

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

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The Honourable George Hickes
Speaker*

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

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FAURSCHOU, David	Portage la Prairie	P.C.
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin	Steinbach	P.C.
GRAYDON, Cliff	Emerson	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HICKES, George, Hon.	Point Douglas	N.D.P.
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SWAN, Andrew	Minto	N.D.P.
TAILLIEU, Mavis	Morris	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, November 1, 2007

The House met at 10 a.m.

PRAYER

ORDERS OF THE DAY

PRIVATE MEMBERS' BUSINESS

SECOND READINGS—PUBLIC BILLS

Mr. Speaker: Bill 209, are we dealing with that this morning? No, okay.

We'll move on to Bill 214, The Public Schools Amendment Act (Property Development). Are we dealing with that? No, okay.

Bill 215, The Mandatory Testing for Pathogens Act.

**Bill 215—The Mandatory Testing
for Pathogens Act**

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, I move, seconded by the Member for Carman (Mr. Pedersen), that The Mandatory Testing for Pathogens Act, Bill 215, now be read a second time and referred to a committee of this House.

Motion presented.

Mr. Goertzen: It's a pleasure, it truly is a pleasure to rise in this House this morning to speak about what I believe is a fundamentally important bill for the safety of those who are protecting us in society. This bill will allow, like other bills in Canada and Saskatchewan, in Ontario and Alberta and I believe in one of the Maritime provinces, will allow for those who are either Good Samaritan and come on the scene of a crime, or firefighters, police officers, paramedics who are acting in the course of their duty who find, in the course of their lifesaving work, blood or other bodily substances on them, to allow them to have those substances tested to ensure they're not infected.

It would also allow victims of crime who get the blood or bodily substance of their assailant on them to have that blood or bodily substance tested, as well, to ensure it's not infected with hepatitis C or some other disease that might impact their lives or their family.

It's about giving peace of mind to those who protect us in society. I know that this bill has been

before the Legislature before. It's received support from the Winnipeg Police Association, Mr. Loren Schinkel. It's received support from Alex Forrest of the Winnipeg firefighters' association. It's received support from Eric Glass from the Paramedic Association of Manitoba. It's received widespread support from those who are out there every day trying to protect us.

It's to ensure that those individuals who, in the course of their job or through no fault of their own, have the peace of mind that they have not come into contact with a disease that's going to infect them or hurt them or their family.

In reviewing this legislation, Mr. Speaker, I believe that the bill not only is good for those individuals who are supporting us in an emergency sense in the community but that it also meets all of the challenges that might come forward from those who believe that it could face a challenge through our legal process. Again, it's been introduced in four, and it's been passed in four, other provinces so it certainly has precedent around the country.

I don't believe that our firefighters or our paramedics or our police officers are second-class heroes. I believe they deserve the same support and the same protection that other provinces have given them, and I'm very disappointed at the way this government has treated this particular piece of legislation. They've come out and they've said that they support it publicly. They support the intent of it, but they don't want to come and discuss possible amendments to allow this legislation to move quickly. In fact, this and another similar piece of legislation have been before this House for a year. That's a year that our firefighters, our paramedics, our police officers, victims of crime, have not had the same protection that other provinces have allowed because this government is too petty to move forward on a private member's piece of legislation, because they refuse to put forward a legislation to protect these individuals because it didn't come from them first.

When I've talked to members of the government from the House Leader on, they say, well, we've been working on this for years. Well, shame on them, Mr. Speaker. They've been working on a piece of legislation for years and haven't been able to bring

it forward, and then, when another piece of private members' legislation comes forward, they say, well, we're going to maybe bring in our own again at some time.

All those days that tick by, all those hours that tick by without legislation like this coming forward and being passed are days where our paramedics, firefighters, police officers, and victims of crime don't have that protection just because this government is too petty to move forward on a private member's bill legislation.

They talk the good talk about wanting to support these individuals who are in our community. They talk a good talk when they say that they want to help out and ensure that these brave men and women have all the support, but when it comes to something as simple as moving, or amending even, a private member's bill, they refuse to because it doesn't fit their own political interests, Mr. Speaker.

We've seen it with other private members' pieces of legislation where there was legislation from the Member for River Heights (Mr. Gerrard) who brought forward Good Samaritan legislation and they stalled that legislation. They didn't allow that to pass for months because of their own petty, political agenda, Mr. Speaker. Finally, after months, they decided to move forward with their own legislation so they could put their stamp on it, but all those months and all those days that went by, they put others at risk, and they're doing the exact same thing with this bill.

Every hour that ticks by in the Legislature that they don't move forward on this legislation, which they say they support in its intention, and don't even bring forward amendments because they don't even know what—they're trying to find a way to say that they could do something different, and they're trying, somewhere in the back room, to find that way. Every hour that ticks by and they don't move forward, they put these brave men and women at risk for a petty, political agenda that shouldn't be here in the Manitoba Legislature.

I would ask members of the government to put aside, to put aside those sorts of actions, that it's never too late to do the right thing here in the Legislature, and I'll make sure, we'll make sure that individuals know because next coming Tuesday, I'm going to have the opportunity to go out with the paramedics on their annual Operation Christmas Child drive and to collect gifts for needy children around the world. We'll be going throughout

Winnipeg with the paramedics and collecting these gifts, and they'll ask me what's happening with this legislation because I even know that the president of the Paramedic Association is registered to speak on this bill at committee.

I had to tell him that it's more than likely that this government would kill the bill because of their own political, petty agenda, and it would have to wait for weeks and possibly months because of their inaction on this legislation. I'm going to talk to the paramedics on Tuesday, and when they come to me and they say, where is this bill at, is it being advanced, are we going to get the protection that other paramedics and other EMS workers have in other parts of the country, we'll have to let them know that this government refuses to move forward because they have a broader agenda, a political agenda, that they want to fulfil.

*(10:10)

Even as those paramedics are out doing a good deed in collecting gifts for Operation Christmas Child, they're also going to be, of course, doing their own work, responding to emergencies, responding to calls. They might, and we certainly hope it never happens, Mr. Speaker, but they might face the very sort of an emergency or difficult circumstance that this bill requires to be in place to protect them, that perhaps they would come into contact with blood or a bodily substance that needed to be tested, that somebody wasn't going to give their consent for to be tested, so that they could have peace of mind over the holidays, so that they could have peace of mind when they're with their families. We'll have to tell them that the piece of legislation that we've brought forward now for over a year is still stuck because this government won't do the right thing.

I've had discussions in the past with opposition members where they say, well, we might be able to move forward on a piece of legislation if we can get this in return or if we can trade off this for moving that particular bill. Well, Mr. Speaker, I would ask them to put the horse trading aside. Maybe this isn't something that has to come in terms of a trade and something that has to be bargained away for. Maybe there's a time in the Legislature where we can simply just do the right thing. We can put aside those partisan natures. We can put aside the partisan sense for a bill like this.

If we can't put aside a partisan argument for the firefighters who are out there, if we can't put aside a partisan argument for the paramedics who are

working every day, if we can't put aside a partisan argument for the police officers who every day are putting their lives on the line for us, if we can't put aside a petty argument for that, what could we put that argument aside for?

So don't come to me with arguments that you want to trade this or you want to trade that. If you have amendments to this bill that you think would make it stronger, bring it forward. Let's not wait another two months. We've already waited too long because of the pettiness of this government, and I implore them to do the right thing. It's never too late. It's never the wrong time to do the right thing. Put aside your petty nature and pass this legislation.

Mr. Daryl Reid (Transcona): Mr. Speaker, I move, seconded by the honourable Member for Fort Rouge (Ms. Howard)–

Some Honourable Members: No.

Mr. Reid: They want a debate?

An Honourable Member: Yes.

Mr. Reid: Go for it then.

Mr. Blaine Pedersen (Carman): Mr. Speaker, I would like to speak to this bill, Bill 215, The Mandatory Testing for Pathogens Act. It's something that really needs to be brought forward. And, as my colleague from Steinbach alluded to, it's not a partisan bill by any means. It's common sense, and it's something that really needs to be done, and it needs to be expedited and brought through this House and put into law so it can be put into use. If this bill is not allowed to go forward, that means that we're not supporting our emergency personnel, and that, I believe, sends out a very wrong message, in that we do support our police, our firefighters, paramedics, and also the victims of crime who are all too often these days forgotten about when crime happens.

This bill is in effect in four other provinces, and this is just a good thing to go ahead with. We're all aware of what our emergency personnel do on a daily basis. But I think, as ordinary Manitobans, we fail to realize the daily risks that they are subjected to, and that's what this bill addresses. One of those issues is about testing for pathogens. I don't know what the rate of infection is for emergency personnel, but the risk is there, and why don't we mitigate this risk by allowing the test to be done so that they can mitigate the risk to the emergency personnel? And it's not about assessing blame. There is provision in

here that it's not admissible in court. It's about protecting people who put their lives at risk for us each and every day.

