

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

Official Report
(Hansard)

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

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WOWCHUK, Rosann, Hon.	Swan River	N.D.P.
<i>Vacant</i>	Elmwood	

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, September 23, 2008

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

PETITIONS

**Hard Surfacing Unpaved Portion—
Provincial Road 340**

Mr. Cliff Cullen (Turtle Mountain): I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition.

All Manitobans deserve access to well-maintained rural highways as this is critical to both motorist safety and to commerce.

Provincial Road 340 is a well-utilized road.

Heavy vehicles from potato and livestock operations, agricultural-related businesses, Hutterite colonies and the Maple Leaf plant in Brandon use this road.

Vehicles from Canadian Forces Base Shilo also travel this busy road.

Commuter traffic from Wawanesa, Stockton, Nesbitt and surrounding farms to Shilo and Brandon is common on this road.

Provincial Road 340 is an alternate route for many motorists travelling to Brandon coming off Provincial Trunk Highway 2 east and to Winnipeg via the Trans-Canada Highway No. 1. An upgrade to this road would ease the traffic congestion on PTH 10.

Access to the Criddle-Vane Homestead Provincial Park would be greatly enhanced if this road were improved.

The hard surfacing of the unpaved portion of PR 340 south of Canadian Forces Base Shilo towards Wawanesa would address the last few neglected kilometres of this road and increase the safety of motorists who travel on it.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Infrastructure and Transportation (Mr. Lemieux) to consider hard surfacing of the unpaved portion of Provincial Road

340 south of Canadian Forces Base Shilo towards Wawanesa.

This petition is signed by Gary Ford, Mark Shearer, Ryan Jarvis and many, many others.

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

Bill 31—Withdrawal

Mrs. Mavis Taillieu (Morris): I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition.

Aboriginal and non-Aboriginal people in Manitoba should have the same right to know what their governments are doing.

Bill 31 proposes that dealings between Manitoba government departments and agencies and band councils, tribal councils and organizations be exempt from freedom of information requests.

Neither Manitoba's Freedom of Information and Protection of Privacy Act nor Canada's Access to Information Act apply to information held by Aboriginal governments.

It took years and a national scandal to expose corruption in Health Canada and the Virginia Fontaine Addictions Foundation.

Although Manitoba Hydro, Manitoba Lotteries Corporation, Manitoba Gaming Control Commission and other Manitoba government departments and agencies negotiate multi-million-dollar agreements with Aboriginal governments, it is difficult for band members living in poverty on affected reserves to find out where the money has gone.

There was no meaningful consultation with the public on the Aboriginal government exemption clause in Bill 31.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Culture, Heritage, Tourism and Sport (Mr. Robinson) to consider withdrawing Bill 31 until proper public consultation can occur and amendments are made to increase transparency as opposed to diminishing it.

This is signed by Maureen Greenlay, George Greenlay, Melvina Catcheway and many others.

**Increased School Facilities—
Garden Valley School Division**

Mr. Peter Dyck (Pembina): I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition.

The student enrolment in Garden Valley School Division has risen steadily for the last 10 years.

Since 2005 the enrolment has risen by more than 700 students, from 3,361 students to 4,079 students, a 21 percent increase.

Since September 2007, the enrolment has increased by 325 students, an 8.7 percent increase.

Currently, 1,050 students, 26 percent, are in 42 portable classrooms without adequate access to bathrooms.

There are 1,210 students in a high school built for 750 students; 375 students are located in 15 portables without adequate access to washrooms.

Projected enrolment increases based on immigration through the Provincial Nominee Program reveals the school division enrolment will double in the next 12 years.

Student safety, school security, reasonable access to bathrooms and diminished student learning are concerns that need immediate attention.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Education, Citizenship and Youth (Mr. Bjornson) to consider providing the necessary school facilities to Garden Valley School Division.

To urge the Minister of Education, Citizenship and Youth to consider providing the Garden Valley School Division an immediate date as to when to expect the necessary school facilities.

This is signed by Fay Young, Tim Wiebe, Susana Hawryshko.

Physician Recruitment—Southwestern Manitoba

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba:

These are the reasons for this petition:

The Town of Virden has the last hospital in Manitoba on the busy Trans-Canada Highway travelling west.

For the safety of recreational travellers, long-haul truck drivers, oil and agricultural industry workers and its citizens, Virden, a town of nearly 4,000, requires emergency services at its hospital.

On June 30, 2008, the emergency room at the Virden Hospital was closed due to this government's failure to recruit and retain doctors for southwest Manitoba and its failure to plan for the departure of doctors whose contracts were expiring.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health (Ms. Oswald) to consider creating a health-care environment in which doctors want to work and build their careers in Manitoba.

To request the Minister of Health to consider making it a priority to recruit doctors to southwestern Manitoba so emergency rooms do not have to be closed when they are needed most.

This petition is signed by Ann Stoop, Courtne Barre, M.E. Grant, Jackie Holmberg and many, many others.

Provincial Nominee Program—Applications

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

The background to the petition is as follows:

Immigration is critically important to the future of our province, and the 1998 federal Provincial Nominee Program is the best immigration program that Manitoba has ever had.

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

The government needs to recognize the unfairness in its current policy on who qualifies for a Provincial Nominee Certificate.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to consider establishing a 90-day guarantee for processing an

application for a minimum of 80 percent of applicants that have family living in Manitoba.

To urge the provincial government to consider removing the use of the restrictive job list when dealing with the family sponsor stream.

This is signed by F. Boquia, L. Umali, E. Ramos and many, many other fine Manitobans.

Introduction of Guests

Mr. Speaker: Prior to oral questions, I'd like to draw the attention of honourable members to the public gallery where we have with us Cliff Dearman, reeve of the Municipality of West St. Paul, who is a guest of the honourable Minister of Education (Mr. Bjornson).

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

ORAL QUESTIONS

Health Sciences Centre

Government Response to Emergency Room Death

Mr. Hugh McFadyen (Leader of the Official Opposition): Yesterday, prior to question period, the Minister of Health (Ms. Oswald) had an announcement in front of the media and in front of Manitobans and talked about the fact that this was a good day for health care in Manitoba.

Later in the day yesterday, following that announcement, she came into the House and boasted about her leadership of the Health Department and the fact that she claimed, through her announcements, to be resolving unresolved issues.

Mr. Speaker, unbeknownst to members of this House at that time and unbeknownst to Manitobans but known to the minister at that time, less than two days earlier we had had the worst emergency room failure in Manitoba history, a 45-year-old man who spent 34 hours waiting in the emergency room at Health Sciences Centre only to have been discovered to have passed away while waiting for care.

Thirty-four hours, no attention, known to the minister at a time when she's out boasting about her record in health care.

I want to ask the Premier whether he thinks it's appropriate that his Minister of Health was in front of the media yesterday boasting, in this House yesterday boasting before the story broke, the story that she was aware of, that she had overseen the worst emergency room failure in Manitoba history.

*(13:40)

Hon. Gary Doer (Premier): Mr. Speaker, first of all, I want to offer on behalf of the government our condolences to the family directly affected by this tragedy. I also want to say that we have not received any adequate explanations nor will we provide any to the House today on the circumstances that led to the individual being in a waiting room at the Health Sciences Centre, in a waiting room not being triaged by the staff at the Health Sciences Centre.

I would point out that the medical staff at the Health Sciences Centre see close to 50,000 adults and 44,000 children every year, and they save thousands of lives, along with paramedics and firefighters. They're on the front lines of saving lives every day.

But, certainly, Mr. Speaker, we believe that we have to investigate all the details of what went tragically wrong, and it did go tragically wrong at the Health Sciences Centre with the circumstances that led to the death in the waiting room of the individual the member opposite mentioned.

Mr. McFadyen: Mr. Speaker, yesterday in the House the Premier said and I quote: ". . . we are accountable for the decision we made today." We are accountable now for wait times. That was his quote in the House in response to questions about accountability.

Earlier in the day yesterday, his Minister of Health (Ms. Oswald) was out making public announcements, as they're so good at. They do make a lot of public announcements and they get a lot of media coverage out of them. She then came into the House and boasted about her record as Health Minister without disclosing to the House that we had had the worst ER failure in Manitoba history less than two days earlier.

I want to ask the Premier: When he talked yesterday about he and his minister being held accountable for what happens in the health-care system, if his minister's lack of availability for comment after the story broke is his definition of being accountable for health care in Manitoba.

Mr. Doer: We have asked the Chief Medical Examiner to be independent of government and examine this on an urgent basis. The minister has met with the Winnipeg Regional Health Authority and the Health Sciences Centre management to determine as quickly as possible the reasons for this tragedy, to, while they're reviewing this, expedite the

process in terms of public disclosure of what went wrong and to fix anything that they discover as part of their review.

Mr. Speaker, I would point out that part of our initial information is that the doctor levels at the Health Sciences Centre were fully staffed during the period of time in question. We know that the individual in question was not triaged at the Health Sciences Centre but rather was in a waiting room. There are other circumstances prior to that that we also want and need the full examination, an independent examination, and we want and we will have a full accountability for the circumstances that led up to this tragedy.

Mr. McFadyen: Over the course of the weekend, we had a 45-year-old man wait not two hours, not four hours, not 10 hours, not 12 hours, not 24 hours, not 30 hours, but 34 hours before anybody realized that he had passed away waiting in a hospital in Winnipeg after entering that hospital through the emergency room.

If he's trying to redefine an emergency room as a waiting room, that's something we've come to expect. They redefine hallways as corridors in order to say that we don't have hallway medicine. Now he appears to be wanting to redefine an emergency room waiting room as just a waiting room as part of the slippery damage-control strategy that they're now engaging in.

But this is what happened over the weekend. On Monday morning, his Minister of Health (Ms. Oswald) went out and made an announcement and said it was a good day for health care in Manitoba after being made aware of this tragedy. They came into the House yesterday and said that they're doing a great job in health care. They used the word "stellar" in connection with work that they were doing in health care, even though they knew what had transpired over the weekend. When the story broke later in the day, his Minister of Health—where was she?—unavailable for comment.

Is this how the Premier defines leadership and ministerial responsibility within his government—unavailable for comment, looking for excuses, redefining hallways? Is this their approach to dealing with tragedy in Manitoba's health-care system? Will they do what Manitobans expect them to do and stand up, not just when there's an announcement to be made, but stand up and take responsibility when dreadfully awful things go on under their watch,

things that have never happened in the history of Manitoba health care?

Mr. Doer: Mr. Speaker, I've said, and I say again, we're investigating what went tragically wrong at the Health Sciences Centre and at other health programs prior to the individual going to the Health Sciences Centre. We've been informed of other information that also requires investigation.

Secondly, the minister was en route to Virden yesterday, later in the day, meeting with citizens there.

Thirdly, Mr. Speaker, having an agreement with the MMA is very important to the people of Manitoba.

I would point out that doctor staffing levels at the Health Sciences Centre—I'm informed the basic staffing was there at the Health Sciences Centre on the afternoon shift, on the evening shift, on the midnight shift, on the morning shift, on the afternoon shift, again on the evening shift, while the tragedy took place. I would also think that this individual was known—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Mr. Speaker, I have said for the third time that we're treating this as a very, very serious situation. We are investigating what went tragically wrong, and we admit to the people of Manitoba that it went tragically wrong when an individual is in a waiting room that long, is not triaged by staff and not seen by medical personnel.

We would point out that there are the staffing levels of doctors during this period of time. We will reconfirm that with independent investigations that will take place. Mr. Speaker, we will reconfirm that with independent investigations. We're also aware that the individual in question—we've been informed with other questions we've asked—may have gone to the Health Action Centre prior to going to the Health Sciences Centre, and we want to know what the diagnosis was there, what was the follow-up there to the Health Sciences Centre and why circumstances led to this obvious tragedy.

Again, I want to offer my condolences to the family and responsibility, obviously, for the circumstances that led to this.

Health Sciences Centre**Government Response to Emergency Room Death**

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, I am so disappointed in this Minister of Health. She stands in this House every day and belittles the questions we put forward to her, saying that she has fixed health care. Patients don't die in ER waiting rooms after waiting 34 hours if health care is fixed.

I would like to ask the Minister of Health to explain why she has failed yet another patient in Manitoba's health-care system.

Hon. Theresa Oswald (Minister of Health): Like all Manitobans, it's unimaginable that someone would be in an emergency room for 34 hours and not be seen by a doctor or a nurse for the care that they need. We don't understand what happened, and we need to know. That's why we're going to investigate.

The facts that we do have this early on in a preliminary way tell us that this individual did not see the triage nurse and was not triaged, and, consequently, nurses, doctors and others in the room were not treating this individual as a patient that was needing to be seen for care. Clearly, there were no checks and balances in place to assure that that person was checked to see if they had been triaged.

*(13:50)

Mrs. Driedger: Mr. Speaker, a few years ago, Herman Rogalsky died in a waiting room waiting for care. Then Dorothy Madden died in an ER waiting for care, and then several moms miscarried in an ER waiting for care.

Now another patient has died years after an ER task force had been put into place to supposedly correct some of these problems, yet this minister stands in this House day after day saying that health care has come a long way in Manitoba. Well, Mr. Speaker, that is absolute rubbish. Patients that die in waiting rooms are not indicative of a health-care system that has come a long way.

So when is she going to take accountability for her failings in the health-care system and put something in place that actually saves people's lives in our ERs?

Ms. Oswald: Again, as has been said already today, this situation is a tragedy. We know that this individual who was in the ER was not known to the triage nurses to be an individual who was needing care.

What we do know is that reassessment nurses have been put in place to check into ER waiting rooms to ensure that individuals' status have not changed, to ensure that they're getting the care that they need. But, of course, those individuals are reassessing patients that have been triaged. This is a breakdown in the system, Mr. Speaker, a breakdown that we have asked immediately to be changed. We have sent communications to all CEOs of RHAs today to ensure that an interim system is put in place so that all individuals in a waiting room are asked if, indeed, they have been triaged.

Mrs. Driedger: Mr. Speaker, four years ago, these problems were supposed to be addressed. Four years ago, reassessment nurses were being put into place. I believe 25 nurses were being hired in the ERs in Manitoba. You don't need to have policies and you don't need to have, you know, a lot of rules. If you are a reassessment nurse and you're going into a waiting room, it becomes obvious that you need to be watching what is happening with patients, whether or not a patient has been triaged or not. That part is a red herring.

I want to ask the Minister of Health if she followed through with that commitment to put ER reassessment nurses in place and if we have them in our ERs on every shift, and, if we do, how could this possibly have happened.

Ms. Oswald: Mr. Speaker, I can let the member know that there are triage nurses as committed. They work in ERs, and they do this reassessment.

I also want to be very, very clear, Mr. Speaker, this is a tragedy and we need to find out the details so that we can act and go forward. But let it be clear that the doctors, the nurses, the paramedics at Health Sciences Centre save the lives of thousands of people every single year. They are devastated by this incident. They want to know as much as everyone else where the breakdown occurred. The Health Sciences Centre sees 50,000 people and their families every single year. Dr. Brock Wright has suggested that this triage problem has not happened to them before, and they are going to ensure that it never happens again.

Mrs. Driedger: Mr. Speaker, this Minister of Health must have been briefed about this ER death, and yet yesterday she stood in this House and she bragged about everything that she's done, even though we were asking about 1,471 doctors that have left Manitoba under her watch, a 60 percent turnover under this government. Yet, when we're asking

questions like that in the House, we get rhetoric and we get bragging by this Minister of Health.

So, I'd like to ask her, in this specific instance, why is rhetoric more important to her than good patient care?

Ms. Oswald: Mr. Speaker, there is nothing more important than good patient care. All of us know that, all of us with children, with brothers and sisters and mothers and fathers that attend to emergency rooms. We know that in 99.9 percent of the cases when people arrive at emergency rooms, either on their own or with paramedics, and they present to the triage desk that they get excellent care here in Manitoba. Something went terribly wrong in this case, and it's a tragedy.

I am committed to work together with our regions, with our emergency rooms to find out the journey of what went terribly wrong and to correct it. This should happen to no Manitoban, Mr. Speaker.

