youth, and, hopefully, will be an important contributor.

You know, it was a year ago that, you know, the reports were that Manitoba teens were more likely to be lighting up and smoking than their counterparts elsewhere in Canada. And at that point—this was in January of 2011—the reports were that about one in five Manitoba youth were smoking, and, although that was down, it was significantly higher than the national average, which was much lower than that; most provinces saw much bigger drops—smoking among youth than did Manitoba. And it points the reason to make sure that here in Manitoba we are—you know, don't stop where we were, but we continue—and, indeed, in this legislation we are continuing to—on the effort to do—decrease smoking and improve health of people in Manitoba.

This is—I think it's important to indicate to that people who have an addiction, who have started smoking, was that—you know, they can't be neglected or forgotten or dismissed; that it's important that people who have got an addiction are helped, and helped to move beyond that addiction. There are some who believe that cigarette smoking and the addiction there may be a lead-in to other addictions. And so, hopefully, by decreasing the amount of cigarette smoking we can actually have a larger impact than just on cigarettes but reduce other addictions—but that remains to be seen.

I think that, you know, what we are—what is being done in this legislation can be seen as a step toward—further step toward decreasing smoking in Manitoba and, you know, increasing the health of people. Important to recognize that it's not just lung cancer that—you know, for many people it increases problems with lung problems generally. Coughs, colds, you know, pneumonias, various lung problems are worsened, chronic obstructive lung disease much more likely to occur, in people who are smokers, and we can have a much, much larger impact by reducing smoking than just reducing lung cancer.

And it's also important in this effort to improve health to recognize that it is not just respiratory problems—that heart problems and cardiovascular disease are impacted by smoking, and that impact can actually be quite quick. That within a short period of somebody starting to smoke there are

changes which occur which make the blood more coagulable, make a person at higher risk of heart disease, heart attacks, strokes, you know, other vascular problems. And that these, of course, will be benefited, or the risks of these will be reduced, when people stop smoking, and so it's vital that we see the bigger picture—not just the respiratory problems and the cancer—lung cancer, but that we see the other side of smoking and the problems that it can cause in cardiovascular disease.

* (16:00)

And this can be a particular problem in people who have diabetes, which is another risk factor for cardiovascular disease. And when somebody who has diabetes is smoking as well, then their risks go up quite significantly in terms of having heart disease, and, maybe, one of the factors which is—contribute to the number of people who have had vascular problems in their legs and have had amputations who've had diabetes and who are also smokers.

So it is a significant contribution in terms of the legislation that we're discussing today and, hopefully, we will be able to move and pass this legislation this session and get on in another step in terms of improving the health of people in Manitoba, reducing the cost of health care and improving our society overall.

Now, there are, of course, numerous other areas where we still need effective measures to reduce, for example, the incidence of diabetes, the incidence of FASD. Although the government has talked about these, effective measures have not been implemented and there's no evidence to date that these conditions are decreasing or have even levelled off.

And so we need to have effective measures in these areas, not just in terms of smoking, and I would look forward to measures which the minister might be bringing in in these areas to compliment what's happening in terms of smoking.

So, with those few comments, as I've said, I'm ready to support this legislation and hope that it goes through quickly.

Mrs. Mavis Taillieu (Official Opposition House Leader): I move, seconded by the member for Midland (Mr. Pedersen), that debate be now adjourned.

Motion agreed to.

Bill 28—The Residential Tenancies Amendment Act

Mr. Deputy Speaker: Now, move on to second reading of Bill 28, The Residential Tenancies Amendment Act.

Hon. Jim Rondeau (Minister of Healthy Living, Seniors and Consumer Affairs): I move, seconded by the Minister of Housing and Community Development (Ms. Irvin-Ross), that Bill 28, The Residential Tenancies Amendment Act, now—be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Rondeau: Mr. Deputy Speaker, Bill 28, The Residential Tenancies Amendment Act, proposes a number of changes to the residential tenancy act that will make the act more responsive to the needs of both tenants and landlords.

The act includes for several prescribed forms, including forms used for terminating tenancies. Over the past few years important information for tenants has been added to these forms. To ensure that tenants receive this information about their rights, landlords will be required to use the prescribed forms when giving tenants notice to move.

The bill includes the amendments to provisions regarding tenancies. It includes provisions of tenant services such as meals, light housekeeping and transportation. With these amendments, the amount payable for tenant service charges can change when the number of people occupying a rental unit increases or decreases. In addition, landlords will be entitled to ask for a larger tenant services security deposit if the tenant service charge is increased.

Mr. Deputy Speaker, authority is being given to develop regulations relating to the waiver of filing fees and the collection of late payment fees in certain specific circumstances.