Mr. Speaker, this shouldn't be partisan politics in this one, and I would really urge this government to support this bill. It's something that is long overdue. There is really nothing in this bill that could be conceived as being partisan. It's something that should just—perhaps the problem is that it just makes sense, and it's something that will actually happen and it'll show that they're doing something. Perhaps that's the risk to this government. I don't know. And it's something that we just—maybe it's just too easy; maybe it's just too simple, and that's unfortunate, if it's considered that.

So put down the partisanship. Get out there and support this bill, and each and every one of us can speak to our emergency personnel, our local emergency personnel who put their lives at risk every day, and that we are supporting it, in this small way, because it will only affect a small percentage of them, but in this small way we are showing support for them.

Mr. Speaker, I really don't understand why they wouldn't support it other than for partisan reasons to say that it's theirs. If you look at this down the road, nobody is going to jump up and say: Well, this was something we did and you didn't. Because again, we're saying this is non-partisan. It's protecting citizens who are at risk every day. There are so many risks every day that our emergency personnel are involved in every day that we don't realize. There are so many things that we can do and this one is just one of the small things that can be done.

Mr. Speaker, I've talked to our local emergency personnel, our ambulance attendants, and they have a lot of issues which transcend unions and transcend seniority and the hours of service that they put up with. But the one thing that they don't talk about is the risk that they are subjected to every day. So this is just something we can do back for them to support them. They will appreciate this.

As a Chamber, we are criticized quite often for playing politics and not doing things for the betterment of the province. This bill, in itself, is just one small step to show that we really do have Manitobans' interest at heart here. Again, maybe it's just too simple for this government to realize, but I hope that they do sit back and think about this and get behind it and support it.

With that, Mr. Speaker, I just urge the government to pass this bill and make it come into effect.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I must say my initial intention was not necessarily to speak on this bill. I'm working on just reviewing *Hansard* and getting ready for this afternoon. In listening to the Member for Steinbach (Mr. Goertzen), I felt that maybe I should be standing up and expressing a few thoughts.

I applaud the efforts of the Member for Steinbach, and I guess I share in the frustration in the sense that when members of the opposition bring forward important legislation that can have a real impact on Manitobans, this government seems to take the approach that it's just not good enough, and for what reason, Mr. Speaker? For a very selfish reason: because they were not the ones that took the time and made the effort to bring in the bill. I think that's a sad state. Unfortunately, I think that we have missed opportunities by this government's attitude that no idea is a good idea unless it comes from the government. As a result, Manitobans are not being as well served as they could be if the government just recognized good ideas and allowed those ideas to take effect, and this is one of those bills.

* (10:20)

I look to members of the media in part and would suggest and ask that members of the media report on issues of this nature, because it is very important. You know I've seen this government respond to Mia Rabson from the *Winnipeg Free Press* when she writes a story, and then within days government brings in legislation that reflects a story that's written in the *Free Press*.

I've seen the Premier (Mr. Doer) of our province respond to questions on CJOB *Town Hall* and ignore questions inside the Chamber. Mr. Speaker, I think that this government quite often borderlines contempt of this Legislature by its actions. This government borderlines contempt of ideas, of good ideas that could make a difference. I think that we need to look at the leadership of the New Democratic Party, and I would suggest to you that it's time for a change within the leadership of the New Democratic Party. You have an old leader, a leader that's been around for over 20 years, and it's time for that leader to leave the provincial scene.

This Premier does not recognize the value of good ideas. This leader does not recognize the

importance of having a legislative presence inside this Chamber. We look at the idea behind this bill. Why would the Premier not allow his monkeys to be able to—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I understand debates get a little heated at times, but members have to control themselves and treat each other with respect. I ask the honourable member to withdraw that comment.

Mr. Lamoureux: Mr. Speaker, I withdraw that comment, but, you know, I'm going to talk—and, you know, it's interesting, if you review *Hansard*, what you will find is the person that used the term "monkey" the most was the Leader of the New Democratic Party. He often referred to the Filmon government and the backbenches of the Filmon government as monkeys.

So, you know, it begs the issue that maybe it is time, maybe it is time that the Leader of the New Democratic Party recognizes that his time has expired and that he shows leadership and starts, at the very least, allowing bills like that to be brought forward to see the light of day. The sooner that the Leader of the New Democratic Party starts realizing that his time has expired, I believe we will start to see a regeneration of ideas that will actually benefit Manitobans.

Why would the government not support this particular bill, Mr. Speaker? Why do they not recognize that paramedics and others have a responsibility to provide protection, to provide care, and when that happens, unfortunately, there are times in which there might be a need to see some sort of an examination given, some sort of testing that is given to protect the interest of the person that was providing that care. What's wrong with ensuring that that happens? Only in the mind of the Premier (Mr. Doer), who has taken the lie that no idea that flows through this Chamber unless it's a New Democratic idea can actually be passed.

We have seen that example time and time again inside this Legislature. We have seen a Premier that refuses to answer questions. We have seen a Premier who refuses to answer his own constituents, to accept any form of a challenge of accountability. This Premier has been the Leader of the New Democratic Party far too long. You know, it's time that members of the New Democratic Party, and I believe there's a growing number of them that are recognizing that the time for change has occurred within the

New Democratic Party and it's only a question of time before this Premier is out of that position of leadership.

Mr. Speaker, I somewhat feel obligated maybe to point that out at times, to ensure that the New Democratic Party membership is aware of the flaws of the leadership of this Premier. He has spent millions in terms of spin doctors in trying to give the impression that he is a good Premier, that he has done well for the province of Manitoba. In certain areas, there have been significant improvements, in certain areas. In other areas, the Premier has been an absolute disaster.

In regard to this bill, in recognizing when government or when opposition members bring forward good ideas, the Premier has been an absolute disaster. Why? Why is it do we see the Premier not taking positions on private members' bills, Mr. Speaker? When was the last time any member of this Chamber has even seen the Premier stand up and talk on a private member's bill? I can't recall it during private members' hour.

I've looked across the way, and members of the Chamber can sit wherever they want inside the Chamber. I emphasize that. They can sit wherever they want inside the Chamber. Just the other day, I saw two rows, the two front rows where there was one person sitting in it, but they can sit in the loges and so forth, and I acknowledge that.

But there is an importance to Private Members' Business, and the lack of respect for private members' bills is demonstrated. It starts right from the top, right from the Premier's office. This Bill 215, which is being brought forward by the Member for Steinbach (Mr. Goertzen) deserves the attention of this Legislature. It does not warrant being adjourned, Mr. Speaker, to sit on the Order Paper and allowed to die.

Our emergency service personnel deserve better than that, Mr. Speaker. Manitobans deserve better than that. It doesn't have to be a government bill in order to merit the passage of this Legislature. Just because you happen to have 34 or 35 seats that stand up and vote on your side consistently, or the government or the Premier, does not mean that the majority has to prevail, that there is some value to respecting minority opinions, that there is some value in recognizing that minorities do have a role to play inside this Legislature. I'm looking to the Premier to demonstrate some leadership in acknowledging the importance of minorities,

whether it's minorities as individual MLAs inside this Chamber or whether it's ethnic minorities in terms of the absence of his own Cabinet.

Mr. Speaker, there are many issues in which this Premier (Mr. Doer) has demonstrated very clearly that he does not, he does not do a good job. I ask the Premier to start reviewing his behaviour. He's been leader of the party far too long. He needs to start reviewing—*[interjection]* The Minister of Finance (Mr. Selinger) says who. Even members from within his New Democratic Party are of that opinion, that today's New Democratic Party is not a new democratic party. Many of the actions demonstrated by this Minister of Finance and this Premier clearly demonstrate that.

Bill 215 should be allowed to be voted on so it could go to committee. I ask the government to do the honourable thing, allow the bill to go to committee. Thank you, Mr. Speaker.

Mr. David Fauschou (Portage la Prairie): Well, I would yield to the honourable Member for Transcona (Mr. Reid) if he'd like to address, in debate, the bill.

I appreciate the opportunity today to rise and participate in debate regarding Bill 215, The Mandatory Testing for Pathogens Act, as presented to the House in first reading by the honourable Member for Steinbach (Mr. Goertzen).

I believe that it is most timely that we see this act before the Legislative Assembly and for this Legislative Assembly to pass this legislation, to see it come into force, so that we can, indeed, provide for those that provide for us. As a former peace officer and firefighter, I can truly appreciate the intent of the bill. Although I have never had the situation to worry about the contamination or personal well-being that might come into risk by exposure to other persons' bodily fluids, but I will say that there is many an occasion today that this does, indeed, happen.

* (10:30)

The government across the way has been quite vocal when the honourable Member for Inkster (Mr. Lamoureux) was debating the bill. I know that they are definitely listening, so that's why I'm looking to honourable members from the government side of the House to do the right thing.

It's not something that has not been done or tested in other provinces, and I know this government, on many, many occasions, takes its lead

from Saskatchewan, and, in this case, Saskatchewan already has this legislation in place. So, I see that as not being an impediment.

So, I am at a loss at the present time as to why the government would like to adjourn debate on this bill and not pass this bill through to committee because there are only a few days left in this session. Then this bill would be lost to the Order Paper because when the new session starts on November 20, we will be starting with an empty order sheet, because all bills not passed by the 8th of November will be lost unless they are re-introduced after the 20th of November in the next session, and that would be a shame. That truly would be a shame.