Mrs. Driedger: Mr. Speaker, then I'd like to ask the Minister of Health: Where has she been for the last four years? Dorothy Madden died. An ER task force was put into place, and, supposedly, a lot of these problems were supposed to have been addressed so this would not happen again. Yet, we have a man, a 45-year-old man that is sitting in an ER waiting room for 34 hours.

As a former ER nursing supervisor, I find this absolutely astonishing. I take great offence that the minister is just standing here ducking from her responsibility on this. They've had four years to correct this. Where have they been?

Ms. Oswald: I can say to the member that, certainly, every single patient that presents to an ER in the province of Manitoba deserves to have excellent care. I've said before that it's clear that something went terribly wrong in this case.

We know, Mr. Speaker, that among the number of recommendations that came from the Emergency Care Task Force implementation, whether it was capital construction at HSC, Concordia or Victoria, if it was fast-tracking by using nurse practitioners or if, in fact, it was the implementation of these reassessment nurses, that action has been taken on 36 out of 46 recommendations. We still have 10 that we're working on, and I would suggest that we need to add this very unique incident to that list.

Mrs. Driedger: Mr. Speaker, this government has had a lot of chances. There have been a lot of red

flags waved in front of them, whether it was in cardiac care before patients died, whether it was in the ER before patients died, and they never respond to anything until it becomes a crisis. We're seeing it right now in maternity care, where she sat on maternity care reports, where we have alarming baby deaths statistics, and this minister is moving at a snail's pace.

Here's another example. This should have been dealt with four years ago in the rollout of all of those recommendations from the task force report. Where is her leadership in protecting patients in Manitoba ERs, Mr. Speaker?

Ms. Oswald: We know that when there were terrible situations involving cardiac care that actions, and swift actions, were taken which now brings Manitoba—not reported by me but by the Canadian Institute for Health Information—to have the shortest time for cardiac surgery.

We know, Mr. Speaker, that when the Emergency Care Task Force asked for 46 recommendations which ranged from including diagnostic equipment in ERs, improved diagnostic equipment, more personnel, more doctors, more nurses, we know that we've acted on those recommendations.

We know that we have completed 36 on 46. We have 10 more to go and I would suggest, from what we've learned today, a very important additional step that needs to be taken care of, Mr. Speaker.

Health Sciences Centre Government Response to Emergency Room Death

Mr. Leonard Derkach (Russell): Well, Mr. Speaker, unfortunately, this government has a track record of always acting after the fact. Once again, we have a death in a Manitoba major hospital and now the government is going to try to take action. But this minister has had ample warning. Twenty ERs in this province remain closed.

Mr. Speaker, today we all regret the death of this patient, but I have to say to the minister if she were doing her job properly we wouldn't have 20 ERs across this province closed today.

I ask this minister: What strategy, what action is she going to take to ensure that there aren't more deaths that are going to occur as a result of ER shortages and people not being able to access front-line service?

Hon. Theresa Oswald (Minister of Health): Well, I want to say specifically, Mr. Speaker, that on this case, this very tragic event that occurred, that really no Manitoban could begin to understand that someone could wait for that extended period of time, 34 hours, and not be seen. We will need to take immediate action, as we have done in communicating with RHAs, that a protocol is to be put into place to speak to every individual in an ER to ensure that they have been triaged appropriately.

On the other part of his question concerning rural health care and suspensions of ER services, we know that the single reason for that is a shortage of doctors, and we're committed to bringing more doctors to Manitoba, Mr. Speaker.

* (14:00)

Health Care Services Rural Emergency Room Closures

Mr. Leonard Derkach (Russell): Mr. Speaker, under this minister's watch, we have 20 rural ERs that are closed today. A hospital, the significance of Virden, has its ER closed.

This minister has been warned time and again about the impact of closure of ERs in rural Manitoba. I want to ask her why she has mismanaged this area so badly and why she has turned her back on so many Manitobans who need this service as a front-line service.

Hon. Theresa Oswald (Minister of Health): Mr. Speaker, I believe that the member is well aware that the current doctor shortage that we are facing in Manitoba is not unique to Manitoba.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The honourable minister has the floor.

Ms. Oswald: Thank you, Mr. Speaker. We know that the single most important thing that we can do is bring more doctors to Manitoba. We know that we have seen a net increase every year since 1999 at a time of intense international competition.

Mr. Speaker, members opposite may be interested to know what Dr. Roux in Virden said last evening concerning the reason that they're experiencing such a difficulty. He said: Everybody in the room knows why this is happening. It's because of the choices to cut the spaces in medical school.

That's Dr. Roux from Virden, Mr. Speaker.

Mr. Derkach: Well, Mr. Speaker, that was a less-than-credible comment by the Minister of Health, I have to say. Just days ago, the Premier (Mr. Doer) and the minister were bragging about the number of doctors they have brought into this province, and today the minister says that the reason for all of this is a result of a doctor shortage.

Mr. Speaker, this is all under her watch. What hope do Manitobans have under this minister's watch to see their ER services restored and to ensure that no more deaths occur in our emergency services hospitals?

Ms. Oswald: Mr. Speaker, I think it needs to be said once again that the doctors and the nurses and the paramedics and the health-care aides that work in the province of Manitoba save hundreds of lives every single day, thousands and thousands of lives every single year.

We had an incident at the Health Sciences Centre that went tragically wrong, and we are going to work to investigate the facts of that. We know that across rural Manitoba, as is the case in all other provinces, we're experiencing a shortage of doctors, and we need to work aggressively on recruitment, on retention, on educating our doctors here at home.

We know that we're moving in the right direction but have a distance to go, Mr. Speaker, and by collaborating with our doctors and nurses and strategizing, we know that we can improve the situation.

Health Sciences Centre Government Response to Emergency Room Death

Mrs. Heather Stefanson (Tuxedo): I have to say that I, too, am extremely disappointed in this Minister of Health. What our questions are about here is about ministerial accountability, and I think what Manitobans expect is that when a serious crisis happens such as the one that happened over the weekend, which is one of the largest if not the largest crisis that's ever happened in an ER in Manitoba, what she should have done is come forward and informed the public herself and not relied on her bureaucrats to come forward and let them know.

All the while knowing all of this, she was out making government announcements. That is not what Manitobans expect from a minister of Health in this province. Why did she choose to allow the bureaucrats to go out and make such a decision? Why didn't she do it herself?

Hon. Theresa Oswald (Minister of Health): Mr. Speaker, I appreciate the opportunity to correct the record. We certainly did have some preliminary information yesterday. We were advised that it was absolutely critical that we find out some preliminary details about the tragic event, and at the same time, it was absolutely critical that the next of kin of the individual that so tragically passed away was informed.

It would have been wholly inappropriate and heartless for us to come across with information while it was incomplete and, Mr. Speaker, while, in fact, the next of kin had not been notified.

Mrs. Stefanson: Mr. Speaker, the minister is saying that she didn't learn about this until yesterday. I mean, I think, even though, you know, she should have—as soon as she learned of the situation, she should have come forward to Manitobans and explained to them about what was going on. I think it's not incumbent upon a minister of Health to come forward in Manitoba trying to make rosy announcements out there when such a tragic situation happened. She should have let Manitobans know about what was going on. I think that sending out bureaucrats to do her dirty work is not incumbent upon a minister of the Crown.

I ask: Why does she honestly believe that she made the right decision there?

Ms. Oswald: Mr. Speaker, the notification to the next of kin of the death of a loved one is paramount. In a situation where a tragedy has occurred, it is even doubly so. The individual, Dr. Brock Wright, that has provided information to the public and to the media today, he will continue to do that. He's a doctor. He can provide information that a politician, a non-doctor should not be providing. This is the best information that can go forward to the public. I support Dr. Wright.

Mrs. Stefanson: Mr. Speaker, ministers of the Crown are expected to be able to deliver both good news and bad news. It's unbecoming of a minister to only deliver the good news while leaving all the dirty work for the administration to deliver to Manitobans. This is called what we call in this province ministerial accountability. That's what we are questioning here today.

Does she honestly believe that she made the right decision to deliver only the good news and not the bad news?

Ms. Oswald: Mr. Speaker, I honestly believe that delivering news to the next of kin about the loss of a loved one is exactly the right thing to do first. We are going to be going forward, finding out more details about this very tragic event, this unimaginably tragic event that Dr. Brock Wright, himself, says has not happened ever at the Health Sciences Centre before in terms of the issue of someone not being triaged, being taken care of.

We're going to ensure that we find out the facts and that we find out what we can do to improve not only the processes, but we'll do this through a critical incident review as well and also an independent examination by the Chief Medical Examiner. We need to have a lot of eyes on this to ensure it doesn't happen again.

Health Sciences Centre

Government Response to Emergency Room Death

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, nobody is calling on the minister to reveal personal details about the individual. The fact is that the outlines of the story were made public through media reports yesterday. The minister was aware of the outlines of the story and yet staged a news conference yesterday to tell everybody that health care in Manitoba was good. I mean it's a really unbelievable thing given what she knew, to be out in front of the media making those sorts of statements.

Nobody in this House is trying to suggest that anybody would have wanted this tragedy to occur. The issue is what kind of leadership, what kind of responsibility do we have for ensuring the system is working as well as it can.

We've long criticized this government for establishing a big, bureaucratic, unresponsive health-care system in Manitoba. What we seem to have seen was the consequence of an unresponsive health-care system playing itself out to tragic consequence over the weekend in the Health Sciences Centre. It is a culture of unresponsiveness that they've created from top to bottom. We see it in the Legislature here today. It appears that it played out in the emergency room over the weekend.

What happened in the time between the tragedy and where we are right now is that the tragedy occurred, the minister was briefed, she went out and cut the cake and uncorked the champagne yesterday to celebrate a great day in health care, came into the House, boasted about her record in health care,

played politics making references back to the 1990s, all the while knowing that we had had the worst ER incident in the history of Manitoba occur under her watch two days earlier.

When the story is in the media, she refuses comment, instead hides behind her officials who are forced to go out and try to explain and spin the situation when a responsible minister would have come into this House yesterday at 1:30, made a ministerial statement outlining the basic outlines of the story, express concern about what happened and a plan for getting to the bottom of it to prevent it from happening. Instead, she came in, laughed and bragged and boasted, talked about the 1990s, talked about a good day in health care, all the while knowing what had taken place, one of the worst days in health care, she knows, even as she's saying this is a great day for health care in Manitoba.

I want to ask the Premier: Does he approve of the way his Minister of Health has handled this crisis?

*(14:10)

Hon. Gary Doer (Premier): Well, Mr. Speaker, the announcement with the MMA, with the president of the MMA, is an appropriate announcement to be made by both the MMA and the minister. I heard the head of the MMA say yesterday: This is good; it helps Manitoba continue to recruit and retain doctors.

The other issue that the minister just informed the House of was the whole issue of the protocol in informing the next of kin when a tragedy or a death occurs.

We are always accountable because, Mr. Speaker, I would suggest to the member opposite that normally they don't bring, quote, good-news questions into the House. They hold the government accountable and the minister accountable almost every day. In fact, yesterday they were asking questions about doctors and that's appropriate.

Mr. Speaker, there are good events that happen, good initiatives that happen in health care. There are thousands of lives saved every day, and then there are tragedies that we will not excuse. We have a responsibility to find out what went wrong, and we have a responsibility to explain to the public what we're doing about it.

Mr. McFadyen: Well, for the Premier to try to minimize this tragedy by suggesting it's just a run-of-

the-mill tragedy in the health-care system like every other that occurs just demonstrates the fact that he simply doesn't get it. He simply doesn't understand the difference between somebody who is left waiting 34 hours in an emergency room only to be found to have passed away at the end of that and what happens routinely in the health-care system.

Of course, there are tragedies. The health-care system is there to address it. But when the tragedy is as a result of neglect and unresponsiveness within the health-care system, which is the very tone that's set by his Minister of Health (Ms. Oswald) who can't even stand up and respond to questions, won't even bring forward information in a proactive way, hides behind officials, spends all of her time managing media, I want to ask the Premier whether he approves of his minister's focus on managing media rather than managing health care.

Mr. Doer: Mr. Speaker, the member opposite would know that we very rarely say in the House that events went tragically wrong with the death of this individual in the waiting room without triage at the Health Sciences Centre. We are not going to treat this as a routine matter, and the member opposite putting words in our mouth is very unprofessional in doing so.

We consider this a tragedy. We've admitted it's a tragedy. We have to get to the bottom of why an individual who was in the waiting room at the Health Sciences Centre was not triaged. We have to find out what other interventions were made in the health-care system before the individual arrived at the Health Sciences Centre. We have a responsibility to the public and we take that very seriously.

All of us deal with the media. We deal with the media all the time, every day, when we're in question period, after question period. That is part of the job, but I know that 99 percent of the duties of the Minister of Health are spent directly on patient care and 1 percent may be spent dealing with the media and the public on patient care in terms of communications with the public on it.

Mr. McFadyen: I don't want to put words in the Premier's mouth, so will he just then confirm that he approves of the fact that yesterday his minister said it was a good day for health care, even when she knew that we had had one of the worst tragedies in ER history in Manitoba.

Mr. Doer: Well, the MMA said it was a good day for Manitoba and for Manitoba doctors yesterday, so

I thought the minister's comments were appropriate to the MMA agreement. I think the minister's comments today about the tragedy—it's not a good day for health care in Manitoba when a situation like this arises. It's a tragedy. The minister said that and I said it.

I also think it's appropriate for doctors running health-care systems to comment to the public. I also think it's appropriate for the Minister of Health (Ms. Oswald) to keep her commitments to the people of Virden for the meeting that took place yesterday in Virden.

So I think a lot of the allegations being made—there are some serious problems of why a person was in the Health Sciences Centre waiting room and was not triaged. But some of the other issues such as why weren't you here, when you knew the minister was in Virden, and some of the other issues of notifying the next of kin, I think the minister has acted in a way that's appropriate to her duties and responsibilities to the people of Manitoba, Mr. Speaker.

Federal Liberal Green Plan Government Support

Hon. Jon Gerrard (River Heights): Mr. Speaker, the government is reeling today because it failed to stand up for ordinary Manitobans, and we've an unimaginable tragedy in health care.

Yesterday, Mr. Speaker, instead of standing up for ordinary Manitobans, the Premier was spreading disinformation. A senior on a pension living in a rural region of northern Manitoba will be more than \$700 better off at the end of each year because of the Liberal's green shift, and yet the Premier was standing up to defend the wealthy Albertans as opposed to the pensioners living in Manitoba.

When will the Premier start standing up for health care and energy and pensioners in Manitoba?

Hon. Gary Doer (Premier): Well, I didn't know; I missed the part where the Member for River Heights was running in the federal election, and this Chamber was going to be turned into a federal election debating forum.

But, Mr. Speaker, we respectfully disagree with the member. We disagreed with the carbon tax when it was initiated in British Columbia in February. We said that publicly.

There's an announcement today in Washington state by the governor on a framework agreement, I believe, on the issue of the cap and trade system that

we're working on with other provinces and other states in the United States. The member opposite has chosen a European model to try to tax carbon directly, and we don't agree with him.

But, you know, there are lots of questions he can ask within the scope of this Legislature. I'd be more than—I don't mind asking questions about the federal election campaign, but I find it passing strange that two days in a row he'd be asking those questions.

Mr. Gerrard: Mr. Speaker, when it comes to health care, the Premier had many reports on emergency rooms, and we're still having tragedies because he's failed to get the fundamentals right in terms of health care in this province.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. Supplementary questions are to seek information on the initial question raised. I have a hard time seeing where the green shift ties into the health care here. Maybe you could reword it so it ties in.

Mr. Gerrard: Mr. Speaker, this Premier is having problems getting the fundamentals of health care and of energy policy right in this province. He is failing to stand up for ordinary Manitobans. Even pensioners from Winnipeg will benefit hundreds of dollars a year with the green shift, and yet this Premier has been standing up for wealthy Albertans who use coal and oil to generate power. We benefit because we've got hydro-electric power. We should be getting the benefit of that. The Premier should be getting the fundamentals right whether it comes to health care or energy, and he's got them both wrong.

When will he smarten up?

Mr. Doer: Mr. Speaker, inflation this last month went up dramatically, partly because of the fossil fuel costs of gas, and we certainly want to encourage people to have greater energy-efficiency heating equipment in their homes, and it went up because of gasoline. That has been a carbon tax. A barrel of oil has gone up from about \$70 to over \$110. If the member opposite would be aware, the proposal would add more than just the energy field for natural gas prices here in Manitoba. Some communities require that. If he looks at the price of food in Churchill, it's gone up 20 percent because of transportation costs.

I mean anybody that lives—just start with northern Manitoba. I can't believe anybody would

want to support a carbon tax for residents of northern Manitoba. I think it's a dreadful policy. I don't agree with the member opposite but, you know, the great thing about a democracy? The people will decide and that's good for the future of Canada.

* (14:20)

Health Sciences Centre Government Response to Emergency Room Death

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, Manitobans look in terms of what has happened over the last 24 hours, and it's hard to imagine thinking about someone sitting in emergency for in excess of 30 hours and literally dying at the Health Sciences Centre because something went wrong. What we're looking for is accountability on the issue.

The question I would put to the Minister of Health, and if she would answer it precisely, is: When did she actually first find out that this tragedy occurred and what did she do immediately following hearing that the tragedy occurred?

Hon. Theresa Oswald (Minister of Health): Mr. Speaker, I can assure the member that we work to be accountable every single day to the people of Manitoba concerning health care. I can confirm for the member that I learned of some preliminary information about the middle of the day yesterday and learned that a critical incident review was being begun immediately and that information was being sought concerning the next of kin of this individual who had some very unique and complex circumstances surrounding the individual's life which made that situation more difficult.

But, certainly, the details as they come forward are going to be provided as we get them, and I can assure the member opposite that the next of kin were notified as soon as possible.

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

MEMBERS' STATEMENTS

Paul Chapman

Mr. Gerald Hawranik (Lac du Bonnet): Mr. Speaker, I'd like to take a moment to recognize the admirable political achievements of Mr. Paul Chapman, who celebrated 25 years as the mayor of Lac du Bonnet this past August.

Paul started on town council in 1983. He was appointed to the position by the council of the day after a by-election in which no one had run. He spent

12 years as a councillor and eight as deputy mayor before being elected mayor in the 2003 by-election.

Paul has become one of Lac du Bonnet's most well-known community members and has developed a reputation as a humanitarian. He is one of the top fundraisers for the annual Super Cities Walk for Multiple Sclerosis, and he volunteers enthusiastically at most events within the community.

Lac du Bonnet has seen countless improvements under the leadership and direction of Mr. Chapman, especially with regard to its infrastructure. The town has a new water treatment plant and recently received funding to replace water and sewer mains that are deteriorating.

I attended Paul's 25th anniversary celebration in the council chambers of the town hall and witnessed the attendance and heard the fond words by all who were there. Not only could I say that Paul was an able community leader, I can also say that he was a friend to everyone in the community. He is a mayor that puts our community in front of his own interests.

Mr. Speaker, I'd like to recognize the accomplishments of Paul Chapman as mayor of Lac du Bonnet and congratulate him for the 25 years that he has spent serving our community.

Village Market

Ms. Jennifer Howard (Fort Rouge): Mr. Speaker, today I would like to talk about a great community event that has taken place in my constituency for the last 14 Thursdays. Over the summer, the Village Market on the corner of Osborne Street and River Avenue has been an emporium of local food and art in Winnipeg, offering a variety of local produce, baked goods, arts and crafts and even a bit of nostalgia from my childhood, pic-a-pop.

The mission of the Village Market was to create a safe and welcoming space to connect local producers and consumers in sharing local food and art resources while strengthening social and economic community capacity and development. In order to promote local producers and artists, the market was only open to producers and artisans who grow their food or reside within 100 miles of Winnipeg.

Mr. Speaker, this was the first year for the Village Market, and I hope it will be back next summer. It came about as a result of the vision and hard work of two University of Manitoba students from the Faculty of Architecture named Devin Clark

and Kaeley Wiseman. Their assignment was to study and recommend a project for the redevelopment of the Gas Station Theatre. The result was a thriving community gathering place alive with music, art and great food.

It was a pleasure for me to attend the market and experience the connection between urban and rural Manitobans. The organizers are to be congratulated for their contributions to neighbourhood safety, environmental awareness and the creation of a positive urban space.

I would like to thank them, as well as all the vendors, performers and sponsors that made the Village Market possible. It is this kind of community action that creates neighbourhoods where we all want to live, work and play. Thank you.

Shamrock Centre (Killarney)

Mr. Cliff Cullen (Turtle Mountain): Mr. Speaker, I rise in the House today to pay tribute to the people of Killarney and area on the grand opening of their new recreation centre, aptly named the Shamrock Centre. I was very pleased to attend the opening of the Shamrock Centre in Killarney, September 5, 2008.

The evening was emceed by master of ceremonies Mr. Rick Pauls, mayor of Killarney-Turtle Mountain. Mr. Pauls paid tribute to the many people involved in the Shamrock Centre, including architects, construction companies, volunteers and everyone in between.

Mr. Speaker, every large undertaking such as the Shamrock Centre requires foresight, and the concept of a community facility has been in the works for 15 years. I am pleased to pay special mention to Mr. Lyall McFarlane, chair of the committee. I must also recognize the hundreds of volunteers who have taken part in this undertaking over the years. As a result, the committee received the Premier's Volunteer Award in May 2008.

As a supporter for recreation facilities in all communities, I believe that the Shamrock Centre will serve the area well. Along with a local skating rink and curling rink, they have also included a bowling alley, hall and gymnasium. The facility uses geothermal technology and meets the national silver LEED building requirements.

The celebratory evening included a first-class meal provided by local businesses and catered to by the Killarney bantam hockey team in true community spirit.

Mr. Speaker, it was a proud moment for everyone when the ribbon was cut and the Shamrock facility was officially opened. I am looking forward to attending many sporting events in this facility with my family and friends. I'm also expecting that this facility will attract sports enthusiasts from all over the region and also play host to provincial sporting events in the future. It will certainly be an added benefit to the economy in southwestern Manitoba and should lead to further development in the region.

The evening concluded with two guest speakers, CFL legend, Michael "Pinball" Clemons and *Off the Record* host, Michael Landsberg. Both brought special greetings and congratulatory messages along with some personal insight to their success.

I would like to congratulate the entire community of Killarney on the opening of the Shamrock Centre and invite members of the Chamber to visit this first-class facility. Thank you very much.

Shannon Smadella

Mr. Gerard Jennissen (Flin Flon): Mr. Speaker, the media often stresses bleak stories about youthful gang activity, crime and mayhem, but there are also many positive youth role models. For example, last weekend, Michael Kluba once again spearheaded the Flin Flon walk to raise funds for cerebral palsy. I've spoken about this young hero before.

Today, I rise to recognize the accomplishments of Shannon Smadella, a young activist from Cranberry Portage, Manitoba, who follows in this tradition of philanthropy. After graduating from Hapnot Collegiate in Flin Flon, Shannon went on to study science and business at the University of Saskatchewan. She has also trained with the New York Film Academy in Los Angeles.

Since 1999, Shannon has worked in several fields, including media, broadcast sales, modelling and acting. Most notably, she was crowned Miss Canada Galaxy on August 23. Unlike most countries, holding the title of Miss Canada is done on a completely volunteer level with all expenses coming out of Shannon's own account. As Miss Canada, Shannon spends the year meeting with various charities, schools and non-profit organizations, as well as making public speaking appointments and interviews.

She also holds the titles of Miss Saskatchewan Galaxy and Miss Earth Saskatoon and will compete in the upcoming international Miss Galaxy in 2009.

On top of her Miss Canada duties, Shannon is personally involved in several charities. She sponsors two children through World Vision, one of which she plans to visit in Mexico in December. In the new year, Shannon will travel to Africa to assist in HIV/AIDS awareness and prevention programs in various villages. She also participates in Bicycles for Humanity, an organization that sends bicycles to Africa to assist in empowering women and help fight the HIV/AIDS crisis.

A former big sister with Big Brothers and Big Sisters, Shannon believes strongly in the importance of connecting with children and is actively involved in the Sunshine Foundation for children with terminal illness. Shannon is writing a book to encourage young women to succeed, with proceeds going to a charity. Shannon also fundraises for the Diabetes Association.

While she devotes close to 40 hours a week working for these causes, she also works full time on television programs for Chandran Media including *Inside Fashion* and *Nitelife T.V.*

Shannon has a strong belief in using the opportunity she's been given to make a difference in the world.

Mr. Speaker: Order. Does the honourable member have leave to conclude his members' statement?
[Agreed]

Mr. Jennissen: Thank you, Mr. Speaker, and I thank my colleagues. Besides her commitment to children, Shannon works to promote the importance of inner beauty and confidence among young women in her role as Miss Canada.

I would ask this House to please join me in recognizing the accomplishments of Shannon Smadella and the other wonderful and dedicated young Manitobans. Thank you.

* (14:30)

School Enrolment Fees for Guardian Grandparents

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I want to comment in terms of supporting our grandparents. Yesterday, the minister or a backbencher of the government indicated that it was prepared to bring in a piece of legislation to proclaim Grandparents' Day, something for which we have been arguing for a number of years, whether it's a proclamation recognizing the day—I've written the Premier (Mr. Doer). I've written the Prime Minister

because I believe it is a good idea. I was glad to see that the NDP have taken up on that particular idea. I want them to take another idea, and that's the reason why I'm standing today.

There are grandparents all over the province of Manitoba, who are the primary caregivers of their grandchildren, Mr. Speaker. The vast majority of those pay school tax, yet because they're the primary caregiver of their grandchild, they are then obligated to pay an additional fee in order to get their grandchild registered.

Now there are certain situations in which it can be waived, and I'll grant that. The Liberal Party and I believe that a grandparent should not have to pay a fee if they're providing primary care. They shouldn't have to adopt the child in question. They should be able to provide the care and ensure that child is given good-quality public education.

That's what I believe, Mr. Speaker, and I'm asking for the Minister of Education (Mr. Bjornson) and the Premier of this province to recognize this too as yet another good idea. I look forward to the government recognizing it and making a statement that grandparents taking care of their grandchildren should not have to pay additional fees to ensure that their grandchild is in a public education school system. That's what my members' statement is all about—supporting our grandparents and our grandchildren. Thank you.

ORDERS OF THE DAY (Continued)

GOVERNMENT BUSINESS

Hon. Steve Ashton (Deputy Government House Leader): Mr. Speaker, please call Bill 31. It was in report stage. It was also their intention to call Bill 17 later on, once we deal with a number of amendments on Bill 31, so if you could call Bill 31.

Mr. Speaker: So orders of the day will deal with Bill 31, and if we conclude that, we'll move on to Bill 17.

REPORT STAGE AMENDMENTS

Bill 31—The Freedom of Information and Protection of Privacy Amendment Act

Mrs. Mavis Taillieu (Morris): I move, seconded by the Member for Pembina (Mr. Dyck),

THAT Bill 31 be amended in Clause 5 by striking out "vexatious" and substituting "designed only to embarrass or harass the public body" in the proposed clause 13(1)(a).

Mr. Speaker: It has been moved by the honourable Member for Morris, seconded by the honourable Member for Pembina,

THAT Bill 31—dispense?

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

Mrs. Taillieu: The purpose of this amendment is just to clarify in wording because the word "vexatious," if you look that word up in the dictionary, that word says annoying. So it's a fairly subjective term to use in legislation. If something is annoying to a person, then they do not have to respond or answer the Freedom of Information request.

I recognize that there have been instances where either organizations or individuals have put forward a number of Freedom of Information requests that may have clogged the system, if you will, but I think that the word "vexatious" really is so subjective that it can be interpreted in a number of ways; I suppose if a person thought the particular person requesting the Freedom of Information request was themselves annoying, or perhaps people get annoyed for different reasons. Certainly, if people are stressed or tired or anything related to a person's private life that they're bringing to the job, they may feel annoyed that day. So it just brings this into the realm of it's just too subjective a term to be using, and we feel that perhaps using the wording, designed only to embarrass or harass the public body, might be more appropriate wording.

I recognize that this wording "vexatious" has been used in other jurisdictions, in Alberta, British Columbia and Ontario. I'd also note that in Alberta, British Columbia and Ontario, they have a privacy commissioner and not a privacy adjudicator. So I don't think that the argument can be used that one area is doing something and we're following suit; can't use that argument to say that we're not following suit in terms of a privacy commissioner.

So I would ask that the members opposite look at the wording here and support the amendment, support changing "vexatious" to something more designed only to embarrass or harass the public body. I think that would serve the purpose, the intention of this amendment. Thank you.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is the amendment moved by the honourable Member for Morris.

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

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Mr. Speaker: All those in favour, say yea.

Some Honourable Members: Yea.

Mr. Speaker: All those opposed, say nay.

Some Honourable Members: Nay.

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

Mr. Gerald Hawranik (Official Opposition House Leader): On division.

Mr. Speaker: On division.

* * *

Mr. Speaker: We'll now deal with the second amendment.

Mrs. Taillieu: I move, seconded by the Member for Pembina (Mr. Dyck),

THAT Bill 31 be amended in Clause 5 by striking out "or systematic" in the proposed clause 13(1)(b).

Mr. Speaker: It's been moved by the honourable Member for Morris, seconded by the honourable Member for Pembina,

THAT Bill 31—dispense?

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

Mrs. Taillieu: Again, I think we're looking at a word in the legislation that is quite subjective rather than objective in its term. Certainly, there are requests that opposition parties and media put in to government departments on a regular basis seeking information that comes out either on a monthly or quarterly or yearly basis, and just as an automatic Freedom of Information request would go in, when one is received, another one would go in, just so that we would have the information continuously available to us, coming to us when those reports

come due to the government departments. Those could be deemed to be systematic because systematic just means repeating a system over and over again. So that could be deemed systematic.

So, whether the term that's been used here is to again discourage certain parties from putting in requests that are, perhaps, overly zealous and, perhaps, could be clogging the system, I think we also need to look at the fact that there are many requests that go in to government on a regular basis and are quite legitimate. We would be very concerned that, with this wording, the government would have the ability to deny us opposition parties and other media and other citizens, deny requests for a Freedom of Information for information, access to information, if you will, that they would determine to be systematic. So we would just again ask if the government would please look at the wording here and strike the word "systematic." Thank you.

* (14:40)

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is amendment moved by the honourable Member for Morris.

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

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

Mr. Hawranik: Mr. Speaker, on division.

Mr. Speaker: On division? On division.

* * *

Mr. Speaker: Now, bring forward the next amendment.

Mrs. Taillieu: Thank you, Mr. Speaker, and I would ask for leave of the House to withdraw the amendment respecting clause 19(2)(a).

Mr. Speaker: The honourable Member for Morris, to address the House on withdrawing an amendment.

Mrs. Taillieu: Mr. Speaker, I ask leave from the House to withdraw the amendment in Clause 6 *by striking out clause 19(2)(a)*, withdrawing that clause.

Mr. Speaker: Is there leave of the House for the honourable Member for Morris to withdraw the amendment to Bill 31, Clause 6, *by striking out "20 years" and substituting "10 years" in the proposed clause 19(2)(a)*?

Is there agreement of the House? *[Agreed]*

This amendment has been withdrawn.

The honourable Member for Morris, to deal with the next amendment.

Mrs. Taillieu: Mr. Speaker, I ask for leave of the House to withdraw the amendment in Clause 6 that replaces the proposed clause 19(2)(b).

Mr. Speaker: Is there leave of the House for the honourable Member for Morris to withdraw Bill 31, Clause 6, 19(2)(b)? Is there leave of the House? *[Agreed]*

This amendment has now been withdrawn.

The honourable Member for Morris, to deal with the next amendment.

Mrs. Taillieu: Mr. Speaker, I ask leave of the House to withdraw the amendment respecting Clause 7, *by adding "of elected members" after "organization" in the proposed clause 20(1)(c.1) in the part before subclause (i)*.

Mr. Speaker: Is there leave of the House for the honourable Member for Morris to withdraw the amendment that's proposed to Clause 7, *by adding "of elected members" after "organization" in the proposed clause 20(1)(c.1) in the part before subclause (i)*? Is there agreement? *[Agreed]*

This amendment is now withdrawn.

The honourable Member for Morris, with the next amendment.

