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DEBATES
and
PROCEEDINGS

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, May 13, 2008

The House met at 10 a.m.

PRAYER

ORDERS OF THE DAY

PRIVATE MEMBERS' BUSINESS

SECOND READINGS—PUBLIC BILLS

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I'm sure if you canvass the House you'll see that there's leave to go directly to Bill 223 this morning.

Mr. Speaker: Is it the will of the House to go directly to Bill 223? [*Agreed*]

Bill 223—The Non-Smokers Health Protection Amendment Act (Protecting Children From Second-Hand Smoke in Motor Vehicles)

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I would move, seconded by the Member for River Heights (Mr. Gerrard), that Bill 223, The Non-Smokers Health Protection Amendment Act (Protecting Children From Second-Hand Smoke in Motor Vehicles) be now read a second time and referred to a committee of this House.

Motion presented.

Mr. Lamoureux: Mr. Speaker, first off, I'd express my appreciation for Murray Gibson from MANTRA and Mark McDonald from the Cancer Society and others that have actually come here this morning to hear the debate on Bill 223. As for all of us inside the Chamber, it is a very important bill.

In fact, it was the other day, inside the Chamber, we were talking about a private member's resolution where the subject of the matter was that of cancer. There is a certain amount of passion whenever debating or dealing with the issue of cancer because it affects each and every one of us directly and indirectly as we all know people that have had to go through this devastating illness, many of whom never survive it.

At times, I believe that there are things that we can do with the support of all political parties that can really make a difference.

What I wanted to make reference to is the efforts of the former member from Carman, Denis Rocan, when he had the idea in terms of banning smoking in

public areas, brought it forward, government saw the benefits of it and, very quickly, it became apolitical. The reason why I believe it became apolitical, Mr. Speaker, is because people, every one of us, saw the strength and the merit of doing what it is that we can to decrease the amount of smoking in our province. It gained wide support, not only inside this Chamber but beyond this Chamber.

Bill 223 is a bill that, actually, I heard about through media outlets when they were talking about second-hand smoke in motor vehicles. There are organizations that have been talking about it for a long time, Mr. Speaker. No one owns the idea. All I've done is provided a vehicle, in the form of Bill 223, to be able to be presented to us this morning so we as legislators can choose what we would like to do in regard to second-hand smoke in vehicles.

There is a great deal of material, and when I had first started talking about this particular bill, the type of support that I had received in encouragement was very overwhelming. It ranged from individual phone calls to e-mails, to letters, to just discussions. I've had offers to print brochures and circulate brochures. I've had individuals write letters that included materials that were talking about second-hand smoke. It has broken all the different generations of young people to our seniors who have talked to me and given me, again, words of encouragement, believing that there is a chance that the government might do what's right in regard to Bill 223. At the very least, allow it to go to committee where they will witness firsthand the type of support that is there for Bill 223.

Mr. Speaker, in going through some of the material, there was one in particular that I want to share with members. It's actually published by the Canadian Cancer Society, and there's a couple of pieces that I'd like to refer to but this one to start off. It's on page 10 in one of their brochures, on Clear the Air. It deals with protect children from second-hand smoke. I would like to quote directly from the brochure where it states, and I quote: "If you do smoke, consider quitting. Your children will be healthier if you do. Even if you don't smoke around your children, smoke can still cling to your hair, clothing, furniture and the inside of your car. If you

have to smoke, always smoke outside far from children. Never smoke in the car. Opening a window does not protect children from smoke. Smoke before you begin your journey. On long car trips, stop and smoke outside away from children." And it goes on.

Mr. Speaker, I truly believe that the Cancer Society has put it in a very simple way. We all know the dangers of second-hand smoke. We all know the confinement that we put our children in when they're sitting inside a vehicle, and having the windows open just doesn't cut it. We know that. The stats and the facts are there.

* (10:10)

We have seen other jurisdictions move towards looking at banning. Some have legislation in drafting. Manitoba is in a unique position where we could be one of the two or three provinces leading the country in passing this type of legislation. I do believe that it's not an issue of education. I believe that it's an issue of good will, understanding the issue, as I believe we all do, and allowing for the bill, at the very least, to go to committee.

There are Web sites that are out there. I went to the Canadian Lung Association Clean Air for Kids campaign. I can quote directly from their Web site, Mr. Speaker: "Stop Smoking in Cars – Our Kids Deserve It! Exposure to cigarette smoke in the confined space of a car is a serious threat to children's health. Yet every day many Canadian kids are forced to ride in smoke-filled cars. You can help change this. Support our campaign to make cars smoke-free for kids: select your province or territory from this list, and press Go."

Mr. Speaker, there is a campaign and I believe it's a very genuine campaign. It's about the welfare of our children; these are individuals that are the most vulnerable. In the legislation that I am proposing, I make reference to it being that of minors, minors being defined as 12 and under. I would suggest to you that I would be open to amendments on that. I've heard some people say that it should be 16; I've even heard some say up to 18.

I, for one, am open to any sort of arguments that could be brought forward, or amendments. What I am hoping is that the collective wisdom of this Legislature will see the merits of passing Bill 223, that we will not look in terms of how we might be able to do it and deal with the issue in the future by other means. There are many experts that are out

there, I am sure, who would get behind the principle of banning second-hand smoke.

My appeal to all members of this Chamber is in a very apolitical fashion. I was just fortunate enough to be the one to provide the vehicle, that being Bill 223. I am hoping that all members will get behind it. At the very least, let's allow it to go to committee where we can have public presentation.

I look forward to members' comments on the bill, Mr. Speaker. If there are more members than time allows, I would suggest that it is a bill that is worthy of getting the leave required to allow us to go past 11 o'clock, because it's a bill about something that touches each and every one of us and, I believe, is something that we could do, and have this be the law in Manitoba by the end of the month, if the political will was there.

With those few words, Mr. Speaker, we're prepared to—hopefully, we'll see the bill go to committee this morning.

Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines): I thank the member opposite who just spoke on this.

Mr. Speaker, The Non-Smokers Health Protection Amendment Act (Protecting Children From Second-Hand Smoke in Motor Vehicles) is a very interesting act. I'd like to give a little bit of a history on this.

Before I do that, I'd like to congratulate the people in the gallery. I had the honour and pleasure of working with them when we passed the first Non-Smokers Health Protection Bill. I know MANTRA, the Cancer Society and a lot of the professionals who are here not only are dedicated for one issue; they've been dedicated about this health issue for multiple, multiple years. They've been working on education; they've been working on actual programs on the ground, and they've actually worked on change. I wanted to talk to you a little bit about the history of this and then go from there.

First, when we started to talk and the Member for Carman at the time, Denis Rocan, brought forward a bill, it was interesting because everyone was a little apprehensive about bringing in a non-smoking bill. With MANTRA, the Cancer Society, a lot of the professions and the staff that are now in the gallery, we decided to move forward on a bill to ban smoking in public places.

What we did, with workplaces being banned, public places being banned, and making sure that we had a good law that was understandable, that was worked through with the Hotel Association, with businesses, with the public, we actually made a sea change. The change that was kind of scary was the youth rate; the smoking rates were about 30 percent in 1999. They're about 20 percent now, which is about a 33 percent decrease which is excellent. Not enough, but it's working there. The other thing is that stats from 2007 show that only 19 percent of smokers are aged over 25. I understand that it was 30 percent approximately in 1999. That's a huge change. It's not enough, but it's a huge change.

When we started to talk about this whole health issue, when we started to talk about focussing on the prevention of disease versus the treatment of disease, that was a fundamental change. I thought it was really good that there was an all-party task force that went around the province. They did hearings and they heard from the professionals, they heard from businesses, and we ended up with an agreement in this House, an agreement among the Conservatives, the Liberals and the NDP, that we had to focus on health. We were very interested in moving it forward. I think it was really exciting that we made a decision as a collective and it was a unanimous decision. It was a momentous decision because what happened was we started to provide leadership on this, and when I say we provided leadership it's actually not this Chamber. The people in the gallery showed us where we needed to go. They prodded us, poked us, cajoled us, and, in fact, they embarrassed us, to make us do this.

The Member for Carman at the time, Denis Rocan, made it a personal crusade and that was really good, and then what we did was, as a group, we decided to act, and I'm really pleased that we're moving now forward on this. We have to look at it as a complete package. We have this province-wide smoking ban, and I'm pleased to see that it's extending to First Nations casinos where they're going smoke-free. I saw an ad on that on one of them just this weekend.