Mr. Deputy Speaker, tenants who object to a rent increase that is equal to or less than the annual rent increase guideline will be asked to provide a specific reason for their objection. These types of objections are often based on complaints that can easily be resolved by the branch staff. Knowing the reasons for the objection up front will allow staff to work with the landlord to resolve the tenant's concern more efficiently.

Mr. Deputy Speaker, landlords who plan to do extensive renovations or apply for approval of a

rental rehabilitation scheme will be required to give tenants an estimate of the rent that will be payable once the work is done. This will allow tenants to make a more informed decision about remaining in tenancy or exercising their first right of refusal. Landlords who give artificial estimate of the rent may be required to compensate tenants for moving and other additional expenses. The bill sets out rights of landlords and tenants to examine material provided in support of certain rent increase applications and makes it clear that copies of sensitive financial information will not be provided.

Several of the other amendments deal with the provisions relating to termination of tenancies for landlords own use. These provisions will be streamlined and clarified to make sure that they can be more easily understood by both tenants and landlords.

The bill also amends the act to remove the requirement for the director of residential tenancies branch to provide a separate annual report in addition to the report included in the department's annual report. This is getting rid of some red tape.

Mr. Deputy Speaker, I look forward discussing this bill as it proceeds to the House. I strongly recommend it because I think it's good for both landlords and tenants and clarifies the act.

Thank you, Mr. Deputy Speaker.

Hon. Jon Gerrard (River Heights): Mr. Deputy Speaker, I rise to talk about this bill, Bill 28, The Residential Tenancies Amendment Act, and want to put a few words on the record.

First of all, I think that it's important to acknowledge that in Manitoba we have a very low vacancy rate, a lot of people who've been looking for apartments and there is also, of course, a need for more affordable housing. And one of the things here on this bill is that there really is nothing here that's going to change that situation in terms of the extent of the vacancy rate, that we are going to continue to have a high vacancy—a low vacancy rate and difficulty for people to get apartments. And that this is something which, clearly, the government should have been looking to address more vigorously and perhaps as part of this legislation.

The minister, in introducing this bill, did not talk specifically about this critical area of need where we need to have more rental units available. He didn't talk about the fact that this is an urgent problem, and that one which needs to be addressed. And so, I

think, first and foremost, it's important to put on the table, as it were, that there's a major issue which the minister has not addressed and which needs to be addressed, that we need to have more construction.

And these changes here don't do anything to encourage the private sector to build rentals, which is one of the critical ingredients here: that we need to make sure that we are building more rental housing, that there is more available because there's sure a need and that's particularly true with the number of immigrants coming to Manitoba.

It's particularly true with the number of people who are, you know, students and who are interested or wanting to have a place to rent for a whole variety of reasons.

And so I think that the minister should consider this particular issue. That is the issue of how we get more private-sector rental units being built in Winnipeg and around Manitoba to address some of the oppressing need for increased rental units in our province.

* (16:10)

Now, I have some specific comments about this and areas which are of concern and may be addressed in more detail as we go into the committee stage, and I look forward to hearing presenters at that stage. I have sought advice from individuals who are knowledgeable in the area. Let me give, you know, comments, for example.

This legislation is designed to provide some additional legal protection for tenants, perhaps. Perhaps, particularly, in the case of certain rehabilitation or renovation that are occurring. But the interesting thing about this act is that instead of giving, you know, more power, more protection to tenants, instead of helping landlords, the bill seems mostly to give more power to the bureaucrats, including discretionary power. And, in that respect, it seems to be, you know, a quintessential NDP bill, who—with the NDP putting the bureaucrats first.

Now, the sections 68(3), 68(6) are intended, I think, to improve tenant access to information, where the landlord is renovating and raising rents without, you know, being sure of the injustices, currently. It's unclear who's actually going to benefit, but at least it will be beneficial to have the extra information. But it seems that the relevant bureaucrats may be the main beneficiary since the director is included in the amendments along with the tenants.

Mr. Speaker in the Chair

Section 84 of this bill allows the landlord to violate whatever rule is required for notice of termination by the landlord, if the director is of the opinion that no unfairness to the tenant results. No criteria are provided in the legislation determine what might constitute unfairness, and this grants very significant discretionary or, almost, law-making power to a bureaucrat. I think it needs to be looked at and considered carefully.

Section 94 prevented landlords from evicting families with school-age children. This section appears to be deleted from the new version, and section 98 now adds an amended version of the protection, which seems primarily to clarify things for bureaucrats rather than 'necerlacarily' providing any better protection.