Mrs. Taillieu: Mr. Speaker, I ask leave of the House to withdraw the amendment respecting Clause 8, *by adding "of elected members" after "organization" in the proposed clause 21(1)(c.1), in the part before subclause (i)*.

Mr. Speaker: Is there leave of the House for the honourable Member for Morris to withdraw the amendment proposed to Clause 8, *by adding "of elected members" after "organization" in the proposed clause 21(1)(c.1), in the part before subclause (i)?*

Is there agreement? *[Agreed]*

This amendment is now withdrawn.

The honourable Member for Morris, with the next amendment.

Mrs. Taillieu: Mr. Speaker, I ask leave of the House to withdraw the amendment respecting Clause 9 with the following:

9 Clause 22(2)(b) is amended by striking out "30 years" and substituting "10 years".

Mr. Speaker: Is there agreement for the honourable Member for Morris to withdraw the amendment she proposed *by replacing Clause 9 with the following:*

9 Clause 22(2)(b) is amended by striking out "30 years" and substituting "10 years";?

Is there agreement to withdraw this amendment? *[Agreed]*

This amendment is now withdrawn.

The honourable Member for Morris, with the next amendment.

Mrs. Taillieu: Mr. Speaker, I ask leave to withdraw the amendment respecting *Clause 10(a) with the following:*

(a) in clause (a), by striking out "30 years" and substituting "10 years";

Mr. Speaker: Is there agreement of the House for the honourable Member for Morris to withdraw her amendment proposed to Bill 31 *by replacing Clause 10(a) with the following:*

(a) in clause (a), by striking out "30 years" and substituting "10 years"?

Is there agreement to withdraw this amendment? *[Agreed]*

This amendment is now withdrawn.

The honourable Member for Morris, with the next amendment.

Mrs. Taillieu: Mr. Speaker, I ask leave of the House to withdraw the amendment respecting *Clause 12(1)*

by striking out "90 days" and substituting "30 days" in the proposed subsection 32(1).

Mr. Speaker: Is there agreement of the House for the honourable Member for Morris to withdraw her proposed amendment in *Clause 12(1) by striking out "90 days" and substituting "30 days" in the proposed subsection 32(1)?*

Is there agreement for the amendment to be withdrawn? *[Agreed]*

The amendment is now withdrawn.

The honourable Member for Morris, with her next amendment.

Mrs. Taillieu: We're finished.

Mr. Speaker: You're finished?

Mrs. Taillieu: For now.

Hon. Steve Ashton (Deputy Government House Leader): There is agreement, Mr. Speaker, if we can now proceed to Bill 17.

Mr. Speaker: There's been agreement that we now—we will now move on to Bill 17.

Bill 17—The Environment Amendment Act (Permanent Ban on Building or Expanding Hog Facilities)

Mr. Speaker: There are eight—the honourable Member for Lakeside, with his amendments.

Mr. Ralph Eichler (Lakeside): Mr. Speaker, I move, seconded by the Member for Pembina (Mr. Dyck),

THAT Bill 17 be amended in Clause 2 by striking out "or" at the end of clause (c) of the proposed subsection 40.1(2), adding "or" at the end of the clause (d) and adding the following after clause (d):

(e) the permit authorizes the construction, expansion or modification of a storage facility that handles manure from a livestock production operation having less than 300 animal units of pigs.

Mr. Speaker: It's been moved by the honourable Member for Lakeside, seconded by the honourable Member for Pembina,

THAT Bill 17 be amended in Clause 2 by striking out "or"—dispense?

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

Mr. Eichler: Mr. Speaker, what this section does is it—we're proposing to add that would basically state that the ban only apply to operations of over 300 animal units of pigs and, therefore, allow the smaller operations to build and focus more on the larger units. According to the government, these are operations that are in question and have the government concerned.

So, basically, what this will do, Mr. Speaker, is allow the government that other opportunity in order to give them one more tool to deal with those smaller operations, the ones that we've known in this House, in this province, that are so significantly important to us, the small operators, the people, the small business people, the people that are out there starting with hopes and dreams in order to try and to be able to build their businesses and build their operations.

*(14:50)

So what this does in the 300 animal units or less, it gives those smaller operators an opportunity to actually get started in the business, give them the grass roots of what they're accustomed to and actually give the smaller, young producer that opportunity to be able to go out and start that small hog operation until such time we do have the science, we do have the technology, we do have the things that are available to our larger producers in order to make sure that they are, in fact, going to be able to stay in that industry in a way that's going to meet the environmental codes, the environmental regulations that are brought forward.

In a smaller operation, that way, we'll also have that opportunity to be able to get his feet firmly planted, or she, the family, whatever type of operation that will be. Normally, typically, it's an individual that starts on these small operations. In fact, I know in the committee one of the presenters was from my area, Mr. Matheson. I'm sure the minister recalls him presenting it. He falls into that category. He has a brother that's in the cattle business and is putting a small feedlot in, which is equivalent to that of a 300 animal unit operation, where this would give him that opportunity in order to do so.

So it's a great amendment. It's a great tool that we're offering the government. I think that the minister and the government side of the House would see the opportunity that would present here for the young producers, those producers that don't have the capital, don't have the initial investment that's at their disposal in order to get into the hog

operation in a big way or any other operation, for that matter, in a big way.

I know it would be very important not only to just my constituents but the overall growth of the province. We do need to see growth no matter what business we're in, because it's certainly something we on this side of the House want to see happen with the smaller producers. So we're hoping the government will support it.

I know that the government has had a tremendous amount of pressure on Bill 17, and I know that they are for the small producer. I know they are, and this gives them that opportunity to be able to say to the small guy, look, we want to make sure that there are still some producers around at the end of the day. The big producers leave and, actually, we see a large exodus of the number of hogs. This will still keep the background, keep the roots that are so important in rural Manitoba, and those smaller operations, for them to be able to get started.

Now, I know that the Chamber of Commerce has put an awful lot of pressure on the government in order to re-evaluate their position. We've talked about the Credit Union Central. I'm not going to repeat that information; also the R.M. of De Salaberry, withdrawing their support, as well.

So, when we're looking at the overall amendments, we have to look at them in a way that's going to be able to say to the government, say to the people, look, we have some type of amendments that are going to be important that we can deal with in a way that's going to make the bill better. I certainly think that this will be an opportunity to make the bill better.

We, as opposition, have done, as I've said before, an awful lot of work, an awful lot of consultation in regard to ensuring that we do bring the right amendments forward, and I think this is one that would certainly be beneficial for all of those in Manitoba to be able to support.

Now, before I give the minister an opportunity to respond, I do think it's important that we also put on the record that whenever we looked at all these amendments, we had hoped that the previous three would have passed. Unfortunately, they have not passed. As a result of that, we really only have two amendments left that are amendments that actually can relate to the bill. Amendment 6, amendment 7,

amendment 8, amendment 9 and amendment 10 are irrelevant, because amendments 1 and 2 were actually defeated by the government, unfortunately. They were the ones that were so important in order for amendments 6, 7, 8, 9 and 10, in order to relate to the bill. So we really only have two amendments that we're actually going to be debating here this afternoon.

So this is a significant amendment. It's an opportunity for the government to take it back, have another look at it. Certainly, I know the minister had an opportunity to look at this prior to now. I'm sure that he's done his homework. He's done the consultation, Mr. Speaker. I know the Minister for Intergovernmental Affairs (Mr. Ashton) talked about consultation last week, in fact, on Thursday, when we talked about the Member for Carman (Mr. Pedersen) on his piece of legislation he brought forward and what consultation he has done. Well, we've done that consultation for the government. We've done it for the minister, but I'm sure he's done his own, and I'm sure he'll be able to comment on what the industry has told him in this particular amendment.

So we hope that the minister did do his homework and he does support this amendment, because I know we certainly have. We've talked to KAP. We've talked to pork producers. We've talked to the individuals, the small producers, the large producers and this does give us that opportunity in order to make sure, as I said before, the smaller operators, actually stay in business and be the backbone of the larger industry and supply those larger producers with the weanlings, with the piglets, with the sows, with the breeding stock in order to be able to sustain those larger operations, and we know that those large operations will still be here.

Ms. Bonnie Korzeniowski, Deputy Speaker, in the Chair

What I am worried about is the larger producers not having the opportunity to grow as a result of the hog moratorium that's been put in place and the ban on expansion of new existing facilities, but, by keeping this amendment in, will certainly keep and show interest in developing those markets—keeping those markets sustainable, keeping those markets alive.

Madam Deputy Speaker, I hope that the government will support this amendment, and I will let the minister speak at this point in time. Thank you.

Hon. Stan Struthers (Minister of Conservation):

The member opposite talked about doing her homework, and quite rightly so. He should demand that every one of us, all 57, do our homework, and I want to assure him that we have.

We have met, and I want to give full marks to the Manitoba Pork Council for their willingness to meet with me. I think I responded any time they wanted to meet, and I know they responded any time that I wanted to meet. So I commend the Pork Council for that.

Just yesterday, I met with the Business Council on these issues. We have met with KAP, Keystone Agricultural Producers, over the course of the summer.

I want to make sure that people understand the context in which this amendment is being put forward. Quite often there's confusion when we start talking about animal units: 300 animal units, 1,000 animal units, whatever it might be. The animal unit is more a reflection on the amount of manure that is produced. Different species of animals produce different amounts of manure. If you're a weanling or a sow, you produce a different amount of manure, and you end up with a different animal unit. What I'm afraid happens sometimes is when we talk about small farms, when we talk about small hog producers and 300 animal units, that there's a misconception out there that that actually is a lot smaller than what it really is. A 300-animal-unit facility, you could be talking about thousands of animals. You could be talking about something much bigger than what sometimes we leave the impression is what we're talking about.

First of all, I want everybody to understand that we're not just talking about the idyllic, very small farm with a couple of hogs here and a couple of horses there and a couple of cows and a quarter section of land. When we talk about 300 animal units, we're talking about something much bigger than that, and we need to understand the impact that amount of manure has when that manure ends up, more specifically, those nutrients end up in Lake Winnipeg and other bodies of water in our very beautiful province. I just want to make sure that we understand the context of that as we get into debating the amendment that's brought forward.

We are very concerned about helping, especially some of the smaller hog farmers, transition into the new framework that we will have in place. We have in the moratorium area, Bill 17, the moratorium that's

in place. Outside of the moratorium, we have also still some rules that farmers, hog producers in this case, need to follow. There are recommendations in the Clean Environment Commission to strengthen that as well, as members across the way know full well.

*(15:00)

So, given that, Madam Deputy Speaker, I want to say that we would not accept the amendment that has been brought forward, but that we do make a commitment as a government, as we have, in terms of working with farmers, whether they be small or big, in terms of helping to transition into the new framework that we've put in place here in Manitoba to protect water.

So I look forward to continuing to do our homework, continuing to meet with Manitoba Pork, with others, in terms of transitioning into the new framework that we're putting in place that's contained in Bill 17, but with all due respect, I can't accept the amendment that's been put forward by my friend from Lakeside. Thank you, Madam Deputy Speaker.

Mr. Cliff Cullen (Turtle Mountain): Thank you for the opportunity for allowing me to put a few words on the record in regard to the latest amendment brought forward by the Member for Lakeside (Mr. Eichler).

It's pretty clear the NDP government and the Minister of Conservation (Mr. Struthers) are firmly entrenched in their position on Bill 17. It's unfortunate they wouldn't have taken the time to reconsider their position after we've heard from over 300 presenters over the course of last spring who brought forward many good ideas of how this bill could be improved.

Now, it's up to us as opposition members to see that the government isn't going to be getting rid of Bill 17, so we're going to try to at least make this bill a little more palatable, if you will, for livestock producers and not only livestock producers, Madam Deputy Speaker. I think it's important to recognize that this is a very important part of the economy of Manitoba, and it's not just a part of the rural economy. The hog industry, as a meat industry, a meat-producing industry, plays a very important role in the economy throughout Manitoba. I think that's the important thing that we have to recognize and hope that we can impress upon this fact with the government, that this is going to have a very

profound effect on the economy of the province here in Manitoba. That's why we on this side of the House are trying to bring forward amendments to this legislation that we think will make it work a little better. This specific amendment, as the Member for Lakeside pointed out, is trying to address some of the smaller producers that are out there who also fall under the moratorium going forward.

We see it's been very good of the hog producers. They realize that the government's entrenched in their position. They're not willing to move. The hog producers, Manitoba Pork, the council has put forward what they feel is a workable solution that their members could work with. Unfortunately, the government of the day did not address their proposal and just, out of hand, decided not to listen to it.

Madam Deputy Speaker, this really is about nutrient management in Manitoba, and the minister was right when he talks about animal units. The significance of his statement is that each animal, whether it be a cow in the cattle industry, whether it's a turkey in the poultry industry or whether it's a hog in the hog industry, all those particular animals will end up producing manure, and what the government is doing is cherry-picking one particular industry out of the province and making them the scapegoat, if you will, for what's perceived just to be a water issue.

Madam Deputy Speaker, we on this side of the House and a lot of the other industries in the province are concerned with the minister's statement he made a few months ago in the House when he talked about dealing with the issue on a sector-by-sector-by-sector basis. In my mind, that raises a real red flag here about where this particular government is going to go in terms of their perception of dealing with water quality issues in Manitoba.

Now, we realize they've been very lax in trying to deal with the phosphorus situation here in Winnipeg. We know that raw sewage continues to flow into the Red River when we get rain situations such as we had overnight. We probably had another situation where raw sewage flowed into the Red River, but do we hear the Minister of Conservation (Mr. Struthers) standing up in the House and saying, we should put a moratorium on raw sewage entering the Red River from the city of Winnipeg? No, we don't hear that.

Why is that, Madam Deputy Speaker? Is that because of pure politics? Is the perception here that, if he can pin the tail on the donkey on this one, on

the hog producers of Manitoba, he can sell the concept of a government promoting clean water in Manitoba? Is that where we're at here in the province?

From our perspective and the perspective of many people and many experts throughout the province, Bill 17 is simply a case of politics over good public policy, Madam Deputy Speaker. The government's own scientists tell us the phosphorus generated on farms from hog manure probably only accounts for about 1.5 percent of the phosphorus loading going into Lake Winnipeg.

We acknowledge that everyone should play a role in addressing cleaning up Lake Winnipeg and the phosphorus loading in Lake Winnipeg. That's why we have second thoughts about this particular bill.

Is the minister going on a sector-by-sector crusade around the province and trying to shut down every industry? Is that his goal? Is that this Province's goal? Well, we're not sure.

But I think, Madam Deputy Speaker, if the minister would take a look in the mirror and if he would talk to his staff, they would tell him—and he should acknowledge—that he already has the tools in his toolbox to stop any phosphorus loading going into the water streams of our province in excess. Now we've got all kinds of regulations in place. We've got The Environment Act we've had in place. We've got manure-management regulations in place, livestock-mortality regulations in place. We've got all these tools in place that the minister can use to curtail any excess loading of phosphorus.

So the reality is, Madam Deputy Speaker, there's no need for Bill 17 and there should be no need for us as opposition to bring forward amendments to try to make this bill more palatable, because the minister already has the tools. In fact, I had the opportunity to talk to a retired civil servant. This fellow actually was a regional director in the environment department a few years ago, now retired, and we got talking about Bill 17 and the ramifications it has for rural Manitoba.

I put the question to him: Does the minister and does the government not have the tools it needs already in place to do the basically the same thing that Bill 17 is doing? And he said, for sure; by all means, the government has the tools in place to do that. So that is why we keep asking day after day in

this House when we talk about Bill 17: What is the motive behind Bill 17?

Madam Deputy Speaker, I remember clearly two years ago when the minister clearly announced the original moratorium back on November 8. I remember clearly that day when he announced the moratorium. The only caveat that he had on that announcement, the moratorium, was that if you had an anaerobic digester—if you as a producer spent probably hundreds of thousands of dollars to set up an anaerobic digester on your farm, you could be excluded from the moratorium that he proposed.

So I asked the minister today: Where are all the anaerobic digesters that he was proposing two years ago? Where has that program gone? Would it not be incumbent upon his department to help facilitate the development of anaerobic digesters? If that's the caveat for these people, maybe that's what he should be looking at.

* (15:10)

We know the University of Manitoba is actually starting to do some research on anaerobic digesters but, again, that's just a start. Obviously, the climate is different here in Manitoba than it is in some of the southern states, so there's a lot of work that has to be done in terms of anaerobic digesters. But where is the government, there, trying to help precipitate development of these anaerobic digesters?

These anaerobic digesters, as we know, are cutting-edge technology here in Manitoba, but they can be used in a very sound way to enhance nutrient management in the province, clean up the waste so we have a very nice product we can deal with and put back on the land as organic matter and fertilizer. It can be a very successful project. The other nice thing about anaerobic digesters, Madam Deputy Speaker, is that they can be used to produce energy. That's where the Minister of Conservation (Mr. Struthers) has got on side with the Minister of Energy (Mr. Rondeau) there and maybe Manitoba Hydro in the mix here, but at least set a clear policy for Manitobans that says, okay, we can take this waste stream, put it through a process, generate electricity and then generate and sell that electricity back to the market.

Madam Deputy Speaker: Order, please. The member's time has expired.

Mr. Peter Dyck (Pembina): Madam Deputy Speaker, I am pleased to get up to support this amendment that the Member for Lakeside (Mr.

Eichler) has put forward. I guess I'm somewhat amazed that the minister would reject this amendment and I'll give you the reasons for that.

We were both elected back in 1995, the class of '95 as we would call it. As we got together and visited and exchanged information about our backgrounds, he informed me that he had been teaching and now, of course, had come and gotten into politics. I indicated I'd been teaching one time as well and done a few other things in life and also was in politics. Also, he indicated he had come from rural Manitoba.

An Honourable Member: Just like you.

Mr. Dyck: I come from rural Manitoba, surprisingly. Right.

The other thing that we both had common affiliation or feelings towards was the fact that we both believed that it was imperative and important that the small producer, the small farmer, that we would try to continue to support them because they were the backbone of the country. Now I see this amendment coming forward. It is speaking specifically towards the smaller producer, and the fact that we would be able to assist the smaller producer to remain in the business, and the minister just flatly turns down this amendment.

I can see that he is fixated on the fact that Bill 17 shall not pass and it doesn't matter what comes. I was going to put another phrase and term in there. *[interjection]* It's a part about high water, yes, but I won't go there. Anyway, I'm amazed and astounded that he would be so entrenched in the position that he's taken that he will not look at any alternatives in order to be able to make this palatable for the producers in the province.

Now, Madam Deputy Speaker, I have a neighbour and a constituent of mine who is caught in this kind of a fix where he's a small producer, but he can't go out there and he can't make some of the changes that he needs to make in order to remain viable. So this speaks very specifically to many people within the province and, as I indicated, I'm surprised by the position that the minister has taken where it's basically a closed door. No, I will not look at any other possibilities, as of course he has said to the solution that Manitoba Pork had out there. Manitoba Pork came and offered that zero percent solution that he was going to put forward. Again the minister has just denied it and said, no, we will not accept that, even though I think the industry,

producers individually, collectively are trying to work together with government to try and resolve an issue that's out there.

Now, the Member for Turtle Mountain (Mr. Cullen) indicated very clearly that—and, again, last night we had a fair bit of rainfall. I would assume, as history would have it, that a fair amount of raw sewage went back into the Red River, again as a result of the water that we had last night, but also as a result of the need, or to be able to use our sanitation system within the city of Winnipeg. Nothing is said about that. It's interesting how we can close a blind eye to some of these problems that are out there, but we will go out there and we will try and pinpoint and deal with individual producers and try and take away their livelihood from them. I object to that, Madam Deputy Speaker. I believe that we need to open our eyes, that we need to look outside the box to see what conditions we can change in order to make this palatable.

Now, Madam Deputy Speaker, I would also agree that we all want clean water. On our farm, that is the sustainable part of the farm that we have. We have to have clean water. Any community has to have clean water and we all agree with that, but I believe that the direction that this government is going, with the implementation of Bill 17, is going contrary to what they're inevitably trying to achieve within this province. So I wish that the blinders would be taken off, that the minister would take off his blinders, that he would have an open mind, that he would, in fact, try to help those who are trying to make a living within the province of Manitoba.

Now, Madam Deputy Speaker, the hog industry within the province of Manitoba contributes in excess of over a billion dollars to the economy every year. These are huge dollars. These are the dollars that we need from the producers, those involved in the industry who are paying the taxes in order to be able to have health care, in order to be able to have the education that we have in this province, the social services, the highways and the list goes on and on. It's just simply the way the system works, and so I just fail to see why this minister is fixated in one direction, and that is at all costs, and will not listen to any, what I would say, sound reasoning that is possibly thinking a little outside the box and looking at sound reasoning and saying, you know, if we would implement that or, in this case, if we would implement this amendment, we would be able to help a number of producers.

Now, Madam Deputy Speaker, Manitoba's livestock farmers are committed to producing safe, high quality food in an environmentally sustainable manner in order to feed the world and, yes, we know that in the province of Manitoba, in excess of 80 percent of what we produce is exported. Again, those are the dollars that are generated in order to be able to have the services that we need in this province. Day after day we debate issues in this House, whether they be health-care issues, whether they be education, whether they be social services, whether they be highways, other areas that we debate and we look at ways that we can better achieve the end result that we want. In this case it's the same way. If we have a bill that's in place, why can't we improve on it?

Madam Deputy Speaker, I would indicate to you that, no, we're not looking at this from that point of view at all. We're looking at it from a point of view of political—or the political view. So, as the Member for Turtle Mountain indicated, that we had over 300 presenters coming and speaking to this bill and the vast majority—and I believe it's something like 99 percent of them—spoke in favour of the removal of Bill 17, and said that—and I'm going to give you a few quotations—but indicated very clearly that the motivation for this bill was not based on scientific evidence.

I just want to quote Dr. Don Flaten of the National Centre for Livestock and the Environment, at the University of Manitoba, and I quote: When I look out my window, I look at nutrients and I don't see special phosphorus molecules that come from hog operations versus cattle, or from manure versus synthetic fertilizers, or from the Legislative Building that might be on the combined sewer system of the city. I just see phosphorus, okay. If the moratorium is the way to go, then you folks at the Legislature have a lot more moratoriums to put on because there are a lot of sources to deal with and you're going to be busy with moratoriums. And that's the end of that quote.

* (15:20)

Now, these are people who have studied this, who have certainly got credible comments to make in regard to the issues that are out there. I just believe that we need to consider the information that we have, that has been given to us by the scientists who are out there, who are looking at the whole area of what really is taking place and, yes, do we want to have fresh water, clean water within the province of

Manitoba? Absolutely. I would indicate, and I would submit to you that the livestock producer is the one who has the most to lose if, in fact, he pollutes his own water source.

So, Madam Deputy Speaker, I believe it is important that we look at all ways, and if it comes through the form of amendments, I know that sometimes we have to bite our tongue a little bit in order to be able to work together with the community, with the industry, that we need to be able to work together to achieve the end result of that which is best for our water systems within the province.

I just would encourage the minister to again have an open mind, to look at the amendments that are brought forward because we know that the province, the industry out there is looking to the minister for direction, yes, but because of the regulations he already has put in place, the regulations that are out there, I believe that he is able to achieve the end result of what he is looking for.

So, Madam Deputy Speaker, I see that my light is flashing here so with those few words, I want to thank you for this opportunity.

Madam Deputy Speaker: Order. The member's time has expired.

Mr. Leonard Derkach (Russell): Madam Deputy Speaker, I'm pleased to speak to this amendment to Bill 17, but this amendment, I think, tries to make lemonade out of a lemon because the government has proposed a piece of legislation here that I think just assaults the agriculture sector once again. That's kind of a characteristic of this government in terms of their attitude toward our agriculture.

I see the Minister of Conservation (Mr. Struthers) sitting in the Chamber, and I have to really look at him and wonder whether he really believes what he is doing. I would have to say that in his heart of hearts he does not, because this is something that has been dictated to him by his leader, by the Premier (Mr. Doer), and he is trying to carry out nobly the task given to him by his Premier. But, Madam Deputy Speaker, I believe that as a practical, reasonable individual, he does not have the commitment to this that you would normally expect from a minister.

But, Madam Deputy Speaker, I know how close to the land this minister is. I know that he believes in, you know, all of the good things that we have out there in rural Manitoba. I remember that when he

was the opposition member, not in government, I had the opportunity to be able to announce a project in his riding that I made him a part of, as a matter of fact. That's something we don't see from this government. I don't think I've ever been invited to an announcement that this minister has made or this government has made, but in those days we had a more collegial attitude and approach to things. When we made announcements, we often invited the MLA for the region to join us in the announcement because I thought that at that time it was good news for everybody, good news for his constituents, good news for him and good news for us.

So he joined me in an announcement in Dauphin where we were trying desperately to clean up the water situation in Dauphin. We were doing positive things then, but we weren't forcing foreclosures on the expansion of the city of Dauphin or on the expansion of residents in the municipalities, or we weren't curtailing the ability of the town to grow or the city to grow, as is the case in this particular bill. In this particular bill, the Minister of Conservation, for whatever reason, has now decided that the way to fix things is to stop growth, to stop expansion, to stop development, and that's how you clean things up. Well, Madam Deputy Speaker, he's wrong, and he knows he's wrong, but he is just trying to carry out a mandate that has been given to him by his boss. But I think that the minister, once he's out of that portfolio, will acknowledge that, indeed, this was not the smartest move the government could have made.

Madam Deputy Speaker, I have never seen anybody accomplish anything positive by putting a knife in the back of the people who put the food on the table, the people who generate the economy for our province and people who, by and large, have been good stewards of the land. They have been excellent stewards of the land because, if the government were in charge of the land, my God, what would we expect?

Well, let's just take a look at it. I have to point out that a lot of the lagoons that we have in our towns and cities are in fact a result of government, because they are the ones who put the controls on. They are the ones who developed the designs for them, and we have a disaster in every community that you want to point to across rural Manitoba because most of those lagoons are leaking. Most of those lagoons are seeping and creating saline areas around those lagoons no matter where you go.

The only one that I know is a true lagoon that doesn't impact the environment negatively is the Roblin lagoon, Madam Deputy Speaker. The minister will acknowledge that it is probably one of the best examples of a lagoon doing what a lagoon is supposed to do. If we were to adopt some of those principles of that kind of a system to many of our other communities, we would truly be impacting the environment in a positive way.

The other thing that we could do is, indeed, clean up what is happening right here in the city of Winnipeg. If the minister were to join me in a little trip down the Assiniboine River, from the outskirts of the city to The Forks here, he would understand what I am talking about because that has become a sludge channel for this city. If you were to fly over it in July, you would see nothing but a green mess of algae growing on that river. The reason for that, of course, is all of the untreated sewage that is being allowed to be disbursed into that channel.

Mr. Speaker in the Chair

So, if the minister were really serious about doing something, we would address those areas that are causing the greatest harm to Lake Winnipeg. That is indeed something that is happening right here in the city of Winnipeg, the raw sewage that is allowed to flow into the channels. But the minister says, we're going to clean that up in the next 15 years. Mr. Speaker, that's not a proper way of addressing it.

I would challenge the minister to find me one agriculture hog lagoon that has ever leaked into a water body which has caused a pollution problem to a lake or a river. I know that the minister can't find one example, not one example. Now you can't say that about the human-effluent lagoons that we have across this province, but we don't see curtailment of expansion of those in this province. We see a minister who has decided for political purposes for right here in the city that it's more expedient to say no to expansion of the hog industry in rural Manitoba.

Yet the minister will stand up and say, there's plenty of room to expand beyond this zone. Mr. Speaker, if you really look at it, are those areas really conducive to hog expansion and are those municipalities ready to accept hog lagoons in those areas and hog expansion in those areas? So, practicality has to have some semblance of order here, because the minister needs to take a look at

what is practicable and do what is right and allow the economy of our province to continue.

I know the minister has sat silently and embarrassed at the presentations that were made on the bill in committee stage. Now he was embarrassed because, when young people stand up to the minister and challenge him to give him some answers and he sits there silently and cannot provide an answer and then you challenge him to give the answer and he says, my job is to listen, not to provide answers—it seems to me, Mr. Speaker, that shows you that the minister was in fact was embarrassed at this bill and took a beating. He took a real beating in the committees when presenter after presenter made the same point. I see that the table is showing me two minutes. I'll try to wrap up as quickly as I can.

I just want to say that what we are trying to do with the amendments that are being presented by the critic for Agriculture and from this side of the House—and I'm hoping that the Liberals will join us in supporting these amendments—is just to try to make a better situation out of a bad situation, Mr. Speaker, to allow the industry to continue to operate in this province in a reasonable fashion, cognizant of the fact that there is potential for pollution if things aren't managed properly.

* (15:30)

But we can work with the industry. Rather than work against it, rather than put the big hammer down, we can work with the industry to make sure that the industry starts to self-govern and starts to self-discipline itself when it comes to the number of units that they have in a particular system. What the amendment is talking about is that the 300 animal unit be allowed to expand, and I think that's reasonable.

We know from our side of the House that we can't stop this bill, but, indeed, we are trying to make it better and trying to make it more acceptable to the agricultural community of our province that this government has decided to attack. Thank you, Mr. Speaker.

Mr. Blaine Pedersen (Carman): I also want to rise and support this amendment brought forward by the Member for Lakeside (Mr. Eichler) as it pertains to animal operations under 300 animal units.

I was here for the Minister of Conservation's (Mr. Struthers) comments after the Member for Lakeside introduced this, and he talked about small producers and the transition into the regulations. Mr.

Speaker, either the Minister of Conservation hasn't read the bill or he doesn't understand the bill. There is no room for transition here. You cannot, cannot, do anything in terms of updating your operation, changing your operation in any manner, because of Bill 17.

It's totally strange that a government would bring in legislation like this, should be strange that a government brings in legislation like this at a time of food shortages, spiralling food costs around the world, and here we have the hog producers of Manitoba amongst the most regulated in the country, in the world. They're doing an excellent job and this government is going to shut them down.

As the comments were being made, I, too, was there through the hearings on Bill 17 in committee this spring, and the Minister of Conservation sat there through these. There was one presenter, Dr. Peter Hombach, who gave a presentation about aerobic digestion, which is different than anaerobic digestion. This was one of the rare times where the Minister of Conservation asked a question of a presenter and told the presenter that he would like to meet with him.

So I exchanged e-mails last week with Dr. Peter Hombach who lives here in Winnipeg. Guess what? Haven't heard from him, no response, doesn't want to meet with him. I think Dr. Peter Hombach understands what Manitoba Pork is faced with and what the hog producers of Manitoba are faced with. Closed mind, don't listen, don't want to know it, because through all this rhetoric, if I may call it that, that the minister has given out to both the media, to the hog industry, not once has he talked about measurable goals in phosphorus reduction. Not once have you ever mentioned measurable goals.

You do not know if Bill 17 will actually reduce the phosphorus content in municipalities like Hanover and La Broquerie, which you love to use as examples of over-production of phosphorus. Where in Bill 17 will you measure the reduction in phosphorus? Where in Lake Winnipeg will you measure the reduction in phosphorus? Because two, three and five years down the road, you will have no means to measure any difference in the phosphorus levels. You've managed to eliminate an industry out of the province, but never once have you given measurable goals in spite of the people from university and other experts coming forward to tell you, we have the tools to do this. We could set this

up. We could measure. But, no, Bill 17 is the answer. So we also know that there is no other answer. It's all about politics and not about science.

Again, Mr. Speaker, the minister quotes the Clean Environment Commission, the report from the Clean Environment Commission and all recommendations but, to date, you have still not put one measurable goal in place in regard to Bill 17. So, again, you can talk about the Clean Environment Commission; you can talk about the 48 recommendations, but there is no yardstick to measure these by.

Manitoba Pork brings out their three-step approach. It's unfortunate that the minister just categorically rejects them out of hand, calling it the Manitoba Pork Tory plan. I'm not sure where he came up with that but, again, it's a mindset. It certainly resonates with the NDP caucus—don't think, don't think for yourself, just follow the line of the leader here, who has said that you will support Bill 17 at any cost. Don't talk about science; don't talk about measurements.