I look to the individuals that sit on the government side of the House, and I know many of them are very keen to see this bill passed through the House, but because they are members of the government, they recognize that the leadership in their government does not want to see this bill go ahead because it would, perhaps, perhaps, give the public the impression that the New Democratic Party is not at the leading edge. They're not thinking about paramedics and firefighters and peace officers, although they're trying to give the illusion that they are by creating a memorial fund for the firefighters and peace officers, but leaving out the paramedics. I know that this government will be able to hear an amendment in the House, and I look for them to support that amendment and to make certain that there is provision for a memorial fund for paramedics as well.

But this legislation is common sense. It's based on common sense, and I do not know why this government does not want to use its common sense and support this.

By the very essence of the introduction of the bill in private members' hour, this is the hour to which each individual makes up their own mind and is able to put forward legislation, whether in opposition or on government side, this is the decision making based upon us, the MLAs, as individuals. But I don't see, across the way, the spirit of private members' hour because the government has decided that they will impose their will on all of their MLAs that are sitting on their side of the House. That's really sad, truly sad, that the bill that we have before us, that has been passed in other jurisdictions, has been proven, is something that we need, and yet the government members, members of the New

Democratic Party, are going to do their best to see this bill die on the Order Paper.

I hope some day, when they're out campaigning next, that they meet up with a paramedic or a firefighter or a peace officer, and they have to answer the question as to why they did not support this bill, and what is the answer going to be? I am part of the New Democratic Party and I cannot think for myself because in private members' hour I did what the government told me to do.

Private members' hour is no longer private members' hour. It is government's hour. It's only an opportunity as a facade that we really truly can think for ourselves because we're no longer thinking for ourselves, because when I sit down and perhaps there's others that may debate this, but the end of the hour I see, by the way the government members of this Chamber are reacting, they will sit on their hands. They will not allow this bill to go ahead. They will let the party do their thinking for them. And this is so indicative, so indicative of the New Democratic Party. And that is a real true disservice to the men and women that cast a ballot in the last election.

I'm certain that the public support would be quite different if we took this to open debate, and I'd love to go out to Gimli with the honourable Member for Gimli (Mr. Bjornson) and ask the question of the audience, ask the question of people in attendance as to why he would not support this bill and see this bill go ahead. I'd love to go to Kirkfield Park and put forward this legislation for persons to see and then find out why the member that represents Kirkfield Park did not support the bill because she perhaps cannot—she has to do what the party tells her to do and cannot be an individual that represents the members' constituency. Other than that, I'm at a loss as to find out why. It's beyond me. We thought we were elected as individuals to represent those that cast a ballot in our favour, that saw our way to represent our constituents here in the Manitoba Legislative Assembly, and this bill really truly does test the democracy that we have in place in Manitoba today.

This bill is a proven bill. It is a bill that is needed. It is before the Legislative Assembly, and we on this side of the House support this bill and would very much like to see it proceed to committee so that this bill can effectively have the opportunity for those in the public to make presentation and then to come back to the House for a final vote and pass it. As I rest in regard to debate, I do appreciate the

opportunity to have participated, and I look very much forward to seeing whether or not my words today do come true or, in fact, there has been a revelation and a reconsideration on government's side of the House members towards supporting this bill. Thank you.

Mrs. Mavis Taillieu (Morris): Mr. Speaker, I, too, want to speak to Bill 215, The Mandatory Testing for Pathogens Act, brought forward by the Member for Steinbach (Mr. Goertzen). I'm looking through this bill and I see it as a very, very good and practical bill. For an individual who comes into contact with the bodily substances of another person that may be infected, it would only give that person some peace of mind to be able to have that substance tested and feel that they had not been infected with any particular disease.

* (10:40)

I can say that because, as a former lab technologist working in a laboratory with substances like blood and having had the occasion to have a test tube break in my hand with blood of a person that was most likely infected with something, and cut myself and therefore infected—there was a possibility of being infected, and certainly, this happened not infrequently, Mr. Speaker. In that particular instance because, of course, we were working in an environment where we came into contact with fluids and the like. So I can say from that, it gives some peace of mind to know that you can have these fluids tested so that you're sure and secure in the knowledge that you will not be infected, and if you are, if there does happen to be an infection that is passed on, that you would get treatment for that very, very quickly and not be in fear of developing any further infections or disease.

Certainly, we have to look at the bill that's been brought forward here. There's a very good idea put forward here, and I know that other members on this side of the House have expressed that. The Member for Portage (Mr. Faurichou), the Member for Inkster (Mr. Lamoureux) and the Member for Steinbach (Mr. Goertzen) himself, saying this is a very, very good idea.

Of course, we have to recognize that good ideas are generated from private members. I mean this is where good ideas come forward and this is the chance for people to stand up and debate this bill. Again, it's very disappointing when members on the opposite side of the House sit and yell at people on our side who want to seriously debate this bill, but

don't get up and put anything seriously on the record. They want to heckle at our side who want to stand up and support a very good idea, very good for firefighters and paramedics and police officers, Good Samaritans who come across the scene of an accident who may assist a person that has been injured. And yet, they heckle, because we support this good idea. Yet they don't stand up and say what is it they don't support in the bill. They just sit in their seats and put their head down.

I'm challenging; why are none of you over there standing up and speaking on this bill? If you don't think it's a good idea, then put that on the record. If you do think it's a good idea, stand up and support it because as the Member for Portage said, you do not, the opposite side of the House does not have all of the good ideas that come into this Chamber.

Private members bring forth ideas that they feel very strongly about and in consultation with the people that also support this, other provinces support it. They don't have a monopoly on good ideas and yet, they tend to think that they do; and they don't.

I think that it behooves all of us in this Chamber to show some respect when bills like this are brought forward and debate them. Put some ideas forward. Have a debate on the bill so that we can take it to committee, so that the public can then come and give their opinions. If private members' bills don't get to committee, then how can we get the people to come to committee and tell us what they think?

I look at this bill and I see a lot of work done here, a lot of work. This is not just a one-clause bill, Mr. Speaker. It's well thought out; it's well researched; it's well written. There's a lot of substance to this bill, and I think that we on this side of the House are doing the work of the government. We're bringing forward this kind of legislation which they don't want to. Quite frankly, is it because they haven't brought this idea forward and it's not their idea. Is that the issue here? It's not their idea, so it's not a good idea? Well, I say that's wrong. I say that's wrong. This is a good idea, and I think the Member for Transcona (Mr. Reid) will agree with me that it's a good idea.

There is nothing wrong with the government saying, yes, you have a good idea; let's debate it. If you don't, if there's something in here that you don't agree with, bring an amendment. I'm sure the Member for Steinbach (Mr. Goertzen) would be happy to consider amendments to the bill.

Let's bring forward a debate here and talk about what's in this bill, the idea, the substance of the bill. If there are amendments that need to be done, why not bring those forward? Why not discuss them here? That's what we're supposed to be doing in this Chamber, is debating. This is private members' hour. Where are the private members on the other side who should be debating this bill? They don't want to debate it. That says to me they don't support it.

How can you not support the people that serve and protect us in our society, the firefighters, the paramedics, the police officers? How can they not support these people who put their lives on the line to protect our safety and, in the course of doing that, may injure themselves or may come into contact with other people's bodily fluids, Mr. Speaker?

All that this bill says—and I've looked through it and there's much protection for privacy and confidentiality concerns in this bill. Those are there. But what this bill says is, if I come in contact with someone else's bodily fluid, that I can get that bodily fluid tested and have the peace of mind that I have not been contaminated or infected with something. If that's the case, then I feel that if I find out that has not happened I have the peace of mind knowing that. Secondly, if it has happened, I have the opportunity, an early opportunity for intervention which would allow me to preserve my health, Mr. Speaker. It's about health, it's about safety, it's about recognizing the people that support us who come into contact with this type of thing in the routine day of the duties they do to serve and protect all of us.

I say to this government, shame on you for not getting up and debating this bill in this Legislature because, if you're not debating, it means that you don't support it, and shame on you for not supporting it. Mr. Speaker. They do not have a monopoly on good ideas in this Chamber, and they should respect the good ideas that come forward from private members on this side of the House.

I want to once again say to the Member for Steinbach (Mr. Goertzen) that he has brought forward a very good idea. It's been passed in four other provinces in this country. Why isn't it passed here, Mr. Speaker? With that, thank you very much.

Mr. Peter Dyck (Pembina): I, too, want to put a few comments on the record regarding Bill 215. I want to thank my colleague, the honourable Member for Steinbach, for putting forward this private member's bill.

I guess in this debate here I'm talking to some of the members across the way and they are, of course, indicating that it's a good bill. However, they haven't gotten up and said that, nor are they saying that they're voting against it. I guess by their silence it's becoming obvious that they don't believe this is a good bill. I was hoping that this Chamber here would be available for that type of debate, where, in fact, we could find the NDP and their philosophy as to why they would not want to support a bill of this kind.

My colleagues have, in a very amiable way, put forward the argument that it appears that somehow they have been—I don't know if you could use the word "muzzled" or "stifled" in being able to debate this bill. But at least in this Chamber we should be debating the pros and the cons of a bill and as to why we feel it should be put in as legislation.

Of course, with that, Mr. Speaker, we are also wanting this to go to committee and allow others to give their input, the members at large. Certainly, if you look at the essence of the bill, and I've got to put a few things on the record specific to this bill that says, "An individual who comes into contact with a bodily substance of another person who might be infected with a communicable disease may be at risk of contracting the disease. This Bill enables such an individual, in certain circumstances, to apply to a medical officer of health for an order requiring the other person to provide a sample of a bodily substance for testing and analysis."

The last part of this bill says "A sample obtained under a testing order will have to be tested and analyzed in accordance with the order, and a report of the results will have to be provided to the applicant's physician."

Now, I think this is the essence of it. The results cannot be used as evidence in a civil or a criminal proceeding.

So, Mr. Speaker, I am not sure what the objection is from the members opposite regarding this private member's bill that has been put forward. However, I do wish that they would put their comments on record as well. But further to it, I know that as the Member for Steinbach (Mr. Goertzen) indicated, that in his discussion with paramedics and others who have great concern regarding this issue, they certainly have indicated that they would like to see this come forward.

* (10:50)

I would also indicate, as the Member for Steinbach has said that if the government, who seems to, by their silence, be opposing it, that if they have amendments, they could bring them forward. If we would take this to committee and we would call it due process, there would be an opportunity to bring those amendments forward. Of course, if we feel that those amendments would enhance and would strengthen this bill, certainly we would want to put those in place.

I believe that the intent of this bill and the intent of this side of the House is to put forward a bill that would help those who, in any way, may come in contact with people, whether it could be through violence or other ways and forms, that they would have some sort of a recourse in getting whatever it may be. The indication was of hep C given as an example, that this could be tested so that the person who had in any way been violated would be able to get an analysis and find out whether, in fact, they are in harm's way.

So, Mr. Speaker, I don't want to belabour the bill here. I do want to indicate though that I am disappointed that the government members do not want to debate this. I know that the Member for Inkster (Mr. Lamoureux), the Liberal member, was out there. He debated this. He felt that certainly this was a good piece of legislation that could go forward, that they could support, that they would like to see come in place. However, we have not seen the same token and comments from the government members.

So, Mr. Speaker, I really think that what we are doing is that we are putting police officers, paramedics in as second-class citizens. They are treated differently from others, and they, of course, are the ones who are at the front, who are out there, protecting us or assisting us, whatever the circumstance may be, and they are, in fact, out there on our behalf. They stand in harm's way many times, and, you know, the people who are, in fact, the violators are the ones who are putting these people in harm's way.

So, Mr. Speaker, again, I would encourage the members opposite to listen carefully, and as I indicated before, if, in fact, they do have amendments that would enhance, that would strengthen this bill, that they come forward with these, work together with the Member for Steinbach (Mr. Goertzen). I'm sure that he would be very open to looking at amendments that would strengthen this

bill. I think that he would also indicate that he's not the one who has, you know, all the knowledge, although I would say he is very knowledgeable, but if there is some way that we could strengthen this legislation, put it forward, that this would be certainly something that he would endorse and that he would certainly look forward to.

So, Mr. Speaker, with those few comments, again I would encourage the government to allow this to come to a vote and allow it to pass, and then, consequently, we could bring this private member's bill to committee where we would be able to hear from those police officers, from the paramedics who are out there, to allow them to give presentations as to how they feel about legislation of this nature, and how it would assist them.

So, again, Mr. Speaker, with those few comments, I want to thank you for this opportunity. I know we have a few other people who want to speak to this legislation as well. Now we'll allow them to do so at this point in time.

Mr. Ralph Eichler (Lakeside): I did want to put a few things on the record in regard to the memo that the Member for Steinbach brought forward, and I know that it's a very important initiative that's been brought forward for the Legislative Assembly to look at.

I know I've got a number of calls from paramedics in my area. In fact, I'm very proud to say that they are very concerned about making sure this bill does pass. I know that the Member for Steinbach (Mr. Goertzen) has done everything he can in order to bring attention to this bill. Whenever we get ourselves in trouble, the first ones that we look to are people in the ambulatory services to get us there in a safe way. They put their lives on the line each and every day. They move forward out of that garage, jump in that ambulance and get us to the safety of which we expect them to do in a very timely manner. They need to be protected. They need to be safe. They have to feel very secure in their involvement whenever they're getting ready to go out and serve the public.

I know the Member for Steinbach has been doing an awful lot of research into this. He's talked to, not just the paramedics, he's talked to all the various organizations as far as that's concerned to make sure that they're covered off. Whenever we look at a bill like this, it's imperative that we include them all, and to have one group excluded, I think, is shameful.

I know the government's been feeling a bit of pressure on this, that they should do the right thing. They say the bill doesn't go far enough. It's very simple. You put amendments in. You don't need to bring your own bill in just because opposition brings a bill in.

I know that happened to me on my veteran's licence plate the very first time I was elected back in 2003. They were working on it. Well, guess what, Mr. Speaker? They worked on it for 11 months. B.C. came through, three weeks later they had it done. Great idea, they said. But what did this government do? No, we're working on it. We've been working on that for years. It didn't happen. Then finally they did get it done, but I'll tell you one thing, we're still very proud of the fact that the constituent from Stonewall that brought the idea to me was very pleased. She was from Ontario. I took no credit for the bill whatsoever. It was her that came to me with the idea. I simply was the messenger that brought it to the Legislative Assembly.

But I know that didn't happen with the Member for Steinbach. He did do the research. He did do the background information to make sure that the paramedics and the firemen and the police were covered off in a way that we certainly felt it needed to happen.

So, with those few words, Mr. Speaker, we'll look forward to vote on this bill.

Mr. Reid: I move, seconded by the honourable Member for Fort Rouge (Ms. Howard), that debate be adjourned.

Mr. Speaker: It's been moved by the honourable Member for Transcona, seconded by the honourable Member for Fort Rouge, that debate be adjourned. Agreed?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Mr. Speaker: No? All those in favour of adjourning debate, say yea.

Some Honourable Members: Yea.

Mr. Speaker: All those opposed to adjourning debate, say nay.

Some Honourable Members: Nay.

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

Mr. Speaker: We will now move to Second Readings, Bill 216, The Municipal Water System Phosphorus Control Act. Are we dealing with the bill?

An Honourable Member: No.

Mr. Speaker: No, not today? Okay.

DEBATE ON SECOND READINGS— PUBLIC BILLS

Mr. Speaker: Resume debate on Bill 200, The Health Services Amendment and Health Services Insurance Amendment Act, standing in the name of the honourable Member for Selkirk (Mr. Dewar).

Are we dealing with the bill?

An Honourable Member: No.

Mr. Speaker: No. Okay.

Then we'll move on to Bill 201, The Liquor Control Amendment Act (Fetal Alcohol Spectrum Disorder Prevention), standing in the name of the honourable Member for St. James (Ms. Korzeniowski), who has nine minutes remaining.

Are we dealing with the bill?

An Honourable Member: No.

Mr. Speaker: No. Okay.

Bill 202, The Apology Act, standing in the name of the honourable Member for Minto (Mr. Swan).

Are we dealing with the bill?

An Honourable Member: No.

Mr. Speaker: No. Okay.

Bill 203—The Phosphorus-Free Dishwashing Detergent Act

Mr. Speaker: Bill 203, The Phosphorus-Free Dishwashing Detergent Act, standing in the name of the honourable Member for Selkirk. Are we dealing with the bill?

Mr. Gregory Dewar (Selkirk): It's my pleasure to put a few words on the record regarding this very important piece of legislation.

Mr. Speaker, I'm waiting here for an apology from the members of the Conservative Party and the Liberal leader for their attack upon me for adjourning this bill all those few weeks ago, since it's

been made apparent that, in fact, our government will be moving forward on such a move in months and weeks to come. So when they stood up and said it was slap in the face to Manitobans and we don't care about the environment, when they know very well that it's a procedural—not tactic—but a move in this House to adjourn legislation, as they had done to many of our bills.

All of our bills that were brought forward, Mr. Speaker—

Mr. Speaker: Order. When this matter is again before the House, the honourable Member for Selkirk will have nine minutes remaining.

* (11:00)

RESOLUTIONS

Res. 10—Age of Protection

Mr. Speaker: The hour being 11 a.m., we will now move on to Resolutions, and we'll deal with the resolution dealing with the Age of Protection.