Section 98(4) looks to clarify the law regarding the underhanded use of the termination or renovation provisions. This, you know, may possibly, under circumstances—some circumstances, benefit tenants, but, you know, my, you know, expert in this area questions this and wonders if this is really just another procedure for enhancing the position of bureaucrats.

The—one of the clauses here deals with pets and the pet damage deposits. And this is an area where I have spent a fair bit of time. I think it is important that there is a damage deposit, but I—I'm disappointed that the minister has not moved further in making it easier or ensuring that it easy—easier for people to have pets in apartments. Certainly, in Ontario, for example, they have legislation which has made it significantly improved for people having pets in apartments, but the minister has decided not to proceed in that direction, in this legislation, when he had the opportunity.

I think it's important to note that, you know, there are many in Manitoba, seniors who have pets, who are downsizing, who are moving into a condominium or into an apartment, who are finding it very difficult to get an apartment where they can have a pet. And that is—it's very sad when somebody has to give up a pet. It's sad for the person but it's also, too often, may have a detrimental effect on the health of people.

And so, as I said, we have called for improvement in the ability for people to have pets in apartments, with the right sort of approach, as is, in fact, present in Ontario and has been in Ontario for, I

think now, a decade or two. But, of course, under the NDP, we are behind here in Manitoba.

The situation with pets, in fact, is such that today a considerable proportion of the pets, cats and dogs, who end up with the—being looked after by the Winnipeg Humane Society, are not strays found running on the streets; they are pets which people are no longer able to take with them when they move into an apartment. And it is not just seniors; it is many young people who want to move into an apartment but are unable to take their pet with them.

And, certainly, having more pets in apartments, in many ways, in Ontario, has proved to be actually a win-win, because they have restrictions on noise and other things, having the pets around has turned out to be not the noisy problem that some had feared. But having pets which are well behaved, and are quiet, and are not a noise problem, but pets, at the same time, which mean that the owners are out, walking around the neighbourhood, providing what Jane Jacobs provided as eyes on the street, improving the safety, improving the quality of the neighbourhood and improving the health of people who are getting out and getting exercise because they have a pet that needs to be taken out for a walk and to get some exercise.

And, as I would suggest to the Minister of Healthy Living (Mr. Rondeau) that in his efforts to improve the physical activity of people in Manitoba, that this is one of the measures that he could have included in this legislation. But, obviously, he decided not to include and, as a result, many people will have to be without their pets. There will be less exercise, there will be less safety in communities as a result of the failure of the minister to address this issue in a meaningful way.

I have a couple of comments here in terms of who sets the pet damage amount. The normal damage deposit is a half of a month's rent. And does this bill, then, just allow landlords to simply pick an amount? And, certainly, you know, making sure that this section is clear, the—and it needs to be clear that the pet damage deposit can be fully refunded upon people moving out, where there's no damage caused by the pet. And, I would suggest to the minister that that would be a smart amendment to be—bring in to clarify this provision so that, you know, it can be very clear from the start, that, yes, this is a damage deposit but where there's no damage from the pet, it can be fully refunded and, indeed, should be fully refunded.

* (16:20)

So, looking at this bill, it is a fairly—you know, it's a long bill with a lot of terms and a lot of clauses in here, and it will warrant some fairly close scrutiny beyond that which I've been able to give it to date, but I have at least provided some thoughts and some comments on this legislation, Mr. Speaker, and with that, look forward to it being debated by others and to it then, in due course, going to committee stage and proceeding on from there.

Thank you, Mr. Speaker.

Mrs. Mavis Taillieu (Official Opposition House Leader): Mr. Speaker, I move, seconded by the member for Charleswood (Mrs. Driedger), that debate now be adjourned.

Motion agreed to.

Bill 26—The International Interests in Mobile Equipment Act (Aircraft Equipment)

Mr. Speaker: We'll now proceed with Bill 26, The International Interests in Mobile Equipment Act (Aircraft Equipment).

Hon. Jim Rondeau (Minister of Healthy Living, Seniors and Consumer Affairs): Mr. Speaker, I move by—seconded by the Minister of Finance (Mr. Struthers), that Bill 26, The International Interests in Mobile Equipment Act (Aircraft Equipment), now be read a second time and be referred to a committee of this House.

Motion presented.

Mr. Rondeau: I'm pleased to speak to Bill 26, The International Interests in Mobile Equipment Act (Aircraft Equipment). On March 31st, 2004, Canada signed both the convention on international interests in mobile equipment and its protocol on matters specific to aircraft equipment. Both documents were created by an international-intergovernmental organization whose goal is to modernize, to harmonize commercial law between countries.