It's always interesting to listen to members when they get nostalgic about when they were first elected and when they came in. I did come across a piece of legislation that was passed on July 1, 1998, and it's called The Sustainable Development Act. Under the principles of The Sustainable Development Act, it says and I shall read: Manitobans should anticipate or prevent or mitigate significant adverse economic, environmental, human health or social effects of decisions and actions, having particular careful regard to decisions whose impacts are not entirely certain but which on reasonable and well-informed grounds appear to pose serious threats.

Now, where is the reasonable and well-informed grounds? Is well informed from the Premier's office? Is that the well-informed basis for this? There certainly isn't science. I won't talk about who brought the act in. The Minister of Conservation was in opposition at that time, so I'm sure he was opposed to sustainable development at that time. I can understand why he wouldn't want to talk about the social effects that Bill 17 will have.

Even last week, the government does its usual flip-flop. They're good at this. First of all, they tell the City of Winnipeg to remove nitrogen from the city of Winnipeg, from their sewage treatment stations. Now they've decided they're going to send it back to the Clean Environment Commission to review that.

Could it be that they're short of cash, that they've blown all the money that the feds have given them? Why is it, all of a sudden now, they're going to send it back to the Clean Environment Commission?

The Clean Environment Commission brings out 48 recommendations in regard to the hog industry. They don't listen to them for that, so is this another delay tactic, cost-cutting measure on their point?

Mr. Speaker, the inconsistency of this government is so predictable on here. We have a Bill 17, which is not based on any science, based on pure politics, and they're trying to sell it to an urban audience who has no knowledge of either the hog industry, no knowledge of the phosphorus. In fact, even when the Premier in answering in question period talks about ammonia and nitrogen, ammonia and nitrogen, although different elements, you're talking about the same thing so perhaps even he should brush up on his chemistry on this.

*(15:40)

An Honourable Member: You're the expert.

Mr. Pedersen: No, I am not an expert. I am not an expert and neither are you guys, but you will not listen to experts, and that's the point that we're trying to get across. Listen to the experts. Don't listen to the Member for Thompson (Mr. Ashton), because I'm sure he's a phosphorus expert on this. By all means listen to the Member for Thompson. Don't listen to Don Flaten, Dr. Don Flaten from the University of Manitoba, who can actually tell you the difference.

This government has a political agenda on this. They're not about to turn around. It's unfortunate. This will come back to affect them. It'll affect jobs in the province. It'll affect the economy, and this government has no intention of backing down on any of this, and they will pay for it in the long run. Thank you, Mr. Speaker.

Mr. Larry Maguire (Arthur-Virden): It's a pleasure to be able to comment on my fine colleague's work from Lakeside constituency who brought this amendment forward to deal with the situation that we have in Manitoba today where the government has just—you know, there's an amendment that's come forward from their horrendous Bill 17 to allow for the expansion of operations that have up to—or building of a new operation rather up to 300 animal units in Manitoba. I was just looking through some notes, and even their own planning act that the government passed, and I was the critic when this was going through, allowed

for the use and expansion of animal production up to 300 animal units in Manitoba and their own legislation says that up to 300 animal units is exempt from their own regulations. But yet they won't allow the expansion today by accepting the amendment that's come forward to allow for a 300 animal unit to even be set up in the province of Manitoba—in half of it, pardon me Mr. Speaker You can do it out in my area, own a half—probably 39 municipalities to be exact.

So it's kind of funny, Mr. Speaker, but it's a sad irony that the government has no consistency in its plan—no plan—there is another acronym for the "d" in there, but no plan. There is no plan by this government to be consistent in their—*[interjection]* You know, maybe the Member for Thompson was down at the train station at 2:30 today and he could have seen the green shift there. Of course, that's not the party that he'd be backing in the riding that he comes from in the federal election, but I digress. This is about the amendment that has been brought forward by the Member for Lakeside (Mr. Eichler) to allow animal operations up to 300 animal units to be built new in the province of Manitoba. New with the new technology that's available today. New with all the science that backs the new technology that's out there today. Lots of new technology that's available to these people today to make them leaders in the world for the largest livestock industry that we have in this province, the hog industry today.

Now, the minister—and I've heard many of his colleagues who may be less familiar with this than he is, but I'm sure he's not one of the silent experts on this as well. They say that there are 9.4 million hogs in Manitoba and there are. But I want to make sure that the minister is aware, and I maybe said it in this House before, that four million of those are either baby piglets or at the most weanlings. Now I guess my comment was just how much can a wee little piggy leave behind before he leaves Manitoba when he doesn't even eat any grain before he leaves. You know, is he saying that he's against—that his party is now saying that the mother's milk of those sows isn't even good enough, that there's some pollution coming out of that, that they can't accept these little piglets leaving the province. Half the pigs in this province leave before they have an opportunity to even put, probably, let's say 10 percent of the excrement that they might leave behind gets to stay in Manitoba. He's now against the—and those pigs go to the United States, Mr. Speaker. They don't just leave Manitoba to go to other provinces. They go to

the United States. Those four million weanlings leave this country and they are paid for by U.S. dollars that help this minister and his government maintain the tax position that this province has, poor as it is, but it's U.S. dollars that he's turning down.

Now, when you talk about consistency, we just passed a bill yesterday, CentrePort, a very important Bill 47 into the Legislature here. It was discussed; we debated it. It's going to go to committee on Thursday night. We encourage the government to move forward with CentrePort, but, you know, CentrePort is going to develop only on the basis of entrepreneurial spirit. The government can wish it to happen all they want, but it won't happen through their wishes. It will only happen, and they acknowledge this, I believe, through entrepreneurial spirit. A lot of that entrepreneurial export is going to have to go to the United States. It's going to be paid for with U.S. dollars, and those dollars will come back into Manitoba, particularly here in the city of Winnipeg, to be valuable for all of our industries in this province and many more that we hope will come here and expand. But those are U.S. dollars.

So what the minister is saying, well, we'll have CentrePort; it's okay to accept U.S. dollars. But we can't export four million little piggies that only leave 10 percent of their excrement behind before they leave this province. So we're down to five, Mr. Speaker. That's only doubling of the industry that we had back in the '80s.

So, you know, the minister, as I've said before, is trying to solve a problem by using a sledgehammer to kill a fly. It's a sad day when the minister can't stand up and defend what his own constituents believe in, Mr. Speaker, and that is totally—and I know. I've been through the Dauphin constituency a number of times, a number of times before I got into this Legislature to be a member of the Legislature. I was there when I was running for the Wheat Board Advisory Committee. I was there a number of times in those days, and I was successful with much support out of that region. I saw many, many, many, many livestock operations in his constituency.

So I say, Mr. Speaker, if he's against the development of the pork industry in Manitoba or—you know, I noticed that he didn't include any of his area in the moratorium. I just wanted to say that it gives, I've been told, it gives his constituents little solace to understand his reasoning behind why you cannot have pork expansion, particularly through this amendment. I mean, we're giving him every

opportunity to provide him with opportunities and suggestions and ways to make the industry survivable in this province.

Of course, I would quote Mr. Trevan, the dean of the University of Manitoba. I believe here I have a comment from him in here that, I think, is very telling, and that is that his concern was, of course, that it's all about this being more about politics than anything else. But the minister, or the Dean of the Faculty of Agriculture at the University of Manitoba said, and I quote: What really troubles me is that the minister, pretending he's working on the basis of the recommendations by the Clean Environment Commission, implies that the science is supporting his cause, and it doesn't. As soon as you get into that sort of situation where politicians pretend they have evidence that supports what they're doing, you damage both the political machinery and the machinery, in this case, the university—and he's referring to the University of Manitoba there—that's been providing that evidence. End quote.

You know, it's one thing to put down farmers; it's another one to put down a specific sector of the livestock industry, a specific sector of the farming community. It's another one to put down processing because, of course, the minister is—and then it's another one to totally put down the science-based entities that we have in the province, the fine scientists that we have at the University of Manitoba, when he will not even accept the science that they are putting forward, Mr. Speaker, and they're doing great and fine research. I beseech the minister to go down there and have a look some day. I think that he would get his eyes opened on the wonderful, fine work that they're doing in the University of Manitoba. He doesn't have to agree with their science, but he should at least have a look at what they're doing.

I wanted to say as well, Mr. Speaker, that the lack of consistency on this government is also in the fact that, you know, all during the last election campaign, they hammered away saying, well, you know, you have to have, you can't look at Lake Winnipeg without removing the phosphorus and the nitrogen. Well, now, on the road to Damascus, whether it was an epiphany had by the Minister of Intergovernmental Affairs (Mr. Ashton) and the debate that he had with the two other leaders of the parties of Manitoba, you know, he came back and, to his credit, he must have, after that speech and debate where he got so beat up, he must have at least been able to get through to his colleagues that, you know,

this is wrong. We've got to flip-flop on this idea. Nitrogen comes from the atmosphere; 80 percent of it's going to be in Lake Winnipeg no matter how much we try to take out. We just need to look at phosphorus. Oh, and by the way, it might save us \$100,000, \$200,000, \$300,000 or \$400,000. Not thousand, pardon me, Mr. Speaker, \$100,000, \$200,000, \$300,000 or \$400,000 in savings to just go ahead and look at doing what everybody else says we need to do, and that is look at the removal of phosphorus. That comes from also the lake stewardship board—Lake Winnipeg Stewardship Board—that has made those recommendations. I've had the opportunity of talking to a number of them. You know, even the Lake Winnipeg Stewardship Board found that 53 percent of the phosphorus loading in Lake Winnipeg comes from upstream jurisdictions, including the United States, Saskatchewan, Alberta and Ontario. Maybe that's why they've finally seen what needs to be done and have flip-flopped and put it back in the hands of the Clean Environment Commission to do another review, while they've also hired an independent group to come up with what they think they should do as they move forward, as well. Of course, as I've said before, they don't listen to the Clean Environment Commission. They put 40 recommendations forward in this bill and they immediately put a moratorium on.

* (15:50)

I want to close, Mr. Speaker, by saying that, if the minister had any gumption, if he had any integrity, he would get his policies straight and support the farmers, not only in his region, but in the rest of Manitoba. I know that he supports the—

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

Mr. David Faurichou (Portage la Prairie): It is a privilege for me to participate in debate this afternoon as it pertains to Bill 17, The Environment Amendment Act (Permanent Ban on Building or Expanding Hog Facilities).

I do want to take this opportunity to firstly compliment the honourable Member for Lakeside (Mr. Eichler), who has done a yeoman's job in regard to bringing the interests of those that took time out of their busy schedules to make presentations to committee, and converted what was heard at committee into amendments to the bill, that being Bill 17.

Mr. Speaker, I hope the minister is listening. I spoke earlier on another amendment, and I looked to the minister and he was listening. I believe it is important that the minister, not only listen at committee, but also listen to the debate on a bill to which he is responsible for bringing to the Assembly.

After I spoke, the minister responded in saying that this bill was all about water, and the quality of water to which all Manitobans not only expect, but desire. That could not be farther from the truth because I did have a chance to reference a Hutterite colony who has done absolutely an outstanding, documented job of maintaining water quality in and around their hog operation. It is the minister's own department that has provided that documentation.

So why, then, can the minister stand up and say that he is introducing this legislation and preventing Norquay Colony from expanding their hog operation because they are in the hog ban area that Bill 17 refers to? They have proven, and his own department has documented and verified, that they have had no ill impact on the water quality in and around their hog operation. Yet the minister has seen fit to penalize Norquay Colony, even though his own department has said that the minister is wrong when he stands up and says this bill is about water quality. The minister cannot make that statement because his own department, in fact, has the documentation, the actual facts that say the minister is wrong and this bill is unnecessary.

Now the specific amendment that we have here this afternoon recognizes that those persons that are small in scale of their hog operations, and the need that smaller operations have to grow larger and try and garner a better level of production and enjoy the economy of scale, as is known in taking economics, that can be provided with the additional housing and numbers of hogs within their operation. This particular amendment still allows for that, and the minister, I trust, is engaged in making certain that his legislation comes forward, that it is reflective of the true understanding of the situations. I've just given the minister only one example of what the hog industry has accomplished with the engagement of technology.

Again, I did not have enough time, Mr. Speaker, to make mention of the presentation from Fairholme Colony who made presentation regarding their own hog operation which is in very close proximity to a campground that is used by many, many persons that are urban dwellers. They come to the rural and want

to enjoy the scenery and the quiet and the fresh air of the Assiniboine River valley, yet there is a hog operation within a quarter mile of that campground and there have been no complaints.

I asked the question of the Fairholme Colony as to the relationship between themselves and the campground, and he said, it couldn't be any better; we get along very well. This is the type of relationship that does indeed exist out there that this minister is not recognizing when he brings forward legislation and after—[interjection] I'm hoping that the minister is able to listen, although there is distraction in the House here by conversations, but the minister should recognize the presentations and be supportive of amendments such as the one brought forward by the honourable Member for Lakeside.

Yet the past amendments have all been lost because of the government's ill will towards agricultural producers here in the province of Manitoba regardless of how proficient and how environmentally friendly, how innovative they are, how much they have done to make certain that they care for their neighbours as well as themselves in how they conduct their farming operations.

It's obvious that this government either isn't listening or not willing to listen, and it is disheartening to view this first-hand as a member of the Legislative Assembly, when government members turn not only a blind eye but a deaf ear to Manitobans that have taken time out of their busy schedules to help us understand truly the hog industry in the province of Manitoba and the advances that are continuing to take place.

The application of manure has advanced so much even in my tenure here at the Legislative Assembly, to go out now and to sit in a tractor cab, fully automated to the point where the tractor steers itself so that there is no overlap, no over-application, whether it be manure or any other operation that that tractor is engaged in. This is the technology that does exist and is advancing even to be more sophisticated that this minister, this government, through this legislation, is not listening to.

*(16:00)

So, Mr. Speaker, I thank you for the opportunity to participate, and I hope members opposite will recognize the importance of supporting the hog industry, especially those that are starting out with

smaller operations which this amendment addresses. Thank you.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House, the amendment moved by the honourable Member for Lakeside (Mr. Eichler).

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

Some Honourable Members: Yes.

Some Honourable Members: No.

Voice Vote

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

Some Honourable Members: Yea.

Mr. Speaker: All those opposed of the amendment, say nay.

Some Honourable Members: Nay.

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

Mr. Gerald Hawranik (Official Opposition House Leader): On division.

Mr. Speaker: On division.

* * *

Mr. Speaker: Okay, that takes care of that amendment. We will now move on to the next amendment.

Mr. Eichler: I move, seconded by the Member for Arthur-Virden (Mr. Maguire),

THAT Bill 17 be amended in Clause 2 by adding, at the end of the proposed subsection 40.1(5), "except where the modifications or construction result in an operation capable of handling a maximum of less than 300 animal units of pigs".

Mr. Speaker: It's been moved by the honourable Member for Lakeside, seconded by the honourable Member for Arthur-Virden,

THAT Bill 17 be amended—

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

Mr. Eichler: What this amendment does is it allows the director, where he can see certain modifications or construction as a result of new technology, new

methods of anaerobic digesters or such that will allow 300 animal units or less to be constructed, or up to those 300 animal units. So it's again a significant amendment that ties in somewhat to the last amendment, but this has more to do with the modifications.

Also, what we want to do is—a number of people have said on this side of the House, including myself—we want to encourage the best science, the best technology that's available for our producers. In order to do that, we're going to have to put incentives out there but put checks and balances in place for them in order to allow for the construction or increased modifications, so that they can get up to those 300 animal units. So, if we have a producer that's sitting at 200 animal units and he makes changes to his operation, then in fact he would be allowed to increase that up to 300 animal units and not have to have the director turning down.

So a significant amendment again—it's another tool that will allow the minister and the director the authorization to encourage that, as we certainly want to see. We know that we have great research that's available to our producers and we want to see that continue.

The last thing we want to do, no matter what industry is with us—the cattle industry, the dairy industry, the hog industry—we want the best science that's out there, the best technology that's out there, in order for us to see each of those industries grow and prosper. We know that no matter what industry it is, we need to encourage science and we need to encourage technology.

So what we want to do by this amendment is allow those units, 300 or less, that opportunity to be able to expand and not have any ramifications of—quite frankly, it encourages them to do that because they will be able to recoup some of those costs.