I know that the Review and Rate—it was interesting because my nephews actually saw it and it was great to see. Their impact was oh, my, we can't have this happen; it is gross, smoking is gross. And the first time we saw the Review and Rate program it was interesting because it was a very innovative program. It gave a very strong message through the media to kids, and they actually had some impact on

the decision. So that was a really good thing, and when my nephew came and talked to me about it and said that it actually bothered him greatly, that was good because he understood the impact of smoking.

The whole Manitoba Lung Association, Not on Tobacco, teen quit smoking program became very well. The fact that I now go to socials and I go to restaurants—and you don't have to ask for the non-smoking area—you go there and it is crowded. I know that businesses were very, very worried that they would go broke because of the smoking ban. What we found is that, at first, there was a slight decline, but the businesses are now up to or above of where they were before, and what we have to do as a society is continue to look at how we can make this issue continue to be on the forefront.

I know when you go get gas now or go to stores they no longer have tobacco visible, and it's called de-normalizing the sale of tobacco. That's really good because I thought it was a very bad precedent or policy to have chocolate bars and candies and gum and tobacco. I think it's interesting to keep tobacco behind because it is a drug that should be away from young children. It should be de-normalized, and so, what we have to do is continue to look at how we move this issue forward.

One of the important things is that it's not a decision that we make just for today. It's a decision this Chamber has to look at to make sure that we can continue moving this issue forward today, next week, next year and next decade. I know that my dad was a committed smoker and he smoked for many years, and he quit the day he died, and the reason we have to do that is not to have people die at 56, 57, from heart attack. What we have to do is make sure that people are able to live throughout their normal life expectancy. And by moving forward with this issue, I think we can do that.

* (10:20)

We need to continue to push the rates of smoking downwards. We need to make sure that we work collectively to bring this issue forward, and I'd like to thank the Member for Inkster (Mr. Lamoureux) because sometimes he tries just to get press, but I think this is an issue where we can work together collectively to not just get press, but to do the right thing. Do the right thing following the guidance of the professionals who are in the audience and in the Chamber.

You know, I was impressed when I met with them because they weren't just committed, they were on a mission. I am pleased to see that the same people are here on the same mission and aren't going to rest until we get this done, and do it right. So, again, thank you for the people who are in the audience. I think that this is an issue that we have to continue to figure out how to move forward on together so that we can create win-wins: wins for the health-care system, wins for individuals, and wins for the children in our society.

So thank you very much, Mr. Speaker, and I am pleased to see how we're going to continue to move this very, very important issue, and the protection of our children and our society, forward now and in the future.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to support Bill 223, a measure which will ban smoking in cars where there are children.

Mr. Speaker, there are many reasons to support this bill, and chief among those is improving the health of our children. It's well documented, the effects of second-hand smoke: increased lung disease, pneumonia, colds; of course in the long run, cancer, but in the short run, when we're dealing with children, we know very well that the increase of lung problems, particularly in those at risk, but not just in those at risk, increases, and so let's support this bill for the lung health of our children.

We also know that smoking has an adverse effect not only in a variety of cancers, but on heart disease and that, within a relatively few minutes of exposure to second-hand smoke, you get changes in platelets and in other aspects of the blood and the arteries, veins and the circulation, which lead toward the development of heart disease. We have seen signs of heart disease in children that we have never seen before, and some of this could be related to exposure to second-hand smoke. Certainly this is a strong reason to support this bill.

A second really good reason for supporting this bill, is that we have strong support from people like Murray Gibson, with MANTRA; Mark McDonald, with the Cancer Society; from the Lung Association, and many others. We have sought the guidance in the way that the MLA for Assiniboia (Mr. Rondeau) has suggested, Mr. Speaker, from experts and, indeed, their recommendation is that we pass this bill. I hope that the government and the Member for Assiniboia will listen to those recommendations because it is

important that we move, as indeed other provinces have been starting to move, with this legislation.

There is, I believe, a third major reason for supporting this bill, and that is that those who are not supporters of this bill, who are promoting smoking in cars with children, are, unbeknowningly, perhaps to even themselves, supporting addiction in children. We know, Mr. Speaker, very clearly from good scientific evidence, that some children become addicted to cigarette smoking with a single cigarette. This seems hardly possible unless one recognizes that there are many children who have previously been exposed to second-hand smoke. It is my suspicion that children who become addicted quickly may well have been exposed to second-hand smoke as they are growing up, and that they may have been exposed to second-hand smoke in cars, as a particular example.

In general, it is a positive experience for children to be riding with their parent in a car or having a one-on-one positive experience with their children. When you have, in this positive experience of a child-parent interaction and dialogue, the interjection of second-hand cigarette smoke, it can be received, as it were, by the child as part of a positive experience. It is a set-up for a child later on, on taking their first cigarette, to become addicted to cigarette smoking.

This is one of the big reasons, I believe, that we need to do what we can to reduce cigarette smoking in cars with children. It has the potential, not only for short-run beneficial effects on health, and lung health, in particular, but also for long-run beneficial effects on health. It may also have the potential to decrease the addiction of children to cigarette smoking, and possibly to other substances later on. Certainly, that is something that we badly need, to reduce the incidents of cigarette-smoking addiction, as well as, addiction to other substances.

The MLA for Assiniboia (Mr. Rondeau), in his comments, has sat on the fence. He has not indicated whether he's ready to support this bill or to oppose it. But I suggest to the Member for Assiniboia that those who don't support this bill are supporting smoking in cars with children. If that is what the Member for Assiniboia wants to do, let him go ahead, because I think that's outrageous and shocking if that's what the Member for Assiniboia is going to do. We look for the Member for Assiniboia to support this legislation and support it today. Any other course of action would be shocking.

Let us look at this from another perspective. I believe that members in this Chamber are genuinely concerned about not only the health of children, but about issues around poverty. Any dollars not spent on a cigarette to smoke with your kids in your car is a dollar that can be spent on positive recreational activities for your kids, on healthy food, housing, on other things, on having a better life and getting a better life and opportunity for your children.

So, this effort which we are undertaking today, some will say it is a small thing to ban smoking in cars, but it is a very important step, Mr. Speaker, and it has large ramifications, because by supporting this legislation, we are supporting the health of children. We are taking an important measure which can have the effect of reducing addictions in children and adults. We are having an important measure, which contributes in a small but meaningful way, to reducing poverty and improving the interaction and the activities and the health of kids, their ability to have positive recreational experiences, better housing and better food. Certainly, I would hope that this is something that all members of this Chamber can support.

* (10:30)

Let me conclude, Mr. Speaker. Members in this Chamber have two choices today. They can support Bill 223 and be supportive of our efforts to improve the health of children and the health of our society. Or they can stand up, and by their equivocation, by their standing on the fence, they can support smoking in cars with kids. People have a choice. It is time for MLAs on all sides to stand up. I hope we will have a number of MLAs from the government and the Conservative Party speaking. I hope we will be able to get this to a vote because, Mr. Speaker, this is a very important issue for the health of our kids and for our society.

Ms. Jennifer Howard (Fort Rouge): Mr. Speaker, I want to thank the Member for Inkster (Mr. Lamoureux) for bringing forward this issue today. It is a very important issue, I think, to everybody in this Chamber.

I also want to echo other members' welcome to those in the gallery today, who I know have been tireless and passionate advocates to help us, to help the government help Manitobans to quit smoking, to create a healthier Manitoba for everyone. It's been my pleasure to meet with several of them and work with them here at the Legislature in the past when our government has, indeed, been a leader in

protecting the health of Manitobans. Those steps that this government has taken have never come easily and they have never come without due consideration and discussion.

I think that, really, the Member for River Heights (Mr. Gerrard) was just trying to paint this issue in very stark black and white terms. He knows well that nobody in this Chamber thinks it's a good idea to smoke with your kids in the car; nobody in this Chamber thinks that's a positive thing. I think that, frankly, his comments were a bit on the ridiculous side. He knows better than that, but I also want to say that probably what is part of the discussion today, what has to be part of our discussion is, what is the best approach to behaviour change when it comes to smoking?

I would like to talk for a moment about some of the things that we have done and how I think those things have been successful. Certainly, one of those is the ban on smoking in public places. I think it's hard to overestimate what a tremendous change in culture that has been.

When I speak now to friends of mine who have kids who are turning 18 and starting to go out to bars for the first time, it strikes me that this generation will never know a smoke-filled bar; that will never be part of their experience. I think that is a tremendously positive change in the culture, but let's talk about how that ban came into existence.