Mrs. Leanne Rowat (Minnedosa): Mr. Speaker, I move, seconded by the Member for Charleswood (Mrs. Driedger),

WHEREAS Manitoba's provincial government has a responsibility to protect children from exploitation by adults; and

WHEREAS adult predators are increasingly using nefarious means such as drugs, alcohol, gifts, false promises and threats to lure or pressure child victims into harmful situations. Children are being misled or coerced into participating in criminal activity and/or sexual acts; and

WHEREAS the current age of protection in the Canadian Criminal Code recognizes those under 18 years of age as deserving of certain legal protections; and

WHEREAS Canada has legal standards that acknowledge children are not yet prepared to make life-altering decisions regarding their safety and health; and

WHEREAS children cannot legally smoke cigarettes or drink alcohol beverages until they are 18 years of age, yet the age of consent of sexual activity remains 14 years of age; and

WHEREAS children between the ages of 14 and 16 years old are especially vulnerable to exploitation by adult predators at least three years older than them due to this gross legal loophole; and

WHEREAS families, communities and law enforcement authorities are frustrated with the lack of tools available to effectively protect children from exploitation; and

WHEREAS exploitation can take many forms, including the use of children for illegal drug activity, gang recruitment, or sexual abuse; and

WHEREAS any child may become a victim of exploitation, but at-risk children are particularly vulnerable; and

WHEREAS many of the targeted child victims may be in the care of or have had previous contact with Child and Family Services; and

WHEREAS the age of protection is within federal jurisdiction, yet section 52 of Manitoba's Child and Family Services Act could be amended and strengthened to better safeguard children in care; and

WHEREAS the consequences of any type of exploitation are devastating.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to consider amending and strengthening section 52 of The Child and Family Services Act to allow for the greater protection of children in care who are at risk of being targeted by those who would exploit them; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to consider lobbying the federal government to raise the age of protection to a minimum of 16 years of age.

Mr. Speaker: It's been moved by the honourable Member for Minnedosa (Mrs. Rowat), seconded by the honourable Member for Charleswood (Mrs. Driedger),

WHEREAS Manitoba's provincial government—dispense?

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

Mrs. Rowat: I open with one simple request of all members of this Legislature, to consider the children in your family. Reflect on your love for them and the horror and powerlessness you would feel upon learning that they've been exploited.

Mr. Speaker, I'm undertaking this private member's resolution because I want to further protect

not only my children but all children from exploitation. Children under the age of 18 are being misled or coerced into participating in criminal and/or sexual acts by adults. Drugs, alcohol, gifts, and false promises are being used to lure and deceive children.

These children under the age of 18 are vulnerable because they do not have the life skills or experience to properly make certain decisions. Victims find themselves in situations where their health and safety are compromised. The damage to a victim is devastating, lifelong, and potentially life threatening. It can lead to self-destructive behaviour, self-blame when the fault lies with the predator, drug addiction, teenage pregnancy, HIV infection, and a criminal record.

This is an issue of great concern all over the world. Canada is one of the nations that has ratified a convention on the rights of the child. As a nation, we recognize that children are in need of special protection. We must, in the words of the Convention on the Rights of the Child, take all appropriate legislative measures to protect children from all forms of exploitation including sexual abuse.

Convention on the Rights of the Child, article 19, states: Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical and mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parents, legal guardians or any other person who has the care of a child. Such protective measures should, as appropriate, include effective procedures for the establishment of social programs to provide necessary support for the child and for those who have care of the child, as well as for all other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment for judicial involvement.

As elected representatives, the members of the House, have the responsibility to do everything we can to best protect the children of Manitoba. Children under the age of 18 are being exploited and are in danger of being exploited all across the province. All children are in danger, both girls and boys, from any community, urban and rural, from any ethnicity, from any economic background. This private member's resolution is about addressing very

real concerns expressed by parents, law enforcement agencies, social workers and communities.

I have met with a variety of groups that have expressed their frustration and concerns. I have personally talked with mothers of victims. They are scared for their children. They want their voices to be heard. They are demanding that something be done. We're exploring and offering ideas, not the final or only solutions, Mr. Speaker. We are starting a dialogue and offering to work in partnership with the provincial government to develop a timely strategy.

This NDP government cannot in good conscience say this is solely a federal issue. There are actions that they can and must take, action now at the provincial level. Strengthening section 52 of The Child and Family Services Act is only one workable concept that we have identified. There are many more, Mr. Speaker. We suggest that the government strengthen section 52 of The Child and Family Services Act to provide social agencies, law enforcement officials and parents with better tools to protect the children under their care.

In order to do this, we suggest that the section be amended to include parents, that the section be amended to include wording that specifically addresses children being lured or coerced by adults for a sexual purpose and that the provincial government actively support the federal government in raising the age of protection to 16 years of age.

Furthermore, we suggest that consequences for offenders be clearly outlined, both as a deterrent and to ensure that Child and Family Service workers and law enforcement officials can act swiftly and effectively to stop further exploitation of child victims. Other provincial acts have swift and meaningful consequences for less serious offending behaviour, and we would like to see this parity in this act with those acts.

I'm calling on this NDP government to do something now, to start reviewing provincial legislation, to find any means of improving the protection of children from exploitation. The onus is on this government to hold these predators accountable. Deterrents for offenders should be clear-cut and effective. Response to complaints must be swift and followed up with investigation and prosecution when appropriate.

The federal NDP party voted against the federal government's Throne Speech which contained efforts

to raise the age of consent to 16. I hope that, unlike their federal counterparts, this NDP government will support the federal government's commendable efforts.

Children in danger of exploitation cannot afford any more delays or inaction. This gap in protection must be addressed. If this NDP government does not take action and decisive action, then we, as opposition, will do what we can. We are receiving petitions signed by concerned Manitobans to follow up on this private member's resolution. If we do not see any real action, we will introduce a private member's bill in the upcoming session.

If this government does nothing, I challenge them to look into the faces of the victims and their families, and they can tell them why this government did nothing.

*(11:10)

Hon. Christine Melnick (Minister of Water Stewardship): Mr. Speaker, I'm very pleased to speak on this resolution. Certainly, this is a government that has worked very hard for stronger federal laws to protect Canada's children. This is an urgent priority for our government. The current Minister of Family Services (Mr. Mackintosh) when he was Manitoba's minister of Justice raised the issue of increasing the age of consent and tried to persuade the previous federal government to take action on several occasions, specifically February 2002, November 2002, September 2003 and January 2005 at the federal, provincial and territorial meetings for ministers who were responsible for Justice at that time.

These laws and the systems currently in place, we believe, must be significantly strengthened to guard children against sexual exploitation, abduction and homicide. For many years, the government of Manitoba has, in fact, been a leader. We have been introducing and advocating for stronger and more innovative measures to protect children from sexual predators.

Some of the activities which we have put in place since 1999 are establishing Cybertip.ca. This started as a pilot project here in Manitoba in partnership with the Child Find Manitoba group, Mr. Speaker. It was so successful that it has been adopted on a national, and I do believe also, in some instances, on an international basis. The Cybertip.ca in partnership with Child Find Manitoba is a telephone tip line service through which people

subjected to sexually offensive material or actively over the Internet can report what they have encountered. This then is reported to the appropriate authorities for immediate action. At the end of its first year alone, Cybertip.ca assisted in five arrests, shut down 39 Canadian Web sites and submitted 186 reports to law enforcement for investigation.

We have also persuaded the federal government to create Internet luring as an offence in the Criminal Code of Canada. This would make it a crime for a person to communicate with a child over the Internet for the purpose of committing a sexual offence against a child. Advocating, making sexual predators of children automatically eligible for applications for indefinite sentences is another initiative that this government is leading.

We're also advocating for the establishment of a robust national sex offender registry that is not restricted to offender's sentence after it comes into offence. We are also looking at establishing a provincial sex offender Web site to complement Manitoba's existing community notification advisory committee program. We want to enhance the effectiveness of warnings issued by police about high risk offenders.

Clearly, we are taking action. On June 22, 2006, Minister of Justice and Attorney General of Canada Vic Toews, the lead minister from the province of Manitoba, introduced legislation to increase the age at which youth can consent to sexual activity in order to better protect them against sexual exploitation by adult predators. We supported this, Mr. Speaker. We support the current federal government in their proposing to raise the age of consent from 14 to 16 years of age, and we have long lobbied for that. There is a definite need to increase the age of consent from the age of 14 to the age of 16 in order to provide clear and unambiguous protection to vulnerable young persons from sexual exploitation at the hands of older persons who would seek to take advantage of them.

I have a news release from September 29, 2003, from the former Minister of Justice: "Protection of children and greater support for police to be Manitoba's focus at Justice ministers' meeting." And a direct quote from the minister of the day: "Stronger federal laws to protect Canada's children are an urgent priority, and the laws and systems currently in place must be significantly strengthened to guard children against sexual exploitation, abduction and

homicide." That, of course, was the current Minister of Family Services (Mr. Mackintosh).

As well, we need to turn up the volume of the Criminal Code to send a strong deterrent message that Canadians stand behind their law enforcement officers. So, again, we were leading the way in a national effort to protect Canada's children and leading the way to call for new police protections as far back as September 2003, Mr. Speaker.

The Government of Canada has long advocated to amend the Criminal Code of Canada to implement an increased age of consent, and this government believes that Bill C-22 not only achieves that goal but also ensures that consensual sexual activity between young persons who are close in age will, in fact, not be criminalized. So I think that we have to recognize that this must be at the national level, that it is indeed something that we would like to see brought into the Criminal Code of Canada.