Now, with the larger producers, that has to be absorbed. There's just no way they're going to be able—the way that Bill 17 sits—to increase those animal units. Unfortunately, this will help the smaller producer, not the larger producer, but it's certainly one of those tools that we feel is very important.

We also have stated several times that we believe that we need to base all our decisions on good science and good technology. Certainly, we have done that with this particular amendment. Again, it was done in consultation not only with Keystone Ag Producers, Manitoba Pork and a

number of the stakeholders, so we feel it is an important amendment.

We ask the government to support this amendment. As I stated before, we really only had two amendments, but there is one. This one kind of duplicates the first one with the exception of the modification part. So, when we're referring to two amendments, we have one more after this, and then the other ones are non-applicable because of the first amendments being defeated, Mr. Speaker. I just wanted to clarify that at this point in time.

Also, before I do let the minister respond, I think it's important that, whenever we're talking about these amendments, we do everything we can in order to ensure that we have covered off all those bases and make sure that we have debated this bill in a way that's going to be sustainable for our hog industry. I know that the Member for Carman (Mr. Pedersen) mentioned the CEC report and the 48 recommendations that were brought forward. We really haven't seen the CEC report have the opportunity for those recommendations to be implemented before we put the ban on. As I've said before, and a number of my colleagues have said, we had a moratorium in place. We really don't need the bill, but if we've got to go ahead with a bill, let's at least fix the bill up where it's going to be able to help some of the smaller producers. Even though we wind down on our amendments, we have a significant opportunity at this point in time to do that through this amendment to the bill and this is on 40.1(5) that this particular amendment is being drafted for.

So, having said that, Mr. Speaker, we certainly hope that the minister will—and the government's side of the House, see light to support this particular amendment. We feel that, as I say, they are very important and hopefully, the government House would see fit to pass it.

Mr. Struthers: Mr. Speaker, I want the Member for Lakeside to know that I really do appreciate his efforts to increase the toolbox that is available to government in terms of dealing with water protection. The problem is he keeps trying to put monkey wrenches into the toolbox. This is no exception. So I suppose by those comments you can tell that I'm not open to accepting this amendment that came forward.

Mr. Speaker, we're not going to back off with our commitment to protecting water through Bill 17 in this case as part of a comprehensive approach that looks at all sources of nutrients in the province.

We're not going to back off of that. What the member puts forward is actually redundant because of the exception that we have built in in clause 40.1 It's there already. It's a commitment in that exception clause that we have made to working with Manitoba Pork, working with producers, working with the Business Council, working with Keystone Agricultural Producers, working with the industry to encourage innovation, to encourage the development of technology that could be helpful in protecting Manitoba's water. We think that farmers have done this for generations in our province. We think that farmers will continue to do that after the passage of Bill 17. We think that farmers understand that water is absolutely essential, paramount in good decision making all across our province.

So we want to make sure that we can reflect accurately the CEC recommendation that came forward, a recommendation that said that we should be involved in research. We should be involved in innovation. We are willing to do our part as the provincial government to make sure that happens, and that is why we've already built in to Bill 17 clause 40.1 that covers off the concerns that the Member for Lakeside has brought forward.

So, Mr. Speaker, I don't believe we can accept the amendment as put forward by the Member for Lakeside.

Thank you very much.

Mr. Maguire: Mr. Speaker, it's again a pleasure to rise to speak. I had the privilege of seconding this amendment brought forward by the Member for Lakeside, my colleague, our agricultural critic. This is a desperate attempt, I think, to try and provide farmers with some options in this bill, this terrible Bill 17 that the government has brought forward in The Environment Amendment Act (Permanent Ban on Building or Expanding Hog Facilities).

* (16:10)

There isn't anybody who isn't in favour of clean water in the province of Manitoba, but the government has no priority in how they're going to do it. They're playing a blame game; that's what the bill should be called. They're blaming a particular sector of an industry and one particular industry. So they feel that they can get away with this when they have no science to back it up, as I've said in previous comments in speaking to this bill.

This amendment certainly allows for the technology that is out there today and new

technology that's being worked on down the road to provide Manitoba to continue to be leaders in environmental management.

I've spent a number of my days as a farmer and a farm leader crossing Canada. I had the opportunity of being on the federal environment committee myself, Mr. Speaker, back in the early days of the Agriculture Policy Framework to help develop new technology, to provide better environmental management of the livestock, grain crops, the use of other farm inputs that we have to make sure that they're being used responsibly and in a scientific manner.

This government turned the rules. They were there when the toughest regulations on manure management and mortalities came into being in North America under the former Minister of Agriculture, Harry Enns, in this province. It was deemed to be leaders in Canada, leaders in North America, in fact, at that time in the late '90s, Mr. Speaker.

And the government—that wasn't good enough. When they came in in '99, we supported some of their efforts to turn those regulations into rules, and I still support those because the industries supported them. The industries in Manitoba said, we will abide by the new rules for manure distribution. We will abide by the science of soil testing. We will abide by the measurement of the manure that's being placed on our farming operations.

Mr. Speaker, but, with all of those in place, the government came in with this idea through the Premier's (Mr. Doer) office that they would just have a moratorium. It'll be temporary, but we'll have a moratorium. It lasted 14 or 15 months. Got them through the '07 election, and then everybody thought in the industry that, well, they must have come to their senses. The Clean Environment Commission will come forward with recommendations that will be sensible and they did. There were a number of, 48 recommendations that came forward, and the very day it came forward, the government slapped a permanent ban on by saying they were going to bring this bill in.

Mr. Speaker, that's not being responsible. That's, as I've said, using a sledge hammer to kill a fly. It's a blame game, and that's exactly what this bill is all about. I daresay that the Member for Interlake (Mr. Nevakshonoff) would not be as amenable to this kind of a bill if it was a moratorium on sheep in the province of Manitoba because, of course, he has

some sheep that he tells me about in the Interlake. I just daresay that he wouldn't have been quite as aggressive as he was in his comments in the House the other day in regard to his support for this bill when he actually said that the farmers in his area located all their barns in the wrong place anyway. I was struck by that. I just couldn't believe that any member would run down his own farmers in his own region as badly as the Member for Interlake did the other day. It astounded me, and it's in *Hansard*, to boot.

Anyway, Mr. Speaker, I think that one of the things I want to talk about here is that the scientists that we have are very honourable individuals, as we always say we are honourable individuals in this House, and yet I just heard the minister indicate, in regard to the amendment that's come forward, that the Member for Lakeside (Mr. Eichler) was doing a great deal of service for the farmers in Manitoba. It's just that amendments like this were seen as a monkey wrench to throw into the gears of the industry.

Mr. Speaker, let me make it very clear. One of the largest, not just livestock, the largest sector of agriculture that we have in Manitoba, thousands of jobs, over a billion dollars in economic activity in spite of the downturn that we've had, slightly under that last year because of the market problems that have been there brought on by a number of U.S. political processes and the COOL legislation, and a number of other threats that have been there, and certainly more than threats. A number of policies in regard to grain usage.

But, Mr. Speaker, the minister thinks that he's doing this to one particular sector, and I pointed out earlier that this is not just about pigs. This is about banning the expansion of small farms being able to be expanded in this province. The minister goes on about how his government and the Minister of Agriculture (Ms. Wowchuk), as well, how they are such proponents of the small farms in Manitoba, and, yet, everything they've done since they came in in 1999 has tried to put them out of business. And this is the epitome of ridicule in the type of bill that they've brought forward on this one, because it certainly does not help the small farmer when they won't even let small farms begin to expand in the 39 municipalities, over half the agricultural area, or virtually half the agricultural area that exists in the province today.

The situation that we're faced with is around the Red River. As I pointed out earlier, 53 percent of the

phosphorus that comes into Lake Winnipeg comes from those other jurisdictions outside our own province. Perhaps there could be arrangements and agreements worked with in some of those areas. Perhaps they could use other means to establish buffer zones and other things that they've wanted. The industry has said, and they said and said and said in the presentations that I heard every night in the Legislature during committee, Mr. Speaker, that they will abide by whatever rules and regulations that the government can put in place. They will abide by them, and they have, but you can't put a brick wall up—that's what they were told—they told the government, you can't put a brick wall up that we don't even have any options on, and that's what's been done by this bill. It's the stonewalling of the House of not being able to accept workable solutions that have been put forward by the Member for Lakeside (Mr. Eichler) and suggested by over 300 presentations that we heard at committee, the largest amount of presentations ever for a public bill in the province of Manitoba. It was astounding that the government has got such closed ears on this. I know from the travels, as I said earlier, through the Dauphin constituency that there are many, many farmers in that region who want to continue to be able to raise livestock in their operations.

Mr. Speaker, he thinks that, as I said earlier, this only affects livestock farmers. In fact, it only affects pork producers. This bill affects far more than just pork producers. There's a lot of other livestock producers out there saying, when will the hammer come down on us? Will we be next? Well, let me digress even one further, if you will, to say that we're in a situation right now in the grain sector in Manitoba where we're faced with a humungous amount of rainfall. Many of my own colleagues, I know the Minister of Agriculture's in areas where it's wet. The Member for Dauphin's (Mr. Struthers) own constituency can't get the crop off. There's been a delay. A lot of that product is going to be sprouted, has already sprouted, and I farmed 30 years, or more than that, and I know that when you get into these kind of wet conditions, you get a deterioration in the quality of grain and it doesn't go for export as well.

Mr. Speaker, that grain is used in the livestock industry here locally in Manitoba, so what the minister is doing by putting this ban on, half the province of Manitoba is cutting off the market for the very grain that is left out in the fields that the farmers are going to have a hard time getting rid of, or marketing, even at these prices. The minister has no

idea of the impact and ramifications of his decisions on this bill, and that's why I say that he's just being a political puppet for the Premier (Mr. Doer), whose office this bill came from in the first place, and I think that the minister, you know, as I said in my previous remarks, he's a biofuel supporter. I know that. But also, this bill includes biotech barns, and he won't even allow straw-based operations to move forward, so that means that it's manure that can't be distributed on a land just like the cattle operation.

I want to say that rather than being the Premier's puppet, Mr. Speaker, on this kind of a bill, he should cut his strings on this operation. He should stick up for farmers, and if he can't do that, then he should resign.

So thank you, Mr. Speaker, for allowing me to put those remarks on the record.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is the amendment moved by the honourable Member for Lakeside. Is it the pleasure of the House to adopt the amendment?

Some Honourable Members: No.

Some Honourable Members: Agreed.

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

Mr. Eichler: On division.

Mr. Speaker: On division.

* * *

Mr. Speaker: Okay, we'll now move on to the next amendment.

* (16:20)

Mr. Eichler: I move, seconded by the Member for Pembina (Mr. Dyck),

THAT Bill 17 be amended in Clause 3 (a) by striking out the phrase "or prohibiting" wherever it occurs in the proposed clause 41(1)(d.1).

Mr. Speaker: It has been moved by the honourable Member for Lakeside (Mr. Eichler), seconded by the honourable Member for Pembina (Mr. Dyck),

THAT Bill 17—dispense?

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

Mr. Eichler: "Prohibiting" is a very strong word. When we look at the overall content of Bill 17, what this prohibiting does is it ties the hands of the director in such a way that he can't make any changes. If we substitute a word such as "restricting," it would be a much easier way in order to deal with this particular bill.

I know that we have put an awful lot of effort into bringing these amendments forward. In fact, as I stated before, the next few amendments we are going to ask to be withdrawn because of the previous amendments that were being defeated that we brought forward, because they're not relevant or certainly wouldn't have any relevance on the particular bill, this Bill 17.

This is, again, a tool, Mr. Speaker, and I know the minister made reference to this being a monkey wrench that we're throwing into the tool box. Well, it certainly wasn't the intent of myself or members on my side of the House anyway to throw a monkey wrench into this particular bill. What we did was: we consulted; we worked very hard with the industry; we worked hard with the other lobby groups, with KAP and the corn growers and all the individuals that we possibly could get advice from. We took that advice very seriously. We brought it forward. We have stated, the industries have stated they're more prepared to work with the government in any way they can in order to see that we all have clean water; we're certainly going to try to ensure that we do at the end of the day, no matter what Bill 17 represents or doesn't represent. So it's imperative that we look over all the scheme of things, and by deleting this last amendment, by deleting the phrase "prohibiting" certainly would give the minister that opportunity in order to work towards seeing that this particular bill would, in fact, have that opportunity to certainly move forward in a way that would be more conducive to those operators that are out there.

Also, I want to put on the record, in regard to the consultation we brought forward on this particular clause, was that we look at what the Manitoba Chamber came up yesterday in their announcement saying the anti-business climate that this message is going to send to the people that are out there.

I know the Minister of Finance (Mr. Selinger), one of the things we FIPPA'd on was the financial implications that it's going to have on the province. They hadn't done one. That's certainly not good enough. We asked the Minister of Agriculture (Ms. Wowchuk) through FIPPA, had they done a financial implications on what the financial implications were going to do for the agriculture sector? So, certainly, there again, it's very important that we all do our homework, and we have done this; we've done it in a way in order to make sure that Manitobans don't suffer as a result of this.

We have a world shortage of food. We have an opportunity here in the province of Manitoba to see that grow and prosper in a way that we feel is sustainable, in a way that we feel is going to still have the end result of clean water. I know that we certainly do want to make sure on this side of the House that at the end of the day we do have that opportunity for us.

The other thing that I wanted to make sure of is that we don't kill the science, that we don't kill the incentive to come up with new ideas and new technologies, Mr. Speaker. By doing that, and with our amendment on this proposed amendment that we have on clause 41(1)(d.1), certainly we give the department that opportunity.

We certainly would encourage the government to support this amendment and see to it that we do have that opportunity for the director to restrict rather than prohibit. We would certainly ask the government's support in regard to this particular amendment, Mr. Speaker.

Mr. Stuart Briese (Ste. Rose): I'm pleased to rise to speak to this amendment to Bill 17 put forward by the Member for Lakeside (Mr. Eichler). I always think that when you have language like "prohibiting" in a bill and words like "moratoriums," you're being a little heavy-handed with the process you're using.

I've been involved with the planning district for over 20 years. I was the chair of that planning district for 12 of those years, and one of the things that we were very aware of in the planning district was land use and, to some degree, the environmental issues

surrounding certain things, but, specifically, on the land use issues.

Recently, in the last few years, we were required to add in a livestock policy to our development plan. Prior to that, there were a number of things that I was involved in that led up to those livestock policies going into the plans. Quite a number of years ago it was a consultation on sustainable development, and all these issues were talked about there. Then later on there was Bill 40, which eventually got pulled, and it never went through, but it was precipitated by the Tychniewicz report, the one that was called Finding Common Ground.

Bill 40, we had a lot of consultation on, and pretty well all the players were at the table. Through those consultations, we finally arrived at something that would work and, for some reason, the Province decided to pull it, and then do a bigger, larger review on The Planning Act and do The Planning Act amendments. That's where the livestock policy came out of.

Now, at that time, the government was supporting the hog industry in this province. It had been for a number of years, under two different governments, definitely supporting the expansion. They saw the economic development that was coming out of it. There was an awful lot of research going into how various nutrients were handled that came out of those, and we came a long, long way to the point where manure became a very valuable commodity, and because of the fertilizer prices, now it has become even more of a valuable commodity. Anyone in any of their dreams that thinks the waste from these barns is being released into the waterways is absolutely dead wrong. This is a valuable commodity that's been applied properly to farmland to produce crops.

The changes we made to our development plans dragged on and on and on, and then in my own planning district, the Neepawa and Area Planning District, we were the first one, I believe, to implement and incorporate the livestock policy into our plans. We tried to address a few areas using a common-sense approach, using local knowledge, if you would, to identify some areas that we felt in our own planning district, which encompassed three rural municipalities and an urban, to identify areas that may have needed a little more protection, one being part of our areas on the Assiniboine Delta aquifer.

We put in some different zones over—another area was the escarpment on the Riding Mountain,

and we put in some protective zones in those areas. Agriculture came out to our hearings, argued vehemently against us doing that. They didn't really want any protected zones. They wanted livestock expansion at all costs. That was the position. That was the position only about two years ago. All of a sudden, this took a spin, and I have no idea what drove it, but it certainly was a turnaround on what was going on.