It did not come into existence in a month, as the Member for Inkster has suggested that this ban should come into existence. It came after a lot of discussion, a lot of consultation, all-party discussion and agreement on how we should go forward and a lot of time for education. I think that that is what resulted in that ban being very successful, the fact that people were well-prepared for it.

I do think it is a tribute to the advocates who are with us today in the gallery, who have pushed and led on this issue from the beginning. There's no doubt in my mind that, without them, Manitoba would not see the drop in youth smoking that we've seen, which has been tremendous progress, not enough, but certainly tremendously positive progress to go from 30 percent youth smoking rates in '99 to 20 percent in 2007.

The reality of those numbers is that there are young people who are not going to start smoking, who are not going to suffer the ill-health effects and who are not going to die prematurely because of the

steps of education that a lot of the groups in the gallery have pushed the government to take and that they have led on.

Another positive thing that we have done to discourage smoking, part of our discussions, I think, early on with MANTRA and other advocates for more education and more legislation around smoking, was a very comprehensive strategy about how do we reduce smoking rates.

This is the place that I first learned about the whole concept of denormalization which, I suppose, is a fancy way of saying the steps that you take to make some sort of behaviour less acceptable in society. One of the steps that we took at the time was quite controversial; the Member for Inkster seems to have a much rosier memory of how this all passed through the House than I have of the time. It certainly was not without bumpiness, but one of the things that we did, the step that we did take that, I think, has helped tremendously to de-normalize tobacco use and consumption was to remove tobacco advertising and tobacco displays from convenience stores.

This was following on a similar law that had been passed in Saskatchewan. That also was not a step that was without controversy. I remember at the time of that discussion, and the time we were bringing in that law, that many, many convenience store owners were very fearful of what those changes would mean to their business, what the cost of those changes would be, the loss in revenue because, I mean, let's be very clear the tobacco industry is very skilled at placing their product and advertising it for use. All claims that they may make to the contrary, there is absolutely no doubt that the tobacco industry is a very skilled advertiser. So the loss of revenue that many of those convenience store owners were facing because they would lose the money given to them by the tobacco industry to advertise their product was a concern for them.

We listened to those concerns. We took time, probably more time than many people would have liked. We took time to educate and discuss and find ways to bring in that law that it would have the best chance of success. That's not to say at the end of the day that everybody thought it was a good idea, but the reality is today, that when you do walk into convenience stores or Shoppers Drug Mart or any other place that sells tobacco products, you don't see them advertised, you don't see them on display. I think that was also a tremendously positive step that

we were able to take but also a step that was taken with time and consultation.

Now, my understanding of the ban in Nova Scotia, in the province of Nova Scotia, is that it's recently come into effect, that other provinces are looking at similar legislation, and I think that we will look very carefully at what is going to happen in Nova Scotia and we will learn some valuable lessons from their experience.

There's no doubt in my mind that the behaviour of parents matters a great deal when it comes to modelling healthy behaviour for their kids, and I just want to take a moment here to speak personally.

I am, as I'm sure many in this Chamber are, descended from a long line of very committed smokers. I have watched and grieved the death of many of my relatives from smoking-related causes. My grandmother passed away, just about 12 years ago it will be, from lung cancer. She's a very healthy woman in many other respects, but she did smoke for most of her life, and it was a very tragic way for her to pass away. It was very quick and sudden and it was clear to me, watching her be sick and watching her die, how not ready she was to let go of her life.

In my family, it is sort of a rite of passage. It has been a rite of passage of when you turn 16 you start smoking. It's nobody says that but that is—it was very clear to me growing up that part of being an adult was to smoke, and so I did start smoking and I did quit about 10 years ago. I think it's almost 10 years ago in May that I was able to quit, but I never underestimate the power of that addiction because, certainly, there is no doubt in anyone's mind the ill-health effects of smoking. That is not in question, and I think people are motivated to quit by many, many different reasons.

Part of what we have done in terms of youth smoking is to work with youth to ask them about what is it that will help persuade you not to start smoking, and that, I think, has resulted in some very successful ad campaigns that many of us find extremely distasteful but the youth find very effective. So we've asked them what it is that will help them not to start to smoke, and we've used that information.

I think it's important that we continue to ask adults who smoke what smoking provides for them in their lives because certainly it's not a lack of—generally, it's not a lack of information. If knowing that something was bad for you could prevent you

from doing it, we would all need much fewer laws in this province. So it's not only information. There are things in people's lives, I think, that the addiction to smoking provides them, and we have to understand what those are and provide those things in other ways.

I'm thinking now particularly about my work at the Women's Health Clinic and a program we had there entitled, *Catching Our Breath*. That program started from a place of talking to women about what smoking provided them in their lives that they weren't getting. Some of the things that we learned in that program was that, for many women, taking a break to go outside to smoke was the only break that they got in their day. If we were going to convince them to give up smoking, we had to talk about other ways that they could take a break in their day. If giving up smoking, in their minds, was equal to giving up taking any break, we were never going to be successful in doing that.

I want to thank the member for bringing this forward. It's a very important debate, and I think the fact that there is discussion about what is the best way to protect kids from smoking does not mean that people are opposed to protecting kids from smoking. I think that sort of polarizing debate is not helpful at all in this House.

* (10:40)

Thank you very much. I see that my time is almost at an end and I'm anxious to hear what other members have to say on this bill.

Thank you, Mr. Speaker.

Hon. Kerri Irvin-Ross (Minister of Healthy Living): I want to acknowledge our partners in the viewing gallery that have come to listen and participate in this debate. They are essential partners as we continue forward in reducing smoking rates in Manitoba. I also would like to acknowledge the good work of the all-party task force, Denis Rocan, who came to this Legislature and really encouraged individuals to take this on as an issue that we needed to address for the health of all Manitobans.

On that we had the all-party task force where members went across the province and listened to Manitobans talk about what they wanted to see and how they saw a smoke-free Manitoba would be. With that, we were very proud when we implemented the first province-wide smoking ban on October 1, 2004. Since implementing that smoking ban, we have seen Manitobans talk regularly about

how pleasant it is that there is no longer smoking in public places. I know all members can attest to this when they go into other jurisdictions and there is smoking. You certainly see the differences and it's quite apparent.

Part of that legislation that we implemented also involved a comprehensive education program. Those programs came about by working with our partners, our partners who are in the service industry, our partners such as youth and adults and seniors and coming together and looking at what are the solutions and how are we going to do that. We had a very successful youth advisory committee that comprised of 14 Manitobans. They gave us advice on youth-focussed initiatives that they felt would make a difference and reduce the teen smoking rate.

We expanded the teen smoking-cessation program throughout Manitoba, and that was in partnership with the Manitoba Lung Association. The province is currently running and we are now expanding the NOT-Not on Tobacco-program. This program is a province-wide initiative that provides teens with information, motivation and the necessary support to assist them in quitting.

Rate and Review program is a program that 400 schools across Manitoba have engaged youth in picking what they would see the most effective anti-smoking television advertisement. This has been a huge success. Manitoban youth have participated in this for a number of years, and I believe that it is one of those incentives that prevents youth from even picking up cigarettes.

We also have the Enforcement of Sales to Minors program. This program employs tobacco enforcement officers to have compliance checks to make sure that retailers are not illegally selling to minors. Another very important initiative around smoking cessation is the Smokers' Helpline. It's a toll-free number where Manitobans can speak with trained cessation counsellors and get the ongoing assistance and advice and support on how to quit smoking.

We support many community smoking prevention initiatives. We have the partners of the Manitoba Tobacco Reduction Alliance, MANTRA. It's a group that have worked side by side with us, who have provided us with guidance and support and at times have challenged us. We appreciate the advocacy that they have shown and the leadership that they have shown. It's been extremely important.

Mr. Rob Altemeyer, Acting Speaker, in the Chair

As other members have mentioned, we've seen that our smoking rates are decreasing. The youth rate has dropped. In 1999 it was 30 percent, and in 2007 is now 20 percent. The stats from early 2007 show that 19 percent of Manitobans over the age of 20 were smokers. That's reducing, and we need to keep working on that and we will with all of our partners together.

In Healthy Living we really believe in a holistic approach to supporting individuals to have a healthy lifestyle that will improve their quality of life and, ultimately, provide them with longevity. We know that by talking about physical activity, by talking about good nutrition, smoking-cessation programs is one of our focus areas as well, talking about mental wellness. These are all areas that we continue to work on that we strongly believe will continue to reduce smoking rates.