The purpose of the convention and its protocol is to facilitate the financing of aircraft by providing creditors with an internationally recognized set of rights in the event of a debtor's default or insolvency. The convention creates one set of rules in the event of debtor default and allows creditors to register their interest to guarantee the priority of their claim against all other parties. This assurance is a major benefit to creditors as it means that they do not have to deal with significant variations of local laws. It

also provides creditors with greater certainty in light of the regular movement of this type of property. For example, it can be difficult for creditors to know where a plane is located on the day of defaulter insolvency. Such uncertainty can make it very challenging to obtain control or possession.

The benefit of this legislation is that it will reduce uncertainty and risk that is currently faced by businesses that invest in internationally used equipment. In turn, this may allow for a reduction of the cost of credit through reduced financing costs, better access to funds and funding sources, and improved profitability.

The greater certainty of applicable law will also provide for the fast resolution of issues. These are benefits that could be shared by airlines, manufacturers, suppliers, shareholders and customers. Canada and nine other Canadian jurisdictions have enacted legislation to implement the convention. The federal government has yet to ratify the convention, as it is looking for the assurance of end support of the majority of provinces and territories. Once the federal act is brought into force, complementary legislation in the applicable provinces and territories can also come into force.

Mr. Speaker, we have engaged in the solid consultation process with stakeholders, are very confident that this legislation will help to ensure Manitoba-based businesses have access to the benefits of this international convention and we are eagerly anticipating the federal passage of the legislation, and I highly recommend it for the Legislature.

Hon. Jon Gerrard (River Heights): Yes, Mr. Speaker, I rise and—certainly to support this legislation which should have been brought forward some time ago by this government, in fact.

I think it's important in reviewing this legislation, Bill 26, The International Interests in Mobile Equipment Act (Aircraft Equipment), and it is based on the Cape Town convention. And this was a convention whose principal purpose was to harmonize national laws with the principles underlying the sort of asset-based financing for mobile equipment. And, of course, what we have seen is that the convention itself, was put in force in 2006. But, interestingly, the idea for the convention emerged from a debate between a Canadian law professor, who's Ronald Cuming of the University of Saskatchewan, and a colleague, over a deficit in the

rules 'governing'—governing security interests in high value, mobile goods in international transactions.

And, as a result of this debate, Professor Cuming prepared a study entitled *International Regulation of Security Interests in Mobile Equipment*. In 1988, this study, combined with a proposal by the Canadian member of the International Institute for the Unification of Private Law, the governing council, prompted the Unidroit to—which is this institute, to commission a study to examine the feasibility of developing such rules.

Unidroit created a study group, which was subsequently supplemented by the aviation working group, and the aviation working group, which initially consisted only of Boeing and Airbus, now includes most major airlines, manufacturers, financiers around the globe, and they expedited a draft proposal by facilitating comments from industry partners and promoting the project to governments, to international organizations and the aviation industry.

In 1998, 10 years after the study, the CTC and the protocol—that is the convention, the CTC, the Convention on International Interests in Mobile Equipment, and the protocol were drafted through the combined efforts of the AWG, the IATA and the ICAO. These drafts underwent thorough review by the joint sessions of the Unidroit committee of governmental experts and the subcommittee of the ICAO legal committee in Rome in 1999, in Montréal in 1999 and, again, in Rome in the year 2000.

They were further reviewed and amended in Montréal in 2000 by the ICAO legal committee, and in October and November of 2001, the government of the Republic of South Africa hosted a diplomatic conference in Cape Town under the co-sponsorship of Unidroit and ICAO. The Canadian delegation of each of these sessions was second only to that of the United States in terms of size, and it actively participated.

At the diplomatic conference, the final act was signed by 55 countries, including Canada and most other major states. In accordance with article 49 of the CTC and article 28 of the protocol, the convention came into force on March the 1st, 2006, three months after the 8th ratification.

Now, the interesting thing is this came into force in 2006. We are now 2012, six years later, and one of the big questions here, Mr. Speaker, is why it has taken this province six years to bring forward this

legislation so this could be ratified. And part of the reason that this is important is that because some of the powers that are required here, some of the powers are provincial powers. Thus, the interesting thing is that although the convention itself stemmed from a Canadian idea, and although Canada is a signature, in the many years after the signature, now six years after its implementation, Canada still has not ratified the convention.

* (16:30)

And the interesting part here, and the sad part, is that Canada's failure to ratify it has actually proved quite costly to the airline industry. And we have a very important, you know, airline—aerospace industry here in Manitoba. And the result of the Canadian and provincial failures, like Manitoba, to ratify this more quickly has put the industry in Canada at a global disadvantage.