We continue to advocate with the current Minister of Justice, and we continue to take care of the children of Manitoba, but we need partnerships that are interjurisdictional. We need partnerships that are, in fact, international. I'm sure we're all aware of the case, well, actually two cases, now currently taking place halfway around the world, dealing with Canadians who are suspected of sexually abusing children, and I think it's important that we recognize that when we work on a local basis we have to work nationally and, in fact, internationally. That is, in fact, what this government is committed to doing. Thank you, Mr. Speaker.

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, I am indeed honoured today to second this resolution. I commend the Member for Minnedosa (Mrs. Rowat) for bringing this forward, and I thank the individuals that have been involved in working very hard to put this together.

This is a topic that is near and dear to many of us. This private member's resolution is about addressing very real concerns expressed by parents, law enforcement agencies, social workers and communities. This initiative is not about penalizing sexual activity between teenagers but closing a gap that now protects adults with deliberate intent to sexually exploit our children.

We are exploring and offering ideas. We know that this solution and the many solutions will take dialogue, and we want to start this dialogue and offer

to work in partnership with elected representatives in this House to develop a timely strategy.

I would urge the NDP government to support this private member's resolution because this isn't just about a federal issue. That is only part of it where we should all be encouraging the federal government. They are already supportive of raising the age of consent, but there are aspects of the provincial legislation that this government could deal with now if the will was there to do it. I would encourage them. Let's work together to develop a strategy where we in Manitoba can address this issue.

Mr. Speaker, for a decade I was involved with Child Find Manitoba and I dedicated myself to fighting hard to protect children. Roz Prober joined the fight and formed Beyond Borders to do just that, and I want to publicly right now commend her incredible efforts where she is now in Toronto at this moment on a panel addressing a national sex offender registry.

At Child Find we dealt with issues most people don't even want to know about. People would just avoid us, walk around us because nobody wanted to think that things like this were happening to children, and indeed, as you delved more into a lot of the issues, they were very, very hard to understand. They were hard to look at. Information was hard to read, but it drives your passion for making things better.

We did research on pedophiles, even though that was an extremely difficult thing to do. We jumped in with both feet to address the issue of child prostitution in Manitoba, and nobody wanted to admit that there is a kiddie track in Winnipeg where little children actually walk on the streets and are involved in child prostitution.

I spent time with child prostitutes, talking to them and learning more about their lives and how they got into it. I fought for those girls to have a safe house and a chance at a better life. I would like to indicate that in those days when I came to the former government, I would commend right now publicly the former government and the Member for River East (Mrs. Mitchelson), who at that time listened to what was happening, and then when I became elected, gave me the privilege of working further to drive this issue forward in Manitoba to look at how we could better protect child prostitutes.

* (11:20)

We took on the issue of child pornography and today our beginning steps have turned into Cybertip, an international tip line for reporting child Internet pornography. I commend Child Find for their initiative and for their unwavering continuing dedication to protect kids.

We worked with runaways, and because Manitoba had the highest runaway rate per capita in Canada, we had our hands full, and Child Find still does. The majority were 14- to 16-year-old girls, and many had been exploited one way or another. I strongly came to believe that sexual exploitation of children is pure child abuse and we need to do more. Our work is far from over.

This resolution takes these issues and puts together an opportunity here in Manitoba with provincial legislation under section 52 to take some of these concerns and issues and to do something that we can do right here without having to say, well, we can't do anything because we have to wait for the federal government. I commend that federal government, Mr. Speaker, for bringing forward the legislation to change the age of consent or the age of protection. I think it was commendable and I think more effort needs to be put to ensure that that legislation passes.

I have to say that a few years ago I went to a luncheon and there was a panel. In the panel there was discussion about age of consent, and in my whole time of politics I'm not sure if there was ever a time—well, there may have been one or two times here in the Chamber or within some of the discussions we were having here, but I heard somebody in that panel that upset me more than I have in a long time. That was a Liberal Member of Parliament who sat on that panel and defended the federal Liberals in not supporting raising the age of consent. I was so distressed by the comments of that government. It was actually Anita Neville that sat on that panel. I have to commend our former Minister of Justice who actually did speak on that panel and was supportive of raising the age of consent, and I would urge him to continue to stay involved in this.

I could not believe the lame excuses that the federal Liberals used at that luncheon as to why the age of consent should not be raised. I was shaking by the time I got back here to the Legislature and appalled by the comments that had been made at lunch.

We also at that time at lunch heard from the women of Bountiful, British Columbia, who were

dealing with situations where young children were forced to marry, within their community, adults that were older than them. This is a huge, huge issue and it is a huge concern. I think there are opportunities here in Manitoba to look at our provincial legislation, and I would urge this government to have a look and see what they can do.

I commend the Member for Minnedosa (Mrs. Rowat) through her initiative and all of the work and passion she has put into this to ensure that we move now to act on what we can do in Manitoba. There are things that can be done. I would urge the NDP government to join with us in this dialogue and let's make a difference for these vulnerable children. Thank you.

Mr. Doug Martindale (Burrows): I'm pleased to speak on this resolution because of my concern for sexually exploited youth and also because it's an issue that affects my constituency of Burrows as well as two or three other inner-city Winnipeg constituencies.

I would commend the research staff on the opposition caucus for doing research and including clauses that appear to come right from the Manitoba government Web site for the Manitoba Strategy Responding to Children and Youth at Risk of, or Survivors of, Sexual Exploitation. It lists some of the risks that these children face including violence, including abusive relationships, sexual assault and homicide, sexually transmitted diseases, gang involvement, early pregnancy, mental health difficulties, academic difficulties, involvement with child welfare and criminal justice systems, long-term dependence on social services and government assistance and raising children who are much more likely to repeat the same cycle.

Now, I heard two things that I strongly object to in opposition members' speeches. One was that we're doing nothing, and I'm going to read into the record what we are doing. I think when you use hyperbole and you go over the top, it really deflects from your credibility because the government is doing many things on this issue. Secondly, I heard a member say that we need a strategy. Well, we have a strategy. It's called the Manitoba Strategy Responding to Children and Youth at Risk of, or Survivors of, Sexual Exploitation. And we have numerous things that we are doing.

Now, to address, very briefly, and to reiterate what the Minister of Water Stewardship (Ms. Melnick) said about the age of consent, Manitoba's

previous Minister of Justice raised the issue of increasing the age of consent and tried to persuade the previous federal government to take action at the February 2002, November 2002, September 2003 and January 2005 federal-provincial-territorial meetings of Ministers responsible for Justice. So we did raise this issue on the national stage and it's good to see that Canada's new government, as they like to call themselves, is taking action on this issue. *[interjection]* Yeah, now it's no longer the new government, it's the Government of Canada, but they are doing something about this issue.

Now, also, referring to a news release of the former Minister of Justice from May 25, 2006. It really responds to this allegation that we're not doing anything and I would like to point out what we are doing because there are many things that we are doing and they're all part of the strategy. It involves co-operation amongst a number of government departments and with agencies in the community.

You know, we wouldn't have this problem if there were no pimps and there were no johns. If there was no demand, there would be no supply. It's not the people who live in the community where the services are unfortunately being provided that are the cause of the problem. It was people from outside the community.

So, for example, we have statistics based on interviews of people arrested over four years for prostitution offences, and so we know a little bit about these individuals. For example, we know that 15 percent live in Winnipeg's North End and 10 percent live in Winnipeg's West End. So that leaves 55 percent of offenders who live outside the West End and outside the North End and they come from the following areas: south Winnipeg, more than 25 percent; Winnipeg's downtown, less than 10 percent; and outside Winnipeg, more than 20 percent.

This is fairly apparent when you walk around the North End as I do, or ride my bicycle around the North End, or drive down Powers, not Powers, well, any number of streets, but in Burrows constituency, Powers Street or McKenzie Street, and you look at the vehicles that are picking up these young women. The vehicles are much more expensive than what people live in the neighbourhood can afford. So you know that they don't live in the neighbourhood, they're coming from outside the neighbourhood. Twenty-five percent from south Winnipeg and 20 percent from outside Winnipeg. In fact, the police tell us that pedophiles from rural Manitoba are

coming to the North End of Winnipeg to sexually exploit our youth which is very, very sad, to see these young girls standing on many of these streets, day and night, being victimized by johns from, especially from outside the neighbourhood. We also have a profile of the offenders, so we know that the majority are white males.

Who are the sexually exploited youth? In our neighbourhood, most of them are Aboriginal. Who are the people exploiting these sexually exploited youth? The majority are white males. The average age is between 30 and 39 years. The majority are married. Forty-two percent have children. The majority are employed and 63 percent have some high school education. This is all contained in an excellent publication called *Neighbourhood Solutions*, which I would commend the opposition members to read. The subtitle is: *Working Together to Address Sexual Exploitation on Our Streets*.

Mr. Speaker: Order.

Point of Order

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

Mr. Leonard Derkach (Russell): Mr. Speaker, just on a point of order, and I simply would ask the member to clarify something. In his statement, he just indicated that pedophiles from rural Manitoba are coming into the North End of Winnipeg.

I, as a person who lives in rural Manitoba, am somewhat offended by the fact that this member has now, by his comments, insinuated that pedophiles reside in rural Manitoba. I think we all have that problem across this province, that it doesn't simply isolate itself to a particular region of the province. I would ask the member if he would just perhaps review his remarks and perhaps clarify his remarks. Thank you.

*(11:30)

Hon. Steve Ashton (Deputy Government House Leader): Well, Mr. Speaker, obviously it's not a point of order. I think the member violated our rules in terms of *Beauchesne* in terms of imputing motives to the member. This is a debate. The member can participate in the debate if he wishes, but I think the member was totally out of order and his comments were totally inappropriate. There was no imputation, and he should certainly not impute motives to a member of this House who was speaking to a motion that was brought forward by members of that side,

which is an issue that's been raised by government, which is of interest and of concern to all of us.

We all know that when it comes to pedophiles, the key thing is protecting our children. That's what the member was talking about. In fact, I would ask that you not only rule this out of order but ask the member opposite to withdraw his imputations. That was not what was said, not what was intended, and I would suggest we get back to debating a very serious issue, Mr. Speaker, that should be of concern to all members of this House without that kind of finger pointing or imputation of motive.

Mr. Speaker: On the point of order raised by the honourable member, I have heard enough to make a ruling here. The honourable Member for Russell on his point of order does not have a point of order.

When members are speaking to the Chair, they bring in factual information and I accept that. If members agree or disagree, all members will have a chance to participate in the debate. That's the opportunity for all members.

* * *

Mr. Speaker: The honourable Member for Burrows has the floor.

Mr. Martindale: I will clarify my remarks and tell you that the source of this quote is the Winnipeg Police Service. That's why I put it on the record.

Regarding what we are doing, since it was alleged that we're not doing anything, we are doing many things. For example, in the press release of May 25, 2006, which I would recommend that opposition members look up and read, it has two parts. The first is Target: Johns and Pimps. The second is Victim and Community Support.

Under No. 1, Target: Johns and Pimps, we brought in New driver licence suspensions for johns convicted of prostitution-related offences with a vehicle to be one year for a first conviction, two years for subsequent convictions within 10 years. Subsequently, Manitoba's community prosecutor was appointed to take local cases against johns and pimps in the downtown and West End to get effective deterrent sentences and a new prosecution policy to help ensure that community-service work, stay-away orders and john school are part of a sentence.

Reality Check, an information campaign to be targeted at educating johns on the harm of the sex

trade, supported by the Winnipeg Police Service, Salvation Army and Sage House.

I would point out that this is a fee—not really a fee-for-service, but it's a cost-recovery program so the johns have to pay for it. It used to be \$500, and it's been raised to \$600.

We have strengthened The Safer Communities and Neighbourhoods Act to allow closure of prostitution bases of operation, even where no prostitution is taking place on the premises. A new team of investigators under The Safer Communities and Neighbourhoods Act dedicated to investigations involving drugs and prostitution in the most problematic areas of Winnipeg, beginning in the fall of 2006.

Fifty-six prostitution-specific operations alone had already been shut down as of the time of this news release in May 2006.

Secondly, under Victim and Community Support. Building on the Manitoba Strategy on Sexually Exploited Youth—the opposition wanted a strategy. We have a strategy. It's called the Manitoba Strategy on Sexually Exploited Youth, and it began in 2002. But the most recent things are *Neighbourhood Solutions*, a new resource book to help communities address the sex trade on a local basis. This is the publication that I was referring to which I would encourage all of you to read Teepee teaching on Ndinawe community councils prevention curriculum delivered in Winnipeg schools, funded with \$99,700; the North End Safer Schools Corridor Project, recently funded with \$82,500 to allow Mount Carmel Clinic to provide safe passage for children.

There are four other items that I do not have time to read, but I could tell you that the Safer Corridor Project has been successful, because at one time the sexually exploited youth were standing on avenues like Selkirk Avenue, Pritchard Avenue, Manitoba Avenue and children and their mothers walking children to school were being solicited by the johns. So the Mount Carmel staff who were working with the sexually exploited youths said, please stand in the back lanes, and so they are doing that. I think they are open to suggestions on working with non-profit organizations in the community.

But we're also helping them to transition off the streets. That's most important. We've expanded the number of shelter beds. We have training programs like TERF at New Directions. We are doing many,

many things to help sexually exploited youth get off the street and to try and prevent the problem in the first place by increasing penalties for johns and pimps. Thank you, Mr. Speaker.

Mr. Stuart Briese (Ste. Rose): It gives me pleasure to rise and speak on the resolution put forward by the Member for Minnedosa (Mrs. Rowat) and seconded by the Member for Charleswood (Mrs. Driedger).

I hear a lot of rhetoric across the way from the Member for Burrows (Mr. Martindale). We still have predators out there. He talks about all these wonderful programs, and what they're doing. They aren't working. The predators are out there. They're preying on children. They're in all communities. And the Province can put some stops in place for this. They can improve the legislation right now. They have some protection for children in care. They haven't expanded it to children that are not in care. I think there's room for quite a bit of improvement there.

We've identified some of the weaknesses in the legislation, and I think anyone in this House should realize that there are weaknesses in the legislation. I think the government has to move to strengthen that legislation and protect our vulnerable children. The second part of this resolution asks that the Province encourage the federal government to move forward with the legislation they have proposed, which I think, and I'm not absolutely sure, I think it's stalled in Senate, and—

An Honourable Member: By a Liberal.

Mr. Briese: I think by a Liberal. Yes, as the Member for Charleswood (Mrs. Driedger) says.

But I think the members opposite should be encouraging the federal NDP to support any legislation that comes forward that will change the age of consent. *[interjection]* You do have members in Ottawa, though.

I think our police forces need the tools that allow them to take these predators off our streets, out of our communities and keep them out of them. Children deserve to be safe. We still hear—but the members opposite try to pass this off as a federal problem. It's not. It's a problem in our province. It's up to us that live in this province, work in this province, the members in this House, to put forward safeguards that will protect these children. The federal government, as we all know, has begun the efforts and it's stalled.

We're not talking in this resolution about—we're talking about adult predators preying on children. And I think we have to stay very clear on that issue. The police, the protectors of our communities, need the wherewithal to keep these people out of our communities, and they need the tools that will make the penalties serious enough to deter the criminals and the ones that are luring children in whatever way they choose to lure them, whether it's with drugs, it's with money, it's with promises, and once they're under their control, they have a very hard time getting out of the control. It's lifelong.

The returns for us are from stopping this process before it starts, not trying to repair the process after. Too many of our programs in this province are reactive rather than proactive. They don't take the steps prior to something happening, and then the results afterwards are far harder to control and they go on forever. The costs to people, financial costs, people costs go on and on for the rest of these children's lives.

* (11:40)

Legal loopholes need to be closed. Roles and powers of provincial agencies need to be clarified. Every time we mention that, we get a long list of this agency and that agency. Just throwing money at a problem does not necessarily solve the problem. Problems have to be results oriented. I've heard over and over again in this House, well, we put another \$20 million into this; we put another \$45 million into this. It appears that the thought is that just putting money there solves the problem. We need to see the results from putting that money there. We're not seeing very many results. I think it's time we started to see some of them.

Agencies and departments must co-ordinate their efforts. I see too much of the splintering of, well, it was that department's fault or it was this one's, or we don't communicate, we don't talk to each other. We want to take responsibility, but oh no, they want to take responsibility. So, it gets passed off. It gets lost in the dust and we end up with trying to sort out where responsibility is. We spend more time trying to sort it out and try and figure out who should be responsible for some of these things than we do in solving the problems.

We need the ability for our law enforcement to handle the complaints, respond swiftly, and then we need consequences for the predator's actions that they don't just smile and walk away from our court

systems without having severe penalties for their actions.

There's obviously no single solution. There's certainly a large number of things that have to be done to improve this. I look upon this resolution as a first step in the process. I think there certainly has to be some improvement done with the provincial legislation. There has to be help given to the people that enforce this. We have to realize that we have the predators in every community and the predators have to be stopped. On top of that, I think we all, in this House, must encourage the federal government to move with their legislation to raise the age of consent. It's our duty to talk to our federal counterparts, whatever party we're from, and push them to proceed with that legislation as soon as possible.

With those few words, I think I'll turn this over to someone else that may want to speak on it. Thank you.

Ms. Jennifer Howard (Fort Rouge): Mr. Speaker, it's my pleasure today to rise and speak to this issue. I want to thank the Member for Minnedosa (Mrs. Rowat) for bringing forward this resolution. When I saw this resolution, my hope was that we would have some constructive debate and dialogue in this Chamber about an issue that I know members on both sides of the House take very seriously, and I know members on both sides of this House have worked very hard to deal with the issue of sexual abuse and sexual exploitation of children and of adults over many years.

I want to say that I know that part of her remarks was to challenge us to look in the eyes of those who have been victimized. I want to assure her that I have, in fact, done that. That has been part of my work outside of this Legislature, my early work, certainly in Brandon and in rural Manitoba, to deal with the issue of sexual exploitation and abuse.

I want to, for a moment, commend many of those people whom I worked with in rural areas who were victims of sexual abuse who stood up and broke the silence at a time when, and still, I think we're in a time when this is not an issue that people are comfortable talking about. It's not an issue that people are comfortable hearing about. Often, for victims to have the courage to come forward, break the silence and tell their story, takes a tremendous toll on their lives. We've all, I know, heard stories of people who have come forward to do that and then

ostracized from their communities, have watched as their victimizers have been protected by those same communities.