I need to take a few minutes and acknowledge the many partners who have stood by our side while we've developed these initiatives and worked together. As I have mentioned, some of them already, but I'll put them back on the record: MANTRA; the Canadian Cancer Society; CancerCare Manitoba; the staff at Manitoba Health and Healthy Living; Heart and Stroke; the Lung Association, just to name a few. These are individuals who continually come to government and talk about what can we do by working together. That's the key. By working together we can come up with strategies that are comprehensive, that deal from prevention, as well as to smoking cessation and helping people break the habit.

I think it's important that, as we proceed forward, we constantly reflect on best practices that are happening in the jurisdictions, not just in Canada, but internationally. Let's look and see what's happening. Let's evaluate that. Let's challenge ourselves to continue to be leaders in this area as we go forward. I believe that we need to work comprehensively as we provide people with opportunities for them to decide on what's the best choice for them to have the behavioural changes that are needed so they can continue to live a healthy life.

This is a government who has shown its leadership around reduction of smoking in the province of Manitoba, and we are committed to continue to show that leadership as we go forward. Thank you.

Mr. Tom Nevakshonoff (Interlake): Thank you, Mr. Acting Speaker, for an opportunity to speak on this bill. I would begin my remarks by saying that I'm a recent non-smoker. That, just in the last year or so, I've come to realize the evil of this particular product, and that it takes some very grim lessons to really grasp this issue.

My father was a smoker. He started smoking when he was nine years old, if you can believe it. I often asked him what his motivation was, and he told me that, back in the so-called good old days, it was socially acceptable to do so, and that practically everybody did it, and that's what kept him going. Ultimately, at the age of 78 years, he succumbed to lung cancer, not surprisingly. He was a serious smoker. He wasn't a drinker. He ate very well. He had, I would say, exemplary eating habits, but his one vice was smoking and he resigned himself to the fact that probably it would cause his death in the end, and ultimately it did. But possibly not just his death.

My mother was not a smoker all of her life, but of course, she lived with him and in close proximity to him, obviously. She is currently on her death-bed also, dying to lung cancer. Something that was just diagnosed about a month ago, really. It was quite a sudden shock to all of us, and you know, whether it was the second-hand smoke, I don't know. My father died about 10 years ago, so I don't know what the science is on that, but it's pretty undeniable when you're confronted with this. So, I would err on the side of caution, I would think, and say that being exposed to second-hand smoke is probably something that you should avoid.

I recall my father smoked in the car when I was there, and I don't remember whether he was cracking the window or not. I think he probably did, but I would concede maybe the Member for River Heights' (Mr. Gerrard) point. That maybe that early exposure may have led to my addiction as well. It's a very difficult thing to give up, I do know that, and I commend the Member for Fort Rouge (Ms. Howard) for succeeding almost 10 years ago.

* (10:50)

I just went to the CancerCare benefit for prostate cancer a week or so ago, myself, and had the opportunity to sit next to Dr. Dhaliwal. We talked about this, and he said the addiction to tobacco is probably the most difficult to give up, and he compared it to other addictions including the addiction to heroin. He said that it's more difficult to give up tobacco than it is to actually give up an

addiction to heroin so that's a pretty telling point, I would suggest. You know, all of these things combined, I think, have fuelled my strength in trying to give this up.

I would suggest that, even though I haven't smoked for probably a couple of months now, and a couple of months ago, it may have been just one or two cigarettes, I think, but it's always an addiction. I think you're probably a smoker all of your life. Even though you don't smoke anymore, the desire to do so is always in the background, and I guess, over time, recedes but it's a challenge I have to say.

I would credit our government and also the former member for Carman, Denis Rocan, for his leadership on this file and pushing the government, all of us, I think, in this Chamber, to go for the all-out ban that we committed to a number of years ago. The member for Carman was steadfast in his commitment and, really, I think, set a good example for all of us in this House in terms of independence and true leadership because I know that he was in opposition to his own caucus in this matter. But, being a former Speaker himself, he had developed a strong vein of independence. Basically, he was his own man in this House. He spoke his own mind and when he decided to stand up on something, I think the Speaker in him really came out.

It's unfortunate how his demise came about. I think it was that spirit of independence that is what twigg'd his party backroom boys to orchestrate his demise the way they did it. There's no doubt in my mind that that's exactly what it was, decapitation by his own party for his independence, which was a sad day for this Chamber.

I really take my hat off to the member of Carman, and I'm not saying that because we were friends. In the end, I think we were. In the beginning, we certainly weren't. I remember my first speech in this House. I was sitting just over there, and there's a tradition in this House that when members give their first speeches, there's no heckling and so forth, but the member for Carman and I had a difference of opinion very early on in my career. He came and sat right in front of me and heckled me throughout my entire speech so we didn't really like each other for a number of years. Gradually, we've managed to put that behind us, and I think parted as friends at the end of the day in this Chamber.

I want to acknowledge the work of the Healthy Kids, Healthy Futures task force, of which I was a member, as was the Member for River Heights

(Mr. Gerrard). It was a bipartisan committee, and I learned a lot from it about the health of our children, the importance that we have to put on policies in order to promote this, whether it's from a good-eating-habits perspective or focussing on exercise, which were the two main thrusts of the task force. But we also focussed on other things, of course, injury prevention.

I recall learning a couple of very important things, one, that suicide is, I think, the leading cause of death amongst our young people and also drownings in the north was something that I learned as well. It was a very useful process and I think we all learned a lot from it.

As to the bill before us, I can recognize the merit of the members for Inkster and River Heights in putting this forward. Obviously, the health of our children has to be paramount in all of our minds; I do think it's incumbent upon parents and people at large to conduct themselves in a responsible manner. Through education, a lot of us have learned the evils of smoking and how damaging it can be to our health; I think that's an important thrust.

I've never considered myself a civil libertarian, that was until I came to this Chamber and saw how oppressive government can be at times. We really have to be careful, when you live within a democracy, that you do not cross over the line, that government has to pervade every aspect of your life.

Mr. Speaker in the Chair

If we focus on education, trying to teach people the evils of smoking or any other aspect of society, that education really is the way to go, that common sense—there's a lot to be said for it. I don't think that we have to regulate and legislate every aspect of our lives. I can think of many, many examples where government leans in that direction because we're legislators. It's our instinct to do so, but we have to bear in mind that we are all free individuals in this country and we have to focus on education more than anything else—

Mr. Speaker: Order. The honourable member's time is up.

Hon. Steve Ashton (Minister of Intergovernmental Affairs): First of all, I want to put on the record that I certainly appreciate the opportunity to speak on this bill. I think this is what

private members' business is best at-taking an issue, in this case second-hand smoke which we have seen just absolutely incredible developments on in this province in the last number of years and discussing the particular issue of smoking in the presence of children in motor vehicles.

I want to put on the record by the way, Mr. Speaker, what a dramatic shift we've seen in this province and other provinces in terms of second-hand smoke. It's quite remarkable really when you consider how much of a quantum shift there has been in terms of our treatment of second-hand smoke, how quickly it's happened and, quite frankly, how little remaining public debate there has been in terms of the fact that we in this province, on a multi-party basis, were leaders, certainly in North America, in having a province that moved to being smoke-free in public places.

Coming from an area of the province that has a higher per capita number of smokers, what I find quite remarkable by the way is I get positive comments from smokers themselves about the fact that we have moved in that direction. I remember talking to somebody recently, who said they are a smoker, but they particularly appreciated the fact that, when they go to play bingo, there's not the blue haze anymore; they can actually see the numbers. They go out from the bingo in a situation—and, as I said, they actually smoke, but where they actually enjoy that more. I would note, by the way, very similar experiences with our bars and restaurants, et cetera.

It's quite remarkable really because it's not that long ago in this Legislature that smoking was common. If you reflect on the fact that, in a period of a few years, we now have gone from some real public debate—and it took some time and there were hearings throughout the province. Mr. Speaker, I think what's important is the lesson that comes out of that, which is that—

* (11:00)

Mr. Speaker: Order. When this matter is again before the House the honourable minister will have six minutes remaining.

The hour being 11 a.m., we will now move on to resolutions, and we will deal with the resolution on *Komagata Maru*.