For example, Mr. Speaker, Canada's airlines have lost significant discounts that would otherwise have been available for their various financings with the Export Bank of the United States. Through ratification, Canada has the opportunity to realize numerous future economic benefits, clarify its domestic law, enhance its airline's competitiveness and decrease risk to financiers of its airline industry. Anytime we make the airline industry more expensive in Canada what happens is that ticket prices go up. It's more expensive to travel. More people from Winnipeg go down to the United States and fly from Grand Forks or Minneapolis instead of flying out from Winnipeg. And so, you know, we lose business, we lose tourists and the result is a sad situation. This government should clearly have been much more on top of this situation. It should've brought in this legislation much more quickly, and it should have been ratified some time ago.

Now, as I said, that even though the federal government has the power to conclude an international treaty like this convention that binds Canada because it changes domestic law, it needs the work of the provinces as well as the federal government. It needs ratification at a provincial level.

Now, the federal government had enacted the legislation on February 24th, 2005. So the federal government had done its initial enacting of the legislation but it has not yet fully proclaimed it, and it wasn't proclaimed—it wasn't able to proclaim it, at least in the initial stages, because a province like Manitoba was very slow, and it's important that, you

know, the government be held accountable when they are slow and they're not doing their job and they make it more costly for business and industry in this province and in Canada. And so the government did not provide an explanation and they should've provided an explanation for why they were so slow in bringing this forward.

It reminds me, Mr. Speaker, not long ago we were talking about booster seats, and the booster seat legislation was brought in initially in 2008, and they were so slow that it took them four years before they decided that they wanted it.

An Honourable Member: –to reprint your bill.

Mr. Gerrard: Yes, they wanted to reprint my bill.

But here we have another example, and this one interestingly dates back to 2005 when they could've been working to implement it. Give them a little bit of grace, this bill should've been here in 2006 instead of in 2012. This is one of the, you know, the slow governments—provincial governments and, you know, it's sad. We like to think of our province, Manitoba, as being, you know, out front and ahead, but all too often under this government they are behind and they are slow. People in Manitoba need to realize that—need to be aware of the slowness to act of this government on occasions like this, and that this slowness is actually costing us money and costing us business and not good for business and not good for travellers coming through and stopping in Manitoba.

Now, to date at least, Ontario, Nova Scotia, Québec, Alberta, Saskatchewan, Newfoundland, the Northwest Territories and Nunavut have all passed legislation, and that was by 2011, and, of course, we're 2012 and we weren't in among those. We were at the back end, I think, of the provinces bringing this forward, and one of the slowest provinces in all of Canada to bring this legislation forward, and it's too bad that this government has been slow in this fashion.

There are a couple of other things that I think it is important to mention, you know, and understand a little bit more about this legislation and why it is important. A jurisdictions like Manitoba, like Canada, ratification of the convention has actually become of critical importance and, in some cases, a necessity to facilitate fleet renewal and expansion.

The convention is essential, and ratifying it is essential because it provides an innovative legal framework that creates transparency and

predictability, reduces transaction costs, and mitigates risks in international aircraft finance. These benefits are diluted if a signatory state fails to adopt the convention in its most effective form. And, of course, adopting it means that you've got to ratify it. And so it's inexcusable that this government should have been so slow in ratifying it, and when it is so important to our aerospace and our airline industry in Manitoba.

You know, we are an extraordinarily important place in Manitoba for the airline industry because of the history, because of the role of people like George Richardson and others in getting Trans-Canada Airlines going and making sure that there was a place for Manitoba and the many people who've taken important steps in building not only the airline industry, but the aerospace industry. If we are able to renew the fleet more quickly, if we're able to, you know, expand the fleet, as it were, then we're also, you know, we're in the business of providing components for aircraft, all right?

We won't get as much in the way of jobs here as we should in that construction if we're behind on signatures like this important convention, and fleets and the industry in Canada is not able to participate as well as it should be. So there are multiple reasons why, and, you know, the—this is one of the reasons why it is important that we should have moved more quickly.

I have here, you know, an article by Donald Gray and Auriol Marasco, and it was published in the *Air and Space Lawyer*, volume 24, no. 2, in 2011. And it describes two particular experiences: the experience of Mexico, which shows that the consequences of a jurisdiction's failure to ratify the preferred version of the convention, and the article then examines the case of Nigeria, which ratified the preferred version of the convention but failed to implement it, therefore—thereby forfeiting much of the convention's benefits.

And, of course, the article also talks about Canada and the failure of this to be rapidly ratified and implemented in Canada, and the results, then, on adversely affecting business and industry in Canada.

And the article goes on to talk about in detail the Mexican experience and the adverse effects on—this has had on the airline industry and others in Mexico.

* (16:40)

It then goes on to talk about Nigeria experience. Now, Nigeria, interestingly, was quick to recognize

the convention's important and was one of the most active nations in Africa, in fact, in recognizing this and initially moving forward. But Nigeria adopted, but then never implemented the proper legal framework and, as a result, started to lose legitimacy among creditors.

The—let me talk briefly—at one point GE Capital Aviation Services attempted to terminate a lease with Air Midwest Nigeria for certain defaults and to repossess the aircraft. Now, Air Midwest brought an action before the Federal High Court in Nigeria against GE Capital Aviation Services to prevent the termination of the lease and subsequent repossession of the aircraft. The alarming part about this action, and the resulting decision, is that it only casually references the convention, and only in respect to whether Air Midwest, having no proprietary rights in the aircraft, could rely on the convention to its benefit. The Nigerians' court decision considered neither this argument nor the convention, and instead, because parallel proceedings had been commenced in England, the court determined that it lacked jurisdiction to hear the case. While the decision, ultimately, did lead to a favourable outcome for GE Capital Aviation Services, it didn't establish a helpful precedent.

And, you know, when you have a situation where creditors will quickly lose confidence if—in the convention, if local courts start to act as gatekeepers to the convention's applicability. And so clearly one needs not only passing but, of course, implementation and ratification.

And there are issues related to bankruptcy statutes, Aeronautics Act, the export act, and so on and so forth, and we need to be moving on this. And the big reason is that the convention provides, in summary, a legal solution for aircraft financing that has been sought after for decades and, as I pointed out, was initially brought forward by a Canadian. The convention is a solution that Canada inspired, developed and brought to fruition, and yet, sadly, has failed to implement.

The lessons learned from the Mexican and Nigerian experience is the convention to ensure the availability of the intended benefits, that preferred declarations must be made and that the convention must be respected by the applying courts.

It is important that Canada move forward and that we move forward in ratifying this, because ratification of the convention in the correct form will, ultimately, provide our Canadian aviation industry

with the best available platform from which to compete with the rest of the world.

So, on the basis of this discussion and the importance of this legislation, which is, as I said, should have been brought forward quite some time ago by this government, I'm very supportive of it and hope that this will move forward quickly. Thank you.

Mrs. Mavis Taillieu (Official Opposition House Leader): Mr. Speaker, I move, seconded by the member for La Verendrye (Mr. Smook), that debate now be adjourned.

Motion agreed to.

House Business

Hon. Andrew Swan (Acting Government House Leader): Yes, on House business, Mr. Speaker.

Could you call bills 4, 11, 15, 19 and 22.

Mr. Speaker: Will now call bills 4, 11, 15, 19 and 22 and will start with Bill 4, The Missing Persons Act.

Bill 4—The Missing Persons Act

Hon. Andrew Swan (Minister of Justice and Attorney General): I move, seconded by the Minister of Advanced Education and Literacy (Ms. Selby), that Bill 4, The Missing Persons Act; Loi sur les personnes disparues, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Swan: It's my pleasure to speak to Bill 4 today. This act will assist the police in their search for missing persons by allowing them to apply for an order to access personal records and information in any instance where police suspect a criminal offence has been committed. They may now apply for production orders to obtain records and information; however, at present, in instances where no crime is suspected, such orders are not available to police conducting missing persons investigations.

Mr. Speaker, when dealing with missing persons, time is often of the essence and can mean the difference between life and death and about loved ones being reunited with their lost family members, or never seeing them again. With the present challenges to accessing information or records, the best efforts of police in missing persons cases may not be enough.

This act would allow the police to apply to the court for a record access order, allowing them to

view information and records that may assist them in locating a missing person. The act also recognizes that minors and vulnerable people who go missing may be the subject of exploitation and undue harmful influence by other persons in their company. In such circumstances, the police may also apply for a records access order to obtain information and records of a third party to assist in the missing persons investigation. The records that are accessible are defined by the act, and the police must set out what records are required.

When investigating missing persons cases concerning minors and vulnerable persons, the police may also make an application, under oath, to the court for an order allowing them to search a dwelling or other premises where they believe a missing minor or vulnerable person may be located.

Under the most urgent of circumstances only, the police will have the authority to demand emergency records. Such cases will be limited to where police believe a missing person is at risk of imminent serious bodily harm or death, that the records may assist them in locating the missing person, and it is not practical, given the urgency for the police, to obtain a records access order. The act contains safeguards concerning the use of these emergency demand provisions.