I know that all of us are committed to working towards a time where victims will feel more safe in telling their stories, where we can remove the stigma of sexual abuse and sexual exploitation, and we become a society that is willing to listen and is willing to hear those stories because, one thing I do know, is that we will not make progress on this issue unless we have the courage to hear those stories and to look at this problem in all of its complexity.

The other thing that I would say that I learned in working with victims and survivors—and it's important for me always to talk about survivors because it is true that sexual abuse and sexual exploitation is a horrific crime that steals innocence, that steals people's ability to live a full life. But it is also true that those same people work very hard to heal and work very hard to survive that experience, and the courage that it takes to do that and the work that it takes to do that is inspiring. I think that although it's important that we talk about the seriousness of this crime, it's important that we talk about how we can better protect young people from, be it Internet luring, be it any kind of sexual exploitation, that we also do talk about and give credit to those people who survive that experience and who go on to help other people who have not yet become survivors.

I also want to talk for a moment about what we can do to better equip our young people so that they don't become victims of sexual exploitation, and I want to talk both about how we equip girls as well as boys, in this instance. First, I want to talk about what we can do with girls and young women. One of the keys, I think, to helping girls and young women not become prey to sexual exploitation is working with them on developing good, healthy core self-esteem, developing in them a self-image that is totally independent of who they may be in relationship to somebody else, working with them, whether it be through sports programs—and we know there is very good evidence that having girls and young women involved in sports can help them develop self-esteem and develop a self-image that make them into independent young women that inspire self-confidence and that help them to not get into situations where they may become exploited, not that it is ever the fault of any victim of this crime.

I want to talk specifically about a program that we worked on at the Women's Health Clinic when I was there as executive director that was done in partnership with Dove, and I think this is an example of very good corporate citizenship. Many of us have seen the Dove campaigns, and they are a bit funny and a bit interesting to look at. But beyond those campaigns, that company has worked very hard and put a lot of money into developing programs and workshops for girls and their mothers to come together and talk about some very difficult issues.

Certainly, one of the major issues that they worked on is body image and talking to girls and their mothers about how to build good, strong body image so that they don't fall prey to eating disorders.

But, also, in that discussion, there is discussion about sexual activity and sexuality and discussion about how we help our girls, whether they be our daughters or nieces or friends, how we help them become people in and of themselves, independent of who they may be in relationship to a boyfriend or a husband. If we can do that, then I know that we're going to be developing young women who are much less likely to become sexually exploited.

I also want to talk for a moment about the role that boys and men play in this. Certainly, we know that boys and men can become victims of sexual exploitation and that in many instances it is far more difficult for them to come forward with their stories and for them to come forward and seek help than it is for women. That is a tragedy that just compounds and comes on top of another tragedy.

* (11:50)

I know the breakfast that many men in this Chamber attended this morning, and I think that that is a very constructive example of what men who are in leadership positions in this community can also do to call on each other to resist violence against women, to talk to their sons, to talk to their friends about that issue.

We heard from the Member for Burrows (Mr. Martindale) about—often when we deal with the issue of exploitation, especially if we deal with the issue of prostitution, we aren't as likely or as willing to talk about the problem with the men who seek those services and what we can do about that. I know that men who are in leadership positions, that's an issue

that they also have to take on and have to address, so I'm encouraged by the breakfast this morning and the many members of the House that were there.

I also want to say, for a moment, about prevention, and although I know it gets perhaps wearying to always hear us speak about trying to get to the root causes of problems, there are good reasons we talk about that because we cannot have a full strategy if we only talk about law, if we only talk about enforcement, and we talk about punishment. That's very important. We have to do that, but I'll be much happier if we can prevent young people from being exploited in the first place.

The truth is, although we have to always keep in mind that victims of exploitation come from every walk of life, come from every area, the experience of poverty, the experience of discrimination, the experience of racism, does make you more likely to find yourself in a situation where you're easily exploited, so it's also those issues that we have to wrestle with and that we have to deal with.

I would say, also, some of the things that our government has done that are important—I see my time's almost up. I want to speak for a moment about treatment for offenders which is not work that I can do because I would never be peaceful enough. I'd be too angry to do it, but it is crucial and difficult. We have funded that work, and I want to, for a moment, commend those people who do have the ability to work with offenders because if they don't do their job, then we don't have any hope, really, of solving this problem.

I see my time is almost up, and I do want to hear from other members in the House so, with those words, I'd just like to thank you, Mr. Speaker, and my colleagues. Thank you.

Mrs. Bonnie Mitchelson (River East): I want to thank all members of the Legislature that have made contributions to this resolution and thank my colleague, the Member for Minnedosa (Mrs. Rowat), for bringing this very important issue before us today in the form of the resolution and would encourage government to think very seriously about supporting this resolution.

If you look through the resolution, you won't see any word in here that condemns the provincial government for anything, and we all recognize that

many, many steps have been taken over the years to try to deal with the issue of sexual exploitation. You know, each one is a step in the right direction. Every new program that is implemented is tried and assessed and evaluated, and if it isn't working, well, we try something different.

So I commend the government, too, for the initiatives that have been outlined by some members opposite and say to them, let's continue, but, you know, if everything that we were doing today was working perfectly, we should be seeing a reduction in the amount of sexual exploitation of our youth, and I don't think that's the case today. We're seeing the incidents of gangs and drugs not only in the inner city of the city of Winnipeg but right throughout the province of Manitoba.

We're hearing on reserve that gangs from the city of Winnipeg are coming up to exploit and use their young children, and moms up there are extremely concerned about what's happening. So there is much, much more to do, and if you look at the resolve, the BE IT RESOLVED in this resolution, it's been clearly indicated by the government today that they support raising the age of majority, so one of the RESOLVED issues has already been dealt with by this government, and the other one is that the government take a serious look at section 52 of The Child and Family Services Act to allow for greater protection of children in care.

Now, this is something that isn't being done today. It's a constructive suggestion to possibly find a solution for some of the most vulnerable children within our society. Government shouldn't today be threatened by this resolution. They should be embracing it and supporting it. There's nothing here that condemns them or criticizes them. All it is is a resolution that says let's work together, take suggestions or ideas that might be put forward and let's make it happen. It's only one small piece of the puzzle. It's certainly not the be-all and the end-all but it's something I think that all members of this Legislature should stand up and support and say yes, let's work together, let's explore it, let's see if it might work.

There's no harm in all of us, and I know that everyone in this Legislature cares about our children and about finding solutions to sexual exploitation, so with no further adieu let's all stand up, support this resolution and move forward to trying to make a

difference in the lives of some of the most vulnerable children in our society. Thank you.

Mr. Drew Caldwell (Brandon East): Mr. Speaker, I appreciate very much the words of my honourable friend, the Member for River East (Mrs. Mitchelson) and would note that all members in this House do have very strong feelings about sexually exploited youth and preventing such exploitation from taking place.

I couldn't help though, Mr. Speaker, note that the words from the Member for River East which were very, very generous words and very encouraging words were in contrast to the Member for Minnedosa (Mrs. Rowat) who politicized this issue right from the outset in her opening remarks introducing this resolution. I suppose that's one of the things that troubles me and it is one of the problems with this. The problem with this sort of introduction to this sort of resolution in that—and the motives were laid bare when this resolution was introduced by the Member for Minnedosa and that really does, despite the very fine words from the Member for River East, those words from the Member for Minnedosa really do colour this sort of resolution and undermine what should be something that all parties can concur with.

I am proud, Mr. Speaker, as my colleagues on this side of the House have referenced in their remarks, the Member for Burrows (Mr. Martindale), the Member for Fort Rouge (Ms. Howard), we as a government have been diligent in working to reduce the opportunities for youth to be sexually exploited in this province and, in fact, have made this an issue nationally with the federal government. So, you know, if this had not been a politicized resolution and introduced as such, perhaps there'd be a little bit more good will on this side of the House but the motives were laid clearly bare by the Member for Minnedosa and they're there for all to read in *Hansard* when people review this in the future.

So, again, I will stand with my colleagues from Burrows, with my colleague from Fort Rouge, with the Minister of Family Services and Housing (Mr. Mackintosh) and with the good work that this government does both locally here in Manitoba and nationally with the federal parliament to ensure that Canada and indeed Manitoba continue to work diligently to reduce the opportunity for adults to sexually exploit youth and to provide opportunities, as importantly, to provide opportunities for young

people to avoid situations and avoid lifestyles that put them into jeopardy through education, through legislation, through regulation and through providing a supportive environment and supportive society for young people wherever they may live not only in Manitoba but across the country.

I'm very, very proud to be part of a government that day in and day out works diligently to ensure that youth are protected in Manitoba and in Canada

and I again am proud to stand with the Premier and the government of Manitoba.

Mr. Speaker: Order. When this matter is again before the House, the honourable Member for Brandon East (Mr. Caldwell) will have six minutes remaining.

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, November 1, 2007

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