RESOLUTIONS

Res. 9—*Komagata Maru*

Mr. Mohinder Saran (The Maples): Seconded by the Member for Radisson (Mr. Jha), I move that this resolution *Komagata Maru*, as seconded by the Member for Radisson:

WHEREAS the *Komagata Maru* set sail for Canada from Hong Kong on April 4, 1914, with 376 passengers from Punjab, India

WHEREAS the ship arrived in Burrard Inlet, near Vancouver, on May 23 of that year; and

WHEREAS the federal government enacted immigration regulations in 1908 that specified that immigrants had to travel to Canada with the continuous ticketing arrangement from their country of origin; and

WHEREAS there were no such arrangements between India and Canada and, as was its intent, the continuous-journey provision consequently precluded further South Asian immigration to Canada; and

WHEREAS upon the *Komagata Maru's* arrival in Canadian waters, the ship was not allowed to dock and the Premier of British Columbia stated that the passengers would not be permitted to disembark; and

WHEREAS the *Komagata Maru* remained anchored in Burrard Inlet for two months while its passengers attempted to be admitted into Canada; and

WHEREAS the passengers of the ship, in their attempt to gain permission to enter Canada, launched their legal battle in the name of one of the passengers; and

WHEREAS on July 7, 1914, the Supreme Court of Canada ruled unanimously that, under new Order-in-Council, it had no authority to interfere with the decisions of the Department of Immigration and Colonization; and

WHEREAS on July 19, 1914, the Canadian government ordered the harbour tug, *Sea Lion*, to push the ship out of the harbour to begin its return journey to India; and

WHEREAS the passengers of the *Komagata Maru* rioted in response to the actions taken by the federal and provincial governments to bar them from the country; and

WHEREAS only 24 passengers from the ship were admitted to Canada, since the ship had violated the exclusion laws, the passengers did not have the required funds, and they had not sailed directly from India to Canada; and

WHEREAS the Canadian government also mobilized the *HMCS Rainbow*, a former Royal Navy ship, with troops from the Irish Fusiliers, the 72nd Highlanders and the 6th DCOR regiments on board, to force the *Komagata Maru* to leave Canadian waters; and

WHEREAS the ship was forced to sail back to India, departing on July 23, 1914; and

WHEREAS the *Komagata Maru* arrived in Calcutta, India, on September 26, 1914, where protests from the passengers at their treatment by British troops resulted in the deaths of 20 passengers and the wounding of nine others in what became known as the Budge Budge Riot; and

WHEREAS the passengers of the *Komagata Maru* were members of the British Empire and, as such, should have been allowed to enter Canada without difficulty; and

WHEREAS the ship's passengers were resolved to claim their right to equal treatment with white citizens of the British Empire and to compel the Canadian government to grant them admission to Canada; and

WHEREAS the immigration restrictions put in place by the Canadian government separated men from their families back home and made further growth of the South Asian community in Canada impossible; and

WHEREAS these immigration restrictions and wartime measures, which, although legal at the time, are considered to be inconsistent with the values that Canadians hold today.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba call upon the federal government to apologize for the tragedy of the 1914 *Komagata Maru* incident; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba mark the tragic event with a moment of silence.

Mr. Speaker: It's been moved by the honourable Member for The Maples, seconded by the honourable Member for Radisson (Mr. Jha):

WHEREAS—dispense?

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

Mr. Saran: Mr. Speaker, in the year 1900, the census reported there were 2,050 people from India on the North American continent. The majority of these people were Punjabis who had settled in Canada. They had come with the hope of finding work so that they could improve their economic situation. Upon arrival in Canada, they encountered numerous hardships and discrimination. Canadians wanted the brown invasion to stop.

Then a law was passed and it imposed on the Asian people that it should be continuous journey and also they had to have \$200 in their possession, otherwise they wouldn't be allowed to enter. Under this law, because there was challenge to the Asian community why they are being treated differently than the white immigrants who are under the British Empire and, that situation, Baba Gurdit Singh arranged a journey which brought 376 people on the boat.

In the spring of 1914, a committee of Sikhs, led by Baba Gurdit Singh, a wealthy Sikh from Singapore, chartered the steamer the *Komagata Maru* to carry Indian emigrants to Canada. They had a sense of mission and they called the steamer *Guru Nanak Jahaz* after the first Sikh Guru. The *Komagata Maru* arrived in Vancouver on May 23, 1914 with 376 passengers on board. They were detained in Vancouver harbour. They remained on the ship for two months until July 23, 1914. The executive of the Khalsa Diwan Society in British Columbia took the lead in organizing a shore committee to raise money on behalf of the passengers. Within days of the arrival of *Komagata Maru*, the shore committee raised \$5,000 in cash among the Sikhs of Vancouver. Subsequently, they raised another \$20,000 to pay the Japanese ship owners and keep the ship in the harbour.

After the passengers had been confined on board for a month, the shore committee and the Immigration Department agreed to terms that allowed a test case to go before the courts. Five judges of the British Columbia Court of Appeal heard the arguments at the end of June and, in the first week of July, the court ordered its verdict against the passengers. The Supreme Court, or any court, could not go against the order of immigration authorities because immigration authorities had absolute power in this matter.

Mr. Speaker, we have to be very vigilant passing such acts which give the immigration minister and, consequently, the immigration officers, absolute power for cherry picking. If, at any instance, the appeal process is eliminated, the invisible *Komagata Maru* incident will continue and, being an Asian immigrant, I will be nervous and so will be people of Asian origin. It is the duty of all of us to zero in on any changes to the act in future.

After this defeat, the men on the ship said they were willing to give up the battle and go. However, another three weeks elapsed before they actually departed. The government, however, insisted that the charterers and owners of the ship were responsible for provisions. While the groups argued about the costs, the persons would not leave without supplies for the return trip. Government officials interpreted this refusal as a delaying tactic and attempted to gain control of the ship with a police boarding party on the *Sea Lion*, but the passengers drove them off with a barrage of coal and fire bricks.

* (11:10)

The government then brought in the cruiser, HMCS Rainbow, and aimed its guns at the *Komagata Maru*. Notwithstanding this fierce pressure, it was only when officials promised to put provisions on board that the passengers agreed to weigh anchor and leave without most of them ever putting a foot on Canada's shores.

With the exception of 20 returning residents and the ship's doctor and his family, none of the passengers was allowed to land. In the early morning of July 23, the *Komagata Maru* sailed out of Vancouver Harbour with 352 passengers still on board. For the passengers and for their friends on shore, it was a bitter and deeply disappointing moment.

Throughout the summer, Vancouver's newspaper had carried the story of this ship and its passengers on its front pages. The curiosity of the crowds that gathered at the waterfront throughout the summer to watch the incident unfold, however, did not awaken much sympathy among Vancouverites for the immigrants aboard the ship.

A voyage that began on April 4 did not end until September 29 when the *Komagata Maru* docked at Budge Budge, 20 miles downstream from Calcutta. When the ship docked at Budge Budge, the police tried to arrest Baba Gurdit Singh and 20 or so other men that they saw as leaders. In the process, shots

were fired and 19 of the passengers were killed. Some escaped, but the remainder were arrested and imprisoned or sent to their villages and kept under village arrest for the duration of the First World War. Six months of confinement on board the *Komagata Maru* ended for most of the passengers in another form of confinement.

In India, Mr. Speaker, the *Komagata Maru* passengers represent the Indian people's struggle for independence from the British Empire.

In Canada, the *Komagata Maru* is a reminder of a policy of exclusion that, for Sikhs and other immigrants from India, lasted more than half a century.

Today in a more-tolerant Canada, the *Komagata Maru* remains a powerful symbol for Sikhs, one that other Canadians should understand because it is a part of history.

I urge the House to pass this resolution. Thank you very much.

Mrs. Leanne Rowat (Minnedosa): I, too, would like to put some comments on the record regarding the *Komagata Maru* resolution that was put forward by the Member for Maples (Mr. Saran).

On May 23, 1914, a passenger ship, the *Komagata Maru* arrived in Burrard Inlet in British Columbia, carrying 376 passengers from the British colony of India.

Immigration officials from the federal and provincial governments refused to let the passengers disembark, citing the continuous-journey regulations that required migrants to arrive in Canada directly from their country of origin. This regulation was enacted six years prior in 1908. The *Komagata Maru* had not embarked directly from India but had, instead, departed from Hong Kong and picked up passengers of Indian descent from Shanghai, Moji and Yokohama before journeying to Canada.

After the Premier said that passengers of the ship would not be allowed to disembark, the *Komagata Maru* remained anchored in the Burrard Inlet for two months before being literally pushed from Canadian waters by a harbour tugboat on the orders of Canada and was forced to journey back to India.