First, the nature of the information that can be subject to a demand is narrower in focus than if a court granted an order. In addition, the police will have to report the use of such demands to their respective commanding officers. Finally, police will have to report annually to government and the public on their use of the emergency demand provisions. This ensures an appropriate measure of accountability.

The act balances the needs of the police to access information in support of missing persons investigations and the privacy rights of all citizens. There are restrictions on the use and disclosure of information and records obtained by the police. All information obtained is considered confidential and cannot be used or disclosed except in accordance with the act.

In the unfortunate instance that a missing persons investigation becomes a criminal investigation, the information records obtained can be used by the police in support of the criminal investigation.

As a further safeguard, nothing in the act would compel the disclosure of any information or records that are subject to any type of legal privilege.

Mr. Speaker, I'm certain that all members in this House have heard of instances where persons have gone missing. The devastation anguish this brings to the families and friends of the missing can only be imagined by those who've not been touched by such a tragedy.

The police in our province work hard to find missing persons and they are indeed supportive of this legislation. Helping to reunite missing persons with family and friends is an important goal. This act will provide our police with the tools to conduct missing person investigations in a more efficient and, hopefully, more effective manner.

Mr. Speaker, it's my hope the members of this House will support this bill to give our police critical tools to help locate missing persons. Thank you.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I want to talk briefly on this legislation.

I think all of us in this Chamber are very concerned about the far too high number of missing and murdered women in Manitoba that we have seen in the last number of years.

And the number of missing and murdered women has not only been too high, but the efforts so far by this government have been too slow in addressing this issue.

I'm pleased that the Minister of Justice is bringing forward legislation which will be one piece in addressing this matter and trying to improve the ability to find people who are missing or to establish what has happened and, you know, what went wrong that they are missing and find them.

Certainly, the elements that I see in this legislation are, I think, reasonable, but I have some questions and some issues that I want to bring up.

* (16:50)

First of all, I think that it's pretty clear that, if we're going to reduce the number of missing and murdered women in this province, that we have to do a lot more than just this legislation. That one of the major problems, for example, is a government which has run the Child and Family Services system in a way that they have moved from about 5,000 children in care to 10,000 children in care.

That instead of supporting children and families so that kids don't want to run away, so that we've got families and children, which—who are happy and doing well, we've got circumstances where far too many children are in care of Child and Family Services and far too many families have been broken up as a result. And those are the very circumstances where you have broken families and where you have lack of support for families that the children are most likely to run away.

I can give you an example of a 14-year-old girl who was in a good home on a farm outside of Winnipeg, was raised by loving and caring parents and—but, you know, she was like a lot of teenagers—a little rebellious. And, when her parents, you know, had said, you know, you have certain chores that you need to do—and one day she decided that she was going to mention to a teacher at school that she didn't want to do the chores.

Well, the next thing you know, the Child and Family Services was called in. It was on a Friday, and the Child and Family Services worker says, well, you know, these parents seem to be, you know—for some reason, concluding that they were not doing a good job, when they were.

And so this 14-year-old was immediately brought into care, much to the astonishment of the family. And instead of the family being supported so that, you know, they were supported in providing not only a loving environment but the right sort of respect and discipline, and that chores were a normal thing, the child and family servicing sort of assumed the chores were not appropriate, for some reason, and so that this child belonged in care.

Well, the interesting part of this story, Mr. Speaker, is that the mother, who cared very much about her daughter, kept in touch with her on Facebook, and the two kept in touch, you know, as friends on Facebook and, every once in a while, her daughter would defriend her, but her mother would, you know, refriend or ask to be a friend again. And, lo and behold, shortly it happened. And this happened several times.

But, you know, this is kind of family dynamics. And one day, as this mother was following her 14-year-old daughter on—what was happening on Facebook, but the mother noted that on the Facebook that the daughter was at the home that she was being cared for, and here were all these pictures of an

all-night drinking party going on at the very home that this 14-year-old had been sent in care, or put in care to supposedly protect her from the mother who was trying to give her a good environment and raise her properly.

You know, it's no wonder if we've got a city of kids in care when you've got kids being taken into care for this kind of reason.

Well, the next thing that happened is that, you know, this case, as Child and Family Services go, went to court. Next step, the Crown attorney wanted to formalize, as it were, the apprehension. And the mother went to court and she took with her a lot of these Facebook pictures from this drinking party where their daughter was, and—but she didn't use those initially. She told the story in the court of how, you know, she had raised this—her daughter and three other children, and the varied experiences that she'd had and the job that she'd had to do in raising these kids with her husband. It was a caring family.

And—but, you know, then the Crown prosecutor came along and said, oh, you can't believe this woman. You know, she's a bad mother. We have to take this child away from her because she's a bad mother. And, at that juncture, the mother got up and said, Your Honour, I need to show you these Facebook pictures of what's happening to my child—that she's been put in this foster home where there's an all-night drinking party, and it's totally inappropriate that she should be there.

Well, fortunately, the judge in this case looked at the evidence—the Facebook pictures of what was really happening—and he said, well, you know, I see and I'm looking and I see what you're saying, and I think that there's reason to question some of the things that the Crown prosecutor is saying, so I'm going to take this under advisement, and he did that.

But the interesting thing was that, before it went back to court, what happened was this 14-year-old decided to run away from the foster home and she came back home to her mother and father and was—lived there.

The Child and Family Services decided that they were smart enough to leave her with her biological—her real parents, instead of trying to reaprehend her and go back to court because of what had happened and because of, you know, the evidence from the Facebook pictures of the fact that she'd been put in a foster home with an all-night drinking party.

But the point that I want to make here is that what had happened was that out of this experience she had learned to run away, right? In this case, from the foster home, right? And, I mean, the last thing we need is a Child and Family Services system which directly or indirectly, in fact, puts kids in a situation where they learn to run away and are missing, right?

Now, let's—this is one of the problems that we have in this province with this government, that there isn't the right sort of support for children and families, and so kids are learning bad things, and that we need to change the way, in this province, we support the children and families so that we decrease the number of children who are running away, the number of children who are missing, for whatever reason, and the number of, particularly, of course,

murdered and missing women, as we've been talking about.

Now, there are, in dealing with the issues of Aboriginal women, I—and there have sadly been a disproportionate number of Aboriginal women who have been murdered and missing. I think it's important that the government take a very careful look at this bill and make sure that it really is inclusive, you know. We have many—

Mr. Speaker: When this matter is again before the House, the honourable member for River Heights will have 18 minutes remaining.

The hour being 5 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow morning.

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, May 16, 2012

CONTENTS

ROUTINE PROCEEDINGS			
Introduction of Bills		Provincial Road 227 Intersection Wishart; Ashton	1293
Bill 23—The Local Government Statutes Amendment Act Lemieux	1283	Speaker's Ruling Reid	1293
Bill 32—The Highway Traffic Amendment Act (Powers of Traffic Authorities over Cycling Traffic) Lemieux	1283	Members' Statements Sagkeeng's Finest Ewasko	1294
Bill 214—Freedom of Information and Protection of Privacy Amendment Act Taillieu	1283	Marlene Schellenberg Selby	1294
Petitions Personal Care Homes and Long-Term Care— Steinbach Goertzen	1284	Manitoba Softball Hall of Fame Induction Maguire	1295
Cellular Phone Service in Southeastern Manitoba Graydon	1284	Anne Lindsey Allum	1296
Oral Questions Bill 33 Goertzen; Selinger	1285	Lake Manitoba Flood Rehabilitation Committee Gerrard	1296
Manitoba Hydro Helwer; Chomiak	1286		
Manufacturing Sector Smook; Bjornson	1287		
Bill 210 Smook; Bjornson	1287		
Manitoba Public Insurance Corporation Schuler; Howard	1288		
Regional Development Corporations Pedersen; Kostyshyn	1289		
West Perimeter Bridge Driedger; Ashton	1290		
First Nations Communities Gerrard; Robinson	1291		
Standardized Report Card Braun; Allan	1292		
		ORDERS OF THE DAY	
		GOVERNMENT BUSINESS	
		Second Readings Bill 12—The Consumer Protection Amendment Act (Motor Vehicle Work and Repairs) Rondeau	1298
		Gerrard	1299
		Bill 16—The Consumer Protection Amendment Act (Improved Enforcement and Administration) Rondeau	1301
		Gerrard	1302
		Bill 8—The Highway Traffic Amendment Act (Use of Child Safety Seats) Rondeau	1303
		Gerrard	1304
		Bill 17—The Non-Smokers Health Protection Amendment Act Rondeau	1308
		Gerrard	1309
		Bill 28—The Residential Tenancies Amendment Act Rondeau	1310
		Gerrard	1311

Bill 26—The International Interests in Mobile
Equipment Act (Aircraft Equipment)

Rondeau 1313
Gerrard 1313

Bill 4—The Missing Persons Act

Swan 1316
Gerrard 1317

The Legislative Assembly of Manitoba Debates and Proceedings
are also available on the Internet at the following address:

<http://www.gov.mb.ca/legislature/hansard/index.html>