* (16:30)

I've asked the minister repeatedly to show me some numbers, show me where the Red River coming through the municipalities with the heaviest hog populations has actually increased in its phosphorus content. They don't have figures like that and that bothers me. If you're going to do things based on some science, let's have some science. Show us, show me what the figures are, what the loading supposedly is there.

We've heard the minister throw out figures in this House. He talks about 40 percent. He talks about different numbers in that area but he hasn't got any figures to back that up, as he has no figures to back up what is added to the river from one side of Winnipeg to the other. If those figures are what he's working from, let me see the figures.

As I said the other day, when I was speaking to the bill or to one of the amendments, the tools to handle these situations were all in place. They were there, the tools to deal with each operation one on one, and the municipalities with the livestock policies in their plans have the tools to address these things. The two municipalities that are most heavily, have the most hog industry—I remember a number of years ago, when I was with the AMM, talking to John Driedger, who was the reeve in Hanover municipality at that time, and they have a wonderful system in that municipality of computer monitors and their planning is right up to date and they know where every residence is, they know the setbacks, they know the acres required for the manure, and John said, we're reaching saturation point in part of our municipality. He said the municipality is going to curtail hog barn or barn development in that area of the municipality. The tools were there. The municipality proceeded to do that, with their planning bylaw.

A number of years ago the R.M. of Morris put a short-term pause, or I guess it was somewhat of a moratorium on their municipality just to get their development plan up to date so they could handle the

new development. The Province was opposed to them doing that, but as soon as they had their development plan in the position they wanted, they withdrew it and business proceeded there.

I think the recession is just—we're starting to see a recession coming out of the States, and it's probably going to spill over to our area at some time in some way, shape or form. I think that's an awful poor time to attack an industry, and that's what's happening here.

The questions arise. This is an assault on business. Who's next? The precedent is now set. You know, all the figures I've seen suggest that normal vegetation, when it's breaking down, rotting vegetation is putting probably 10 times as much phosphorus into those waterways into the Lake Winnipeg than the hog industry is. I don't know, are we going to put a moratorium on rotting vegetation? It probably would follow along the thinking we're hearing from the other side of the House.

With those few remarks, I thank you, Mr. Speaker.

Mr. Pedersen: Mr. Speaker, I thought perhaps the Minister of Conservation (Mr. Struthers) would have stood up and said he's going to pull the bill, but I guess it's getting late in the afternoon and I was having a moment, I guess. Maybe tomorrow, there's still hope.

This particular amendment is about striking out "prohibiting" and using "restrict" rather than prohibiting. "Prohibiting" is a very strong word. But I was just sitting here and going through my notes and I was coming up with a list. It's a list of things that Bill 17 does, will do and the things that Bill 17 will not do. The list on what Bill 17 does not do happens to be a lot longer than what it really does. What Bill 17 does not do is it does not allow science to proceed, to make decisions based on science. We've known that all along, and the Minister of Conservation certainly confirms that every time he speaks, because he will not speak to science. He only speaks in generalities. Unfortunately, I think, even some of it is a bit of a ridicule on the suggestions brought forward by the Member for Lakeside (Mr. Eichler). That is not good on a bill that has serious consequences as what Bill 17 really does.

Bill 17 does not allow for new technology. If there's a barn out there—and we heard it over and over again in the committee hearings, about barns needing to make small expansions to allow for them,

for instance, to take the weanling pigs, from the baby pigs up to the 50-pounders, just to allow for different market conditions. The country-of-origin labelling is going to impose some restrictions on the industry. Bill 17 does not allow producers to make those vital changes to their operations, to keep them profitable. The only other thing they will do is be forced out of business, when you don't allow new technology. New technology is moving all the time. We see it everywhere. We see it everywhere, except in this government and in Bill 17, unless of course there is a press release and then they'll be right there with the new technology.

Bill 17 does not allow for intergenerational transfers. We know time and time again that, when farms and businesses change from generation to generation, quite often, most often you will need to have an expansion of the industry in order to allow for the younger generation to come in and become part of the business. Bill 17 kills that. Quite rightly, why would a young person want to come back to a farm, to a business right now when Bill 17 is there and not just for the hog industry? This affects all livestock, the dairy—who's next in terms of the bans, because we know that there's no science behind this Bill 17 in terms of hog and hog manure?

We also know that Bill 17 does not and will not reduce phosphorus. It will not reduce the phosphorus load in the municipalities, particularly in the southeast where the minister likes to quote that he thinks has an over-population of hogs. The only way you will reduce the phosphorus is if you ban phosphorus use in grain farming; you ban other livestock, the dairy, the cattle. If you're going to ban phosphorus use in grain farming, then I guess we really will become dependent on other countries, other provinces, to supply our food for our plates. If that's the intent, then why not bring it all forward, instead of killing it sector by sector?

Of course, you're not going to reduce the phosphorus load coming out of municipal lagoons with Bill 17. It does not address that. Municipalities realize that there are new restrictions coming and they want to work with it, but, instead of working with them, perhaps a ban on municipal lagoons is coming next.

We know that Bill 17 does not address the recommendations of the Clean Environment Commission. The minister loves to quote how they brought down these recommendations. To date, there is not one recommendation out of the Clean

Environment Commission that is measurable. At the rate they're going, there will be no measurable gains from the Clean Environment Commission. It becomes another waste of taxpayers' money if this report goes on the shelf and is not being implemented and they're going to use Bill 17 instead.

*(16:40)

There are a couple of things though that Bill 17 will do and, as I said, this list is much shorter. Bill 17 will erode equity on farms, and I don't expect that many of the government members to understand about equity, but equity is what makes the business world go around. It creates profit, and I know that could be a dirty word to some of them in there but it does create profit when you have equity in your farm, in your business. That's what allows you to stay in business and to take risks by borrowing money and expanding your farm and continuing operation. Bill 17 will totally erode any equity on any of these hog farms right now because they are not a resalable commodity right now and so, in many cases, you've wiped away a lifetime of earnings from the farm community.

Bill 17 does discourage economic development. If it's pigs today, what's next? We heard that and we heard it over and over again in the committee hearings this spring about industries that were considering coming to Manitoba, both related to the hog industry and generally, other businesses. If that is the attitude that this government has toward business, they would far rather go to another jurisdiction where businesses really are welcomed, and they are appreciated for the surge to the economy that they provide.

Of course, we know that Bill 17, at least that's what the intent of Bill 17 is, it will solve a political problem for this government in that they are going to cater to their radical left wing that are so opposed to any type of farming and anything outside of their limited knowledge base.

We know that Bill 17 really is for political gains. I should actually credit this little quote back to the Member for Pembina (Mr. Dyck) because he's getting it: Bill 17 is a bit like a needle in a haystack in terms of phosphorus, but rather than a needle in a haystack, it's like picking fly feces out of pepper. That's what they're trying to do with Bill 17, and I would certainly like to see the Minister of Conservation (Mr. Struthers) handle that one and on a scientific basis. I'm sure he will be able to do that for us.

With that, Mr. Speaker, thank you,.

Mr. Struthers: Mr. Speaker, I want to remind, just quickly, the members opposite of the reason why we went to the Clean Environment Commission in the first place, and that was an unprecedented growth in the hog industry. The numbers that we garnered from the CEC report, they started the clock in 1990, when there was approximately 2 million pigs in the province, up to a year ago when there was 8.8 million.

I think that Andrew Dickson of the Manitoba Pork Council made a very good presentation last week and a very good discussion by all four panelists where he ran the clock back to 1980, when there were 1.25 million pigs in this province, up to today, where there's 9.45. Mr. Speaker, The Clean Environment Commission pointed out that that kind of unprecedented growth did not develop evenly across the province, that there were regional imbalances that formed and that we had to do something about it.

So, Mr. Speaker, we did something about it. It's Bill 17. This amendment simply is an attempt to gut Bill 17 so, obviously, we can't accept this, Mr. Speaker. Thank you very much.

Mr. Faurschou: Mr. Speaker, I was listening very intently to the honourable minister's remarks, and I do believe that he honestly thinks that Bill 17 is good for the environment because he continues to repeat himself about quality of water. I have reiterated on two previous occasions about his own department's documentation of how a hog operation does not have any impact on the water quality in and around their operation, which is verified by his own department personnel. So every time he stands up and says it's all about water quality, he is not listening to his own departmental staff, because they have the facts.

Mr. Speaker, I really, once again, appreciate having the opportunity to rise and participate in debate as it pertains to Bill 17 and to thank once again the honourable Member for Lakeside for his continuous demonstration of dedication to his critic's role.

Now, the honourable Member for St. Rose (Mr. Briese) made mention about the quality of water which the minister refers to so often and where is Mother Nature in all of the mix as it pertains to quality of water.

I'll tell the minister a little story about the Minister of Natural Resources and staff members

that were concerned about the Winnipeg River system and the Lake of the Woods area. The minister had on staff two individuals who had been fielding questions about the water quality in that particular area, and they took it upon themselves to go out into the Lake of the Woods area and paddle not only the Winnipeg River but also tributaries, prior to entry into the Winnipeg River.

What did they find? I hope the minister is interested in the results which they brought to the then-Minister of Natural Resources, the former Member for Ste. Rose. They found in their water tests, when they came to areas that were maintained and developed—cottage areas I'm being specific of; campgrounds would be another area—the water quality was much better. The water quality diminished when they got into remote areas where, in fact, the river obviously had far more vegetation in the water. That vegetation was placed there by Mother Nature because those areas of the river system were truly as Mother Nature intended, and the water quality was poor because of the organic matter that Mother Nature was putting into the water.

So I say to the minister maybe he's going the wrong direction with this. Maybe he should be looking to more development, so that the regulations and his department personnel could indeed make the water quality better. Instead he wants to throw up his hands. In fact, the whole government in supporting the Minister of Conservation is throwing up their hands and saying, we don't know what to do. We're not able to handle our responsibility as government and regulators. So what will we do? We'll ban everything. No more, guys, get out of my sandbox because we can't play together here. That's what these members are doing.

In fact, I don't think that most members on the government side of the House even know anything about Bill 17 because, when the Member for Lakeside brought forward amendments last week and we had the opportunity to have a standing vote here in the Chamber, the government marshalled the members of the government side of the House. They entered into the Chamber en masse to make certain that the minister was supported and the amendment was voted down. Those members entering the Chamber, in fact, after query, had no idea whatsoever as to what they were casting their vote for.

* (16:50)

An Honourable Member: How do you know that?

Mr. Faurschou: I asked the question of individuals, and I'm not even going to identify because there were more than one. I know the Agriculture Minister is very interested as to which one of their colleagues is not keeping up with agriculture because agriculture should be important to every member of the New Democratic Party, but we all know that is a pipe dream, pipe dream because members obviously do not have agricultural interest in mind when they support an outright ban because they are incapable of working with industry. Industry has shown great leadership. The facts and documentation of the Minister of Conservation (Mr. Struthers) back that statement up.

Further to that, if the Minister of Agriculture (Ms. Wowchuk)—and I hope she has had the opportunity to visit the National Centre for Livestock and the Environment and speak with the Ph.D. individuals that are engaged to that facility, then she would not be supporting Bill 17 because they have documented facts that this bill is not necessary. To stand up in the House here and support legislation that is not supported by science, one really has to wonder what is the motivation of the New Democratic Party when they bring forward legislation such as this using the word "prohibited" and not allowing for any science, not allowing for any common sense, not allowing for any discussion or understanding or change, where our mind is made up and we don't hear anybody and we don't listen to anybody because we are going ahead because we believe that it might garner us a few more votes from people that might be just as naive and ill informed as we are.

I ask the members opposite, I challenge them, to stand up and debate the issue based upon fact, and yet this government says not. I think the minister responded that he was with a heavy heart because he was a Maple Leafs fan, was the response that I got when I asked the question about whether or not the minister was really looking to employ science in water quality as we all want as a Manitoban here in the province of Manitoba. It is important to all of us because water is the lifeblood of our own being, and so it's vitally important that we try and maintain that resource and see that it is actually improved upon. But, as I've indicated here, that is not always the case, as it occurs in nature.

So, Mr. Speaker, I appreciate the opportunity to once again participate in debate in Bill 17, and I would hope, as the Member for Carman (Mr. Pedersen) has stated, that the Minister of

Conservation will finally see the light and withdraw this legislation from this Chamber and save a lot of Manitobans a lot of grief in trying to deal with what the minister is proposing here. Thank you so much.

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

An Honourable Member: Question.

Mr. Speaker: The question before the House is the amendment moved by the honourable Member for Lakeside (Mr. Eichler).

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

Some Honourable Members: Yes.

Some Honourable Members: No.

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

Mr. Hawranik: Mr. Speaker, on division.

Mr. Speaker: On division.

* * *

Mr. Speaker: Okay, we will now move on to the next amendment to Bill 17.

Mr. Eichler: Mr. Speaker, I ask leave

THAT Bill 17 be amended by adding the following after Clause 3(a)–

be withdrawn.

Mr. Speaker: Is it the will of the House for the amendment brought forward by the honourable Member for Lakeside (Mr. Eichler),

THAT Bill 17 be amended by adding the following– that it be withdrawn?

Is that agreed? *[Agreed]*

Okay, it's been agreed to so the amendment has been withdrawn.

Mr. Eichler: Mr. Speaker, I ask leave

THAT Bill 17 be amended by adding the following after Clause 3(b)–

be withdrawn.

Mr. Speaker: Is it the will of the House for the amendment to Bill 17,

Clause 3(b)

(c) by adding the following after clause (gg):

(hh) for the purpose of subclause 40.1(2)(a)(iii), describing the areas of the province that–

Is it the will of the House to withdraw this amendment? *[Agreed]*

This amendment is now withdrawn.

Mr. Eichler: Mr. Speaker, I ask leave

THAT Bill 17 be amended by deleting Clause 4–

be withdrawn in the amendment.

Mr. Speaker: Is there agreement for the amendment having been brought forward by the honourable Member for Lakeside,

THAT Bill 17 be amended by deleting Clause 4– is there leave to withdraw this amendment? *[Agreed]*

There is agreement, so this amendment is withdrawn.

Mr. Eichler: Mr. Speaker, I ask leave

THAT Bill 17 be amended by deleting the Schedule–

be withdrawn.

Mr. Speaker: Is there agreement of the House that the amendment to Bill 17, *amended by deleting the Schedule*, that this amendment be withdrawn?

Is there agreement of the House? *[Agreed]*

Mr. Speaker: Okay, this amendment is now withdrawn.

Mr. Eichler: Mr. Speaker, I ask leave

THAT Bill 17 be amended by replacing the title with the following:–

be withdrawn.

Mr. Speaker: Is there agreement of the House that the amendment to Bill 17, by replacing the title with the following:

THE ENVIRONMENT AMENDMENT ACT
(RESTRICTIONS ON BUILDING OR
EXPANDING HOG FACILITIES)

that this amendment be withdrawn?

Is there agreement? *[Agreed]*

This amendment is now withdrawn.

Okay, that takes care of the Lakeside amendments. We have one more amendment.

Mr. Struthers: Mr. Speaker, I move, seconded by the Minister of Finance (Mr. Selinger),

THAT Bill 17 be amended in Clause 6(1) by striking out "and 68/2008" and substituting ",68/2008 and 133/2008".

Mr. Speaker: It's been moved by the honourable Minister of Conservation, seconded by the honourable Minister of Finance,

THAT Bill 17 be amended in Clause—dispense?

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

Mr. Struthers: Mr. Speaker, when we brought forward Bill 17 back in the spring there was—essential that we, in order to enhance the debate on this, extend the moratorium. We did that to the end

of August when we decided, House leaders and all of us decided, to meet here again in September, it was necessary, technically necessary to extend that moratorium past the sitting of this House. So this extends it to the end of December. That's the extent of this amendment.

Mr. Cullen: Well, certainly, thank you very much for an opportunity just to speak briefly to this amendment and you know quite clearly, I just want to reference the minister's comments about being in agreement here to extend this sitting. Well, the reason we're here is because we've had such poor legislation brought forward by this government this past spring, and we felt it necessary to put forth a longer debate on some of this very, very poorly designed—

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

The hour being 5 p.m., this House is adjourned and stands adjourned until 1:30 p.m. tomorrow (Wednesday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, September 23, 2008

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