Protests ensued, following the boat's return to India. A total of 20 passengers were killed and nine others were injured, as passengers objected to their treatment at the hands of the British troops.

These 20 individuals join the millions of lives lost worldwide due to discrimination. The *Komagata Maru* incident of 1914 has been recognized by the Parliament of Canada as well as the Legislative Assembly of British Columbia.

On May 11, 2008, Secretary of State for Multiculturalism and Canadian Identity, Jason Kenney, stated that a formal apology would soon be tendered by the federal government. I believe that is in the works and should be occurring very shortly. We look forward to that occurring. Prime Minister Stephen Harper publicly acknowledged the event and announced the government's commitment to undertake consultations with the Indo-Canadian community on how best to recognize this very sad moment in Canadian history.

Jim Abbott, Parliamentary Secretary to the Canadian Heritage Minister was appointed to head a committee to discuss the issue with the Indo-Canadian community and to submit a report.

The federal government has also promised to allocate \$2.5 million in funding to the Canadian Indian population for the creation of a *Komagata Maru* memorial.

Honourable Jason Kenney also suggested that his government would work with provincial governments to include a chapter in school textbooks on this very, very sad event.

Our country has a reputation as one of the world's most diverse and inclusive societies. Canadians in general are viewed around the world as an accepting, accommodating and helpful population. We as Canadians pride ourselves on the multicultural mosaic that is our country. However, it must be noted that our country has not always been as welcoming as we presently are. The restrictive immigration policies which kept the passengers of the *Komagata Maru* from entering Canada in 1914 have served as black marks on our country's reputation, and sadly, this is not the only regrettable action authorized by the governments of Canada in the early years of our history.

The progress we have made as a society is evidenced by the recent federal government's actions through the federal historical recognition program, which recognizes the significant wartime internment in immigration discriminatory policies that play a role in our history.

On May 8, 2008, the government offered \$5 million to the Chinese Canadian community and grants for commemorative and educational projects related to immigration restrictions. Previously, the federal government has offered apologies and compensation for the head tax paid by Chinese immigrants and for the internment of Japanese Canadians during the Second World War.

On May 9, 2008, the federal government also announced that it would be providing 10 million in funding to the Ukrainian Canadian Foundation to support initiatives marking the First World War internment of Ukrainians.

Recognizing the *Komagata Maru* incident of 1914 as the unfortunate travesty that it was not only offers consolation to the Indo-Canadian community but also serves to reaffirm the great distance that we have come as a society from the discriminatory policies of the late 19th and early 20th centuries. Forgetting the unfortunate events of 1914 would only encourage and legitimize discriminatory policies.

It is our duty as citizens of this country and as representatives of this province to ensure that the victims are remembered and that our people will never suffer from discriminatory policies like those of the early 20th century ever again.

Thank you, Mr. Speaker.

Mr. Bidhu Jha (Radisson): I'm very pleased and honoured to rise to speak on this resolution brought forward by the honourable Member for Maples (Mr. Saran). I congratulate and thank him for bringing this initiative, which is absolutely right and deserves full support from the House.

Mr. Speaker, we spoke only yesterday about racism and the changing social consciousness in the world. We all agreed that we have come a long way. We have come a long way, but we have miles to walk yet to bring the human race closer to being one race. I go back in 2004 right in this House when we had a proclamation of the week in the name of Guru Gobind Singh Ji, who is the Sikh tenth guru of Sikhism, and some 300 years back he proclaimed in the holy book the message that human race is one race. There is only one race, that's human race. I think, on the human rights values that we are seeing today, that speaks volumes of what was taught by the gurus who gave us the teachings and we follow.

* (11:20)

I believe, Mr. Speaker, that when I go to my temple—in the Hindu temple—we pray and the prayer goes like this. It says: "Sarvey Bhawantu Sukhinah Sarvey Santu Niramaya." That means all living beings be happy and healthy, and let me see the goodness and virtues in them. This kind of a humble prayer makes us realize that the forefathers, the thinkers in the past, thought of us as being one race, one community and being one large family.

Also it's clear, Mr. Speaker, when we philosophically look at all religion, all societies and the leaders of those thinkers, that we will come to a common conclusion that some things have not been done in the past by imperialist attitudes or exploitive attitudes. But we have also got—in the parallel, we have to see virtues by the thinkers, philosophers that had taught us great things for us to practise.

This resolution is clearly giving a message, Mr. Speaker, how we build our society and how we correct something that has not been done in the past. An apology for the past mistake is a courage; it is not something to be ashamed of. I think again I would like to quote, but it may not be properly spelled, so I would say the meaning only that my father taught, anyone who pardons, anyone who says sorry, anyone who says I really don't want to hurt you, is taller, stronger, more powerful than the person who attacks.

With this thinking the country today which is maturing in terms of race relationships and our values, it is not at all a wrong idea for us to correct our past by the acts as the resolution brought by the honourable Member for Maples (Mr. Saran).

Canada is a great country. Canada is a nation, Mr. Speaker, that I teach my grandchildren—I tell them that this is the nation that is being built on the principles of Vasudhaiv Kutumkam—the word, I have spoken it a couple of times. It also means in Sanskrit—it was said about 5,000 years back in the Vedic books that the world is a large family. That's what heart means. Heart is a huge family and we are all brothers and sisters, created by the same God.

So with that thinking, Mr. Speaker, I call Canada God's country. It's God's land, that we are all trying to emerge as good citizens to bring humanity and service to the human race, including to all living beings.

We are looking at, Mr. Speaker, a changing society that needs to bring people from all over the world. I take great pride from the Canadian national context. I see Manitoba as a rising leader on some of

these things, some of these theories that are being practiced. The Provincial Nominee Program and the immigration program that now we have enhanced from 10,000 to target for 20,000 speaks for itself that we are very serious about actions to bring people from all over the world. We speak over a hundred languages in Manitoba, and we bring that kind of unity among diversity as an example, to make Manitoba one of the most-model regions in this country to live.

I remember, Mr. Speaker, when I went to India with the Premier (Mr. Doer) in 2006; we were talking to a crowd of people and they asked, curious enough to say, where is Manitoba and what are the things there?

To the Sikh community, I said we have more than six Gurdwaras here. To the Hindu community, I said we have a large temple being built; there is another temple on Ellice Avenue. We told them there are two mosques; a grand mosque has been opened for the Muslim community. We have synagogues here; we have churches here. We have a Buddhist temple here; we have schools here.

We said this is a society that you want to come and live. It's a wonderful society. It's a wonderful place for you to raise your family, because this is being seen as a model world, living in Manitoba.

I'm very thrilled to see that we have demonstrated that unique togetherness that we all, you know, think about it. So it is not a bad idea to wipe the dark spots of the past by bringing an act and a resolution like this to say, yes, we were sorry. We have seen how the members have spoken on Chinese head tax and the Jewish refugees not being allowed to come to countries and the discriminations that happened in the past. We have all said that was wrong and we have apologized.

The *Komagata Maru* event is something that is deeply, deeply disturbing if you look back and see what happened: 376 passengers coming from Punjab, innocent, hardworking, desirous dreamers, were put onto this ocean water for two months without food, medicine and hygiene. The beauty of this country is that the same British Columbia elected a premier, a leader, who was born in Punjab and was 17 years old when he left. When Ujjal Dosanjh became the Premier of British Columbia, and we take a great pride that the same province that returned the ship had a Punjabi-born premier of that province. I think that when we talked about that, the pride I saw in the eyes of a lot of people who thought that they were

oppressed, suddenly the pride came that, no, we are all equal.

That kind of emotion, Mr. Speaker, goes miles to make us feel part of. I think that I always see that today, when we are emerging as a new society, we see how we can make ourselves again valuable and supported, so I think that I dream about a world that will be borderless and policeless. Maybe it will take 100 years or 200 years, but if we move in that direction I'm sure that the future will be bright and the future will be peaceful and as best as we can dream of for our great-great-grandchildren. Thank you very much.

Mr. Ron Schuler (Springfield): Mr. Speaker, I do wish to put a few comments on the record in regard to this resolution, a very good resolution indeed. I think it's important for this House to think back some 94 years ago where a ship would have travelled through various ports picking up individuals who, for whatever reason, had decided to leave their country of birth and seek a new fortune in the New World. What excitement that must have been.

First of all, I doubt this was the *Queen Mary* or any other cruise ship where you would have had grand buffets and ice sculptures on board. I suspect this probably would have been a fairly low-end ship. It would have been a very basic kind of a ship, not with a lot of amenities; yet these people with great joy and great enthusiasm would have boarded that ship and said, We're off to the new country; we're off to seek our fortune and with what, probably, shock and horror they would have gone onto the high seas. They probably would have encountered some very rough weather. I doubt the food would have been up to a 529 Wellington standard, and they endured. They put up with all this. Why I happened to think about this particular analogy is that's the way my parents came to Canada. They came by ship and the first five, six days were spent, by and large, by most people leaning over the railing dealing with the sea sickness that they encountered because the seas were so rough. It was, by and large, not pleasant getting here, but when you landed on Canadian shore, what thrill and joy.

So these people would have shown up, would have seen land finally, would have seen what was obviously a harbour, seen a city and, all of a sudden, would have realized that they were not going to get off their ship— 376 passengers. I wonder if that ship was a capacity of 376 people, but meeting the ship would have been very officious individuals who

would have come on board and said, I'm sorry, but our laws do not allow you to get off.

* (11:30)

The horror that must have been felt by all of those people who endured a very rough ride in not the nicest of conditions, with hope and anticipation that I, certainly, could not understand, only to be met with the words, entry denied.

In fact, history will tell us the tugboat came along and pushed the ship back out into the waters, so, even if they might have tried to jump overboard, they wouldn't have succeeded. They would have died. And that is very unfortunate not because there was a disease or an infectious disease on board, or because they were countries at war. No. The reason was because the feeling prevailing at that time, there were too many immigrants coming in. What a shabby, inhuman thing to do to individuals who, no fault of their own, wanted to get to the new country and were denied.

So we stand here, 94 years later. I don't think we have any names of these individuals. We have the name of the ship. It's the *Komagata Maru*. We don't even know who owned the ship. We don't know who the captain was. We know no details other than we know there were 376 passengers and how terribly shabby they were treated by our country.

Now, Canada, as the former speaker mentioned, Canada is an amazing country. My colleague across the way refers to it as God's country, and I would concur with that. I would agree, and I think it takes grace to say, I'm sorry. It takes grace to apologize, and I know that, on May 11, 2008, Secretary of State for Multiculturalism and Canadian Identity, the honourable Jason Kenney stated that a formal apology would soon be tendered by the federal government.

Soon after, Mr. Speaker, on August 6, 2006, I understand, the Prime Minister, Stephen Harper, publicly acknowledged and announced the government's commitment to undertake consultations with the Indo-Canadian community on how best to recognize this sad moment in Canada's history. From what I understand, Jim Abbott, parliamentary secretary to the Canadian Heritage Minister, has been appointed to head a committee to discuss the issue with the Indo-Canadian community and to submit a report.

I think that is most appropriate. It's most appropriate that we, as a country, whether we were

here at that time or not—I don't think there is anybody here, in this Chamber, or anybody around right now that's 94 years old—had nothing to do with it. That's not the point. The point is that by apologizing and by saying to the world that that was not one of this country's better days, that that is not what we want to be remembered for as a country, and for that we are truly sorry, because you see, it's, in the end, not about the ship with the 376 passengers, it is about Canada. This hurt Canada and it hurts the psyche of our country. It hurts the reputation of our country.

That's why this resolution is most appropriate where we, whether it's Chamber by Chamber, legislatively in the provinces, or whether it's the House of Commons—and I know it is coming federally—that we apologize for this event. What happened was wrong. It was shabby. It was inhuman and we should have known better. But it happened and for that we apologize.

Certainly, on this side of the House, the Progressive Conservative Party supports this and believes this is the right way to go and, on behalf of the people I represent, the people of Springfield, I know that they would stand shoulder to shoulder and say it is the right thing to do as a nation. When you embark on this kind of terrible, demeaning way of treating these people that you have the forewithal. Even though these people may not be alive anymore, but to their ancestors and all others who have come to our shores or would like to, that we will never treat human beings like this again ever, and that for what we did, we are truly sorry.

Hon. Steve Ashton (Minister of Intergovernmental Affairs): Mr. Speaker, I want to speak on this resolution. I first of all want to commend the Member for The Maples (Mr. Saran) for bringing this resolution to this House and commend him for his comments and the comments of my colleague the Member for Radisson (Mr. Jha) and the comments of other members of this House.

I want to say very clearly, and I feel a great relief at being able to say this, that this is not just about an incident. This is about policies, immigration policies, in fact, an era in Canadian history in which we had blatant, racist policies that are an embarrassment, I believe, to the Canada of today, in which we certainly, even though racism continues to exist, have evolved to the point where we see diversity and respect for human rights being fundamental to Canadian identity.

I want to put into context what happened, what happened to British Columbia in the same time period. At that time British subjects, there was no Canadian citizenship at the time, were entitled to live anywhere in the British Empire. This was the first step of a concerted political campaign to prevent British subjects, in this case from India, from being able to move to British Columbia, be part of Canada. This was part of it.

There was also the Straight Passage Act, which is the accompanying piece of this, whereby Canada at the time established legislation that said that you were a British subject. You could not come, in this case, from India. I want to state, by the way, that this was not just an accident. This was not just about immigration. In British Columbia at the time there were frequent race riots. Chinese Canadians in particular were targeted, Chinese businesses. Indo-Canadians were targeted. In fact, there were political movements and political parties that specifically were established to exclude Asians from living in British Columbia.

At one time there were more than a hundred items of legislation on the books that prevented Chinese and South Asian Canadians from owning property, from being members of certain professions and, by the way, until 1948 prevented them from being able to vote. At that time, by the way, British subjects were entitled to vote, but there were specific race-based, racist legislation, racist policies that prevented them. In looking at righting historic wrong, we also have to recognize how deep that politics was. In the 1930s, the CCF took the courageous position—the CCF, the forerunner of the NDP—of urging that all citizens, all British subjects be able to vote. At that time the Liberal Party of the day ran ads in the newspapers. I've seen copies of them saying that a vote for the CCF is a vote for Asians.

They lost the election which many people thought they would win because they were prepared to defend the rights of all British Columbians at that time. I find it ironic in a way, and I think this is an important note that the Member for The Maples (Mr. Saran), the Member for Radisson (Mr. Jha), who are members of this Legislature, could not have voted until 1948, could not have been members of the Legislature in British Columbia.

* (11:40)

It parallels the sorry history we have in terms of our First Nations. In fact, it was not until the early

1950s that First Nations were able to vote in Manitoba, in 1960 with John Diefenbaker federally. I want to state as well, by the way, that this was also not just about British Columbia. This was not a spontaneous incident. The government of the day and, in fact, successive Liberal and Conservative governments of the day, specifically, during that period and well into the 1960s, had racist immigration policies.

What happened with the *Komagata Maru* mirrored what was to happen in the 1930s when Jewish refugees were prevented from coming to Canada, prevented from landing in Canada. In fact, there's clear evidence, in terms of memos, of the degree to which there was a deliberate policy by the federal government of the day to prevent Jewish refugees from being able to come to Canada. When you consider the horrors of the Second World War and the horrors of the Holocaust, it should bother all Canadians the degree to which we were not only not part of the solution for the needs of the refugees but we returned Jewish refugees to an incredibly difficult situation.

So there has been significant racism in our immigration policies and in terms of our policies in this country. Mr. Speaker, I would say that we have moved very significantly, now, towards eliminating racist elements of our legislation. I look at here in Manitoba, I mentioned in terms of the ability to vote. That is certainly a huge part of it. We've moved, though, starting in the 1970s under the Schreyer government, to human rights legislation. We now protect Manitobans against discrimination based on gender, race, language, religion and, since the 1980s, sexual orientation. That's a huge part of that.

It's important to note, by the way, on the record, how much racism there was in this province, not just in terms of the formal structural side, but at our medical school there were quotas that restricted the number of Jews that could enter medical school well into probably the 1950s and 1960s. This is Manitoba. There were clubs and organizations and golf courses that specifically discriminated, particularly against Jewish Manitobans.

So this is right in our own province that we've seen this kind of discrimination. Even though, now, we have moved away from some of those legislated elements, we have to, at all times, I think, recognize two other elements of what we need to be dealing with here. One is to ensure that we never go back, particularly when it comes to immigration, to

discriminatory policies. I look at much of the debate going on nationally in terms of immigration, and I would note for my conversations with the Member for The Maples (Mr. Saran) and the Member for Radisson (Mr. Jha), and certainly my own passion for immigration in making sure that we have immigration policies that are non-discriminatory, that we have to be very careful that, no matter how well-intentioned legislative changes might be in terms of immigration, we recognize that one of the strengths of our immigration system now is that we've said no to discriminatory immigration.

We now have, I believe, as a result, one of the most diverse populations, that is here in Manitoba and Canada generally, the highest percentage of foreign-born citizens. I think of, again, that vision and I count myself as one of them as a former immigrant. I say that because that's also important. But what's also fundamentally important, as well, by the way, is not just to move on in terms of our new vision, but it is to get back and is to have the kind of apology that this resolution calls for.

We've seen apologies in terms of the treatment of Japanese Canadians. We've seen it in terms of treatment of Ukrainian Canadians, in terms of internment. We've seen it increasingly in terms of the recognition of the terrible discriminatory basis of the head tax, which affected many Chinese Canadians. You know what? We have the opportunity here through this resolution, which I think, I'm sure will be passed by all members of this House, to say very clearly that this was a racist policy. It is a terrible scar on the history of this country. If we're to move forward to a vision of a racist-free country in which we value and celebrate our tremendous diversity, it starts by having a formal, public apology for what happened in 1914. A formal public apology for the Straight Passage, a formal public apology for the direct discrimination against Indo-Canadians that was so much a part of this, and we have to do it in the context of understanding that when we have discrimination against anyone in our society, discrimination against one is discrimination against all.

That is why I'm very proud to support this. This is what my party and my caucus is all about. It's about fighting against racism and fighting for a tolerant and diverse Canada.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, this is a resolution which, as has been pointed out, I believe all members of the Legislative Assembly

could support. I'm anticipating that it will be, in fact, voted on, and I think it is appropriate to have the moment of silence in appreciation of the motion itself.

When I read through it, I reflect over the last number of years in which I've had discussions with members of the Indian community in regard to this issue. I can say that it is an issue that is there and it's very real in the minds of many. The Member for Thompson (Mr. Ashton) makes reference to the Japanese community or the Chinese community, the Ukrainian community. At times from our past governments of different political stripes, of different levels, sometimes made decisions that when we reflect on it today, we question how could they have possibly done that. There's nothing wrong with today acknowledging that when there was a mistake or a policy decision back then, if it was being made today, would never have happened.

I genuinely believe that there was a grave injustice that was done back in 1914. What I would like to emphasize, because many members, in particular of the Sikh community, have raised the issue of the world wars. You know, the India part of the British Empire had no problems in terms of accepting members of the Sikh community into their forces and didn't even question wearing the turban in order to fight with the allies. After all, India was a part of the British Empire, Mr. Speaker.

When we look at it from that perspective, then we look at the incident in question where a ship known as the *Komagata Maru* docked on April 4, 1914. It sat in port from that date to July 23, and, as one member had pointed out, this wasn't a cruise ship. This was a ship that would have no doubt been very difficult to have stayed in, and for the months that they would have had to stay and weather the types of conditions that would have been in their environment is truly amazing and, then, ultimately, having to be forced to go back.

Well, what strikes me as being so very offensive is the fact that India at the time was a part of the British Empire, and one cannot stop but wonder if it would have been a ship at Halifax and that ship would have come from London or from England, what would the response have been? Well, I would suggest to you, Mr. Speaker, at the time it probably would have been perceived as being okay, and the passengers of that ship would have likely been authorized to get off or de-board and ultimately accepted as immigrants. Now, there would have still

been processes and so forth, and maybe I'm simplifying it a little bit too much, but the bottom line is I believe that there was discrimination that occurred, that you didn't have to be a rocket scientist in order to see that there was a population that was being discriminated against.

* (11:50)

Mr. Speaker, you know, I had some interesting chats as I was listening to some of the debates and, you know, inside the Chamber right above from where you sit, we have great lawmakers from the past and one of those lawmakers is Manu from India. People should be aware, and I believe likely are, that India, at one time, was one of the greatest nations in the world and it is one of the oldest nations in the world that still exists today. Many, including myself, ultimately believe that India has the potential to be one of the greatest superpowers of the future. Its population, its economy is moving forward in great strides.

India has set the example in many different ways, Mr. Speaker. You can take a look at the percentages of computers, medical professions, different industries where India virtually dominates or rules because of their heritage and the drive. Canada has benefited immensely as a result of immigration in particular throughout the world, but second to no other country is the country of India and what that country has done to enhance the lifestyle of all of us. You can talk from the professions of medicine, to our manufacturers, to our service industries. Canada, in part, is where it is today because of the contributions of the Indian community. You can broaden that to talk about our culture and the diversification of all the different ethnic communities that make us who we are today.

So I think that it becomes important for us to acknowledge that when we have seen and it is brought to the light of this Chamber in the form of resolutions, when we have seen mistakes from the past that reflect negatively in terms of policy, in terms of the way in which we recognize our values today, that it is important for us not to forget about it. It is important for us to try to get that better understanding.

Yesterday, we talked about the issue of racism and I appreciated your words, Mr. Speaker, in terms of your birthplace, and going to Churchill and the different type of cultural shock, if I can put it that way, for many. I believe, as I know you, that education is the key. Tolerance and respect. None of

those elements were there back on April 4, 1914 because those were citizens of the British Empire that were in a more of a cargo type of a ship that we would look at today, than a ship of luxury that sat from April 4 to July 23 in a dock in Canada and waited in hopes that they would actually be landed in our beautiful country. It's with regret that it didn't occur, that those citizens were not provided the opportunity to immigrate to our great country. I suspect we lost a lot as a result of that.

I see that this resolution, it's just a small way of just acknowledging something that needs to be acknowledged inside the Chamber. I applaud the Member for The Maples (Mr. Saran) for bringing it forward and look forward to its passage.

Thank you, Mr. Speaker.

Mr. Doug Martindale (Burrows): Mr. Speaker, I'm going to speak briefly so that we can observe a minute's silence and pass this resolution hopefully unanimously before 12 noon.

I want to pay tribute to the Member for The Maples for resolution 9 on the *Komagata Maru* and praise him for bringing this in because it is an important resolution. I'd also like to pay tribute to my seatmate because he is an immigrant to Canada from India and I know that he's worked very hard in Canada. He has a very interesting story. He probably wouldn't share publicly because he's a very humble individual, but I think it's very interesting to know that it began in Canada. His first job was as a labourer in strawberry fields in British Columbia. He did go back to school and got his power engineering papers and worked for the provincial government as a power engineer. Now he's here in the Manitoba Legislature, so I'm proud to sit beside this humble individual and pay tribute to him for introducing this important resolution.

You know, Canadian society has changed a great deal since 1914, and that's a good thing. I think it's safe to say that not only are we a more diverse country and a more hospitable country, but racism is decreasing in Canada as we become more pluralistic and as important laws are passed such as the Canadian Multiculturalism Act of the federal Parliament. I found a wonderful quotation that I'm going to share from a book called *Common Wealth* by Jeffrey D. Sachs. The subtitle is *Economics for a Crowded Planet*. I found a quote from a speech by President Kennedy in June of 1963, and I'm just

going to read one paragraph because it's about diversity and I think it's relevant in this debate.

This is what he said, quote: So let us not be blind to our differences, but let us also direct attention to our common interests and to means by which those differences can be resolved, and if we cannot end now our differences, at least we can help make the world safe for diversity, for in the final analysis our most basic common link is that we all inhabit this planet. We all breathe the same air. We all cherish our children's future and we are all mortal.

So it's important that we as citizens of the world, citizens of this planet, recognize our diversity and celebrate it and co-operate together for the benefit of all societies and the world.

In conclusion, we know that the story of the *Komagata Maru* is a sad chapter in Canadian history. It's fitting that we are still talking about it and it's good to know that the federal government is going to issue an apology, which is part of the THEREFORE BE IT RESOLVED and, sadly, there are many other parallels in Canadian history which have been mentioned by other members of the Legislature.

I commend the Member for The Maples (Mr. Saran) for this resolution and look forward to its passage and to observing a moment of silence. Thank you.

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

The question before the House is Resolution No. 9, *Komagata Maru*, that's brought forward by its honourable Member for The Maples. Is it the pleasure of the House to adopt the resolution? *[Agreed]*

Is there leave to have a moment of silence? *[Agreed]*

Please rise for a moment of silence.

A moment of silence was observed.

Mr. Gregory Dewar (Selkirk): Mr. Speaker, I believe if you canvass the House, there is a willingness to call it 12 o'clock.

Mr. Speaker: Is it the will of the House to call it 12 o'clock? *[Agreed]*

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, May 13, 2008

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