

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

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Speaker*

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

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WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, October 8, 2009

The House met at 10 a.m.

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

ORDERS OF THE DAY

PRIVATE MEMBERS' BUSINESS

Mr. Peter Dyck (Acting Official Opposition House Leader): Mr. Speaker, I would seek leave of the House to move directly to Bill No. 234, The Public Interest Disclosure (Whistleblower Protection) Amendment Act.

Mr. Speaker: Is it the will of the House to move directly to Bill 234? [*Agreed*]

SECOND READINGS—PUBLIC BILLS

**Bill 234—The Public Interest Disclosure
(Whistleblower Protection) Amendment Act**

Mr. Speaker: So I'm going to call Bill 234, The Public Interest Disclosure (Whistleblower Protection) Amendment Act.

Mr. David Faurchou (Portage la Prairie): Mr. Speaker, I move, seconded by the honourable member for Morris (Mrs. Taillieu), that Bill No. 234, The Public Interest Disclosure (Whistleblower Protection) Amendment Act, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Faurchou: Mr. Speaker, it is a pleasure to rise this morning and have the opportunity to debate what I believe is a very important piece of legislation amending an already very important legislation enacted in the House, and I believe that we can strengthen what currently exists by a very simple amendment.

It is a twofold amendment, and, if I may, Mr. Speaker, I'll read the explanatory note as provided for in the legislation as distributed to the members of the House: This Bill amends The Public Interest Disclosure Act to protect whistle-blowers from having civil proceedings brought against them. It also makes it an offence to threaten to bring civil proceedings against a whistle-blower. The Bill also extends the act's protection to persons who provide information relating to public service wrongdoing to member of the Legislative Assembly.

The legislation we have had in place now for a number of years has been beneficial. However, it is almost ineffectual because the process that is engaged in right at the present time, as described by the legislation, requires an individual to either go to the Ombudsman or to the immediate supervisor of the employee's office, and it is very specific. The employee could not go to a supervisor in another department or related department, and sometimes we can all appreciate that the employee would be raising matters that would be within their own department. So, raising these matters directly to a supervisor in that very specific department may, in fact, be unworkable, being that the supervisor perhaps would be the one that has the responsibility over which the inappropriate actions have been taking place.

So, Mr. Speaker, I believe having the opportunity to make the disclosure to the elected members of the Legislative Assembly because all of us have the privilege of serving Manitobans through election. It is the electorate of Manitoba that have given us the honour to uphold the law of the province and amend it as is in the best interest of Manitobans. And that honour and privilege is one of responsibility and for not to have our legislation reflective of that honour and responsibility, is, I believe, not in keeping with the responsibilities of elected individuals. We have been sent to this Chamber by Manitobans to uphold Manitobans' best interest. And if the legislation that we have to provide for that responsibility is not there, then, indeed, I think the legislation should be amended to recognize the duty that we have to all Manitobans.

Now, we have a number of examples as to what has happened in the past. But I will say that a

number of jurisdictions have engaged with the whistle-blower legislation, as it's most commonly known. I think, Mr. Speaker, you will appreciate the example that I'm about to refer to and that being the Parliament of the United Kingdom, whereby the Speaker was cited for some expenditures that were deemed less than appropriate. And that information came through members of the civil service that effectively were able to provide the information to elected members of Parliament and thereby having the protection from either civil litigation or their position of employment.

And so the legislation—we have a very current example of how effective it can be. And I will say that each and every one of us that serve Manitobans, do it in the most honourable fashion. And why would we not have a mechanism that we can uphold our responsibilities? We should not feel that we are—our positions are being jeopardized because each and every one of us wants to know if there are actions being taken that are inappropriate and do not serve the best interests of Manitobans. Effectively, we have nothing to hide, Mr. Speaker, and this legislation gives us that opportunity to show Manitobans that we are responsible and we can report back to this Chamber and to our constituents with information and clarity of all situations that emanate from residency here in this province, and with that residency, we do provide taxes, and, ultimately, the civil service provides those services to Manitobans in return.

*(10:10)

And so, this legislation really completes our opportunity to safeguard the taxpayers and ratepayers of Manitoba and, also, too, to make sure that the monies are spent in the most appropriate fashion of which they were allocated through the budgetary process.

Mr. Speaker, I'm very pleased to bring this legislation forward. One element that was discovered, through research of the—this particular amendment, was the fact that whistle-blowers, those that bring forward information regarding wrongdoing, essentially, their job may be protected, their position within the civil service protected, however, they are not protected from civil litigation that it may emanate from their disclosure of particular acts of wrongdoing.

So this legislation, if the members opposite do not feel comfortable with extending to MLAs, at least look at the one amendment that effectively will

protect whistle-blowers from civil litigation by individuals that have been cited for wrongdoing and have may—may have lost their job or been demoted from their current position.

So, this act is a twofold effort to make our legislation, the province of Manitoba, the best it possibly can be, and I know other members are intending to speak on this topic and refer to events that took place closer to home. And I think by the time debate has concluded here this morning, all members of the House will be supportive of the amendments to our Public Interest Disclosure Act.

Mr. Speaker, thank you very much for the opportunity and I—to debate what I feel is a very important piece of legislation that all of us serving the Manitoba Legislative Assembly should have no difficulty in supporting. Thank you.

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): Mr. Speaker, I want to take a few minutes to speak about the bill that was passed in 2006 and came into effect in 2007.

It was a bill that we brought forward, that really does offer employees protection, and it allows employees, who believe that there is serious wrongdoing is taking place there, whether it's in the workplace or surroundings, these employees, if they have a concern, have—can have the matter looked at, could raise the issue without reprisal, Mr. Speaker.

Mr. Speaker, and if you look at the existing legislation that we brought in, it is really one of the most comprehensive acts of its kind at a provincial level, and it protects public service sector, including departments, Crown corporations, regional health authorities, statutory Child and Family Services agencies and authorities and the independent office of the Legislative Assembly. And Manitoba was the first province to introduce separate legislation.

And there are three levels for an employee to make the disclosure. They can go to their immediate supervisor, a designated officer or to the Ombudsman.

Now, the member opposite is talking about allowing—having the whistle-blower legislation cover disclosure to an MLA. Well, I can say to the member that we just don't see the need to extend disclosure to the MLAs. There's an internal process within government where employees can choose to make the disclosure to their employee. The act, as I said, also provides employees and others with direct access to the Ombudsman, and if an employee does

not feel comfortable going to their employer, they can go directly to the Ombudsman. As MLAs, people come to us all the time. They come to us, they raise issues, and as an MLA, if we hear this we should be referring these people to the Ombudsman. You have that ability as an MLA, and as an MLA you refer it to the—tell them to refer it to the Ombudsman. They have the protection as well.

Under the legislation that is being proposed, there is no investigation or control mechanism in place regarding the receipt, review and investigation of disclosures and the requirement of confidentiality, protection of identification, privilege of information and principles, procedural fairness and natural justice as is provided in the act. So there are things that are provided in the act that the member is not looking to have extended to MLAs.

And I can say as well, we have very comprehensive legislation here. No other jurisdiction in Canada that has whistle-blower legislation provides for disclosures of wrongdoing to be made to a member of the Legislature. It is not in the Legislature—in the act because I believe that we all hear from our constituents. We all hear about different issues of interest to—or concerns amongst our constituents, and as representatives of the Legislature, we should be directing these people into the direction that they need.

And, in this particular case, if somebody comes to the MLA from Portage la Prairie with an issue, he or any member of the Legislature, if they hear about this, should be directing them and giving them advice on where they can—of the options that they have of where they might report their concerns, but ultimately they should be referred to the Ombudsman and assure them that they are protected.

I believe that this is fully covered under the act. The act really that we have now really is designed to protect individuals who report wrongdoing, and they are given the opportunity to go to the Manitoba Labour Board without reprisal. In the event that reprisal is taken against them for reporting wrongdoing, this act that we have now builds on other statutes that require disclosure and protection and protects those that do disclose, such as The Child and Family Services Act, The Workplace Health and Safety Act, The Drinking Water Act, The Protection of Persons in Care Act, and it does not replace or affect those obligations to report under those acts.

So, Mr. Speaker, I believe that the act that we have, despite the fact that we couldn't get the act

passed—the Liberals held up the act. Despite that fact that the Liberals could not move forward at the time when we were going to bring this act forward—they decided they didn't think it was important and they held it up. Despite that, I know that the Tories supported the bill, and we were eventually able to—eventually we were able to get it through. But I read a press release here: official opposition—wrong press release, wrong one, wrong one, wrong one—at the end of the session the bill was stalled because the Liberals were stonewalling it. There's a press release talking about how the Liberals stonewalled the bill.

* (10:20)

Mr. Speaker, so I say to the member from Portage la Prairie, I think he has good intentions by bringing this bill forward, but, in reality—in reality, it is not necessary. Other provinces do not have this kind of legislation, because we do, as MLAs, have the protection of the House and our job as MLAs should be—if we hear about situations like that—our job as MLAs we could report it, and we should be advising those people who are having concerns, advising them of the protection that they have under the act, advising them where they might be able to go and advising them that should they not feel comfortable going to one of those avenues, that they can go directly to the Ombudsman.

So I want to say, Mr. Speaker, that I'm very proud of the whistle-blower protection that we have in this province. It has proven to be useful for people when they feel that they have concerns in their workplace, and they have been using it. And I would encourage the MLA from Portage la Prairie to continue to work with people should they come to him with concerns that—direct them where they, where they can go to, and ensure them that they do have protection under the act.

So, Mr. Speaker, we will not be supporting this amendment because we think that it is not necessary, and the act that we have now is quite sufficient.

Thank you, Mr. Speaker.

An Honourable Member: Point of order, Mr. Speaker.

Point of Order

Mr. Speaker: The honourable member for Inkster, on a point of order?

Mr. Kevin Lamoureux (Inkster): On a point of order, Mr. Speaker.

I'm wondering, the minister made reference or quoted a press release, and I'm wondering if she'd be so kind to table the press release that she made reference to.

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, there's no point of order. There's no need to table a press release that the Liberal Party put out themselves—[interjection] I mean a Conservative press release, or whatever. I mean, the rules of the House are that you table personal correspondence, as far as I understand it, and the member doesn't have a point of order.

Mr. Speaker: Our rules are very clear that if a member is quoting from a signed personal letter, then if—then it should be tabled, but anything else is not required to be tabled, so the honourable member does not have a point of order.

* * *

Mrs. Mavis Taillieu (Morris): Mr. Speaker, I, too, want to just put a few words on the record about Bill 234, The Public Interest Disclosure (Whistle-blower Protection) Amendment Act, introduced by the member from Portage la Prairie, and to thank him for bringing this bill forward because I think what he is intending to do is strengthen the legislation that's already in place because there are some ways in which that legislation can be amended and can make this legislation better.

And I think that all of us in this House, it's our duty to make sure that the laws in this province are the best laws that we can have, so when a—when an opposition member or a member of the government brings forward an amendment, we should be seriously looking at that as a way to make the legislation better for everybody in Manitoba.

What this bill does is it protects whistle-blowers from having civil proceedings brought against them, Mr. Speaker.

And just want to refute a little what the member from Swan River had said, that there is adequate protection under the present legislation. It just brings to mind Pat Jacobsen, who made a complaint to the Minister of Labour's office—

An Honourable Member: An MLA.

Mrs. Taillieu: —an MLA. Her complaint was in regard to some wrongdoings with the CEO of the— the past CEO, one of the former CEOs of the Workers Compensation Board. She had some serious complaints, and she brought her complaints to an

MLA, to the Minister of Labour, who governs the Workers Compensation Board. And what happened is the Minister of Labour then took her complaint back to the person that she was complaining about. And what happened after that? Well, we know what happened after that. Pat Jacobsen got the axe. She was fired, Mr. Speaker, fired for bringing forward some wrongdoings, mismanagement, things that she was saying were wrong at the Workers Compensation Board, things that she believed was in the best and public interests of the people of this province to know what was going on. She brought them forward to an MLA, to the minister, to the Minister of Labour, who sent that back to the person that she was complaining about—

An Honourable Member: To her boss.

Mrs. Taillieu: —to her boss. So she had no protection. This act that the minister refers to as being adequate would not have protected Pat Jacobsen.

Mr. Speaker, that is a very important piece of this legislation, to be able to bring issues to an MLA, not just to their supervisor. In fact, as we—as I just explained, the complaint might very well be about the supervisor. So how do you bring your complaint to the person you're complaining about? What's going to happen to you? And that's the problem here, is there is a culture of fear within government agencies because they are afraid to speak up.

You know, as an MLA, all of us, we go out and into our communities and we meet people all the time. The opportunity presents itself for people to come up to us and tell us things, because we are there. There's an opportunity. They come to us and they tell us things. It's not the same thing as getting the courage to go and make a phone call to the Ombudsman. The opportunity presents itself when we meet with people.

Sometimes it takes a lot of courage for people to speak up because they know as soon as they speak up they're under the spotlight and there is a culture of fear. There is a fear that people will, in fact, lose their jobs. I have heard people say that to me. I've heard people say to me, I can tell you this, but if it ever gets out that it came from me, I will lose my job. And I cannot say to that person, well, if you just tell the Ombudsman, I'm sure it'll be okay. They have too much fear in losing their job. In today's world, people need to keep their jobs. They need to protect their families. They don't want their names

associated with anything that's out there that's wrong. They know it's wrong, but there is—the first instinct is to protect themselves and their families.

And, Mr. Speaker, there needs to be a way that they can feel safe in telling other people what they know that they feel is wrong within a department in government, or anywhere. And I don't think that we should fear that. I don't think that we should fear being able to get information as an MLA. I think it's our responsibility to—and I don't think the government MLAs should fear that. I think they should embrace it, because it only can make things better in a department.

These—the people, as would be termed, the popular terminology, whistle-blowers, even that name, you're a whistle-blower. It makes people a little afraid of going and saying things to bring their name into the public and be reported on, Mr. Speaker. There needs to be protection, and this is a very important part of this legislation. So that people that do bring forward information, such as Pat Jacobsen, should not fear—should not fear that they will lose their job, should not fear that they will be sued, and should not fear that any further civil litigation may come to them. They should not fear that.

And I think every MLA in this Chamber would agree that people should be able to do what they, in their heart, feel is an important thing, and that is to bring forward information when they find things that are not right. But what happened—what happened when Pat Jacobsen brought forward some information? Well, we know, Mr. Speaker; she was fired.

* (10:30)

You know, I know that in all the annual reports that come out now, the government will say, well, we have to report on any whistle-blowers that came forward, and it's always, oh, no, whistle-blowers came forward. But, Mr. Speaker, I would say the reason that no one comes forward is for the exact reasons I've been talking about. They fear for their jobs. They fear for their future. They fear for their families being brought into the spotlight. It's a culture of fear within this government, and I think that's a very unfortunate place for this government to be, placing people that work in agencies of government, in government departments, in a position where they fear for their jobs if they're going to speak up.

There needs to be a safe and secure avenue for all Manitobans to report wrongdoings. This bill will alleviate any concerns regarding civil proceedings and give whistle-blowers the ability to report wrongdoing to their MLAs and feel assured that their reports, their reports will not go directly to their supervisor, Mr. Speaker.

I think this is a good bill. I want to say to the member from Portage, that he's trying to strengthen this legislation and I would encourage, I would encourage the government MLAs to adopt this legislation. Let's move it to committee and let's see what the public of Manitoba has to say about it. Thank you.

Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines): I'm pleased to put a few words on this proposal from the members opposite, and I would hope that the members opposite, especially the member from Morris, would take the time to read the legislation.

It is rather interesting legislation because the whistle-blower protection legislation that came into effect in 2007, is about protection. It's about protection and having people have an avenue to discuss or present information, and not only whistle-blowers are clearly protected from employment reprisals under the act. And our act clearly says that the purpose is to ensure that where an employee believes, or reasonably believes, that a serious wrongdoing is taking place or is about to take place, the employee can raise the concern, have the matter looked into and not fear for his job or fear from any other reprisal. And reprisals are discussed as to include discipline, demotion, dismissal or any other measure that adversely affects the person's employment. The other thing is that it says, should a reprisal be taken against an employee, the employee is able to go to the Manitoba Labour Board to make a complaint and seek a remedy.

And so what's interesting is that members opposite are talking about what they were worried about and they worried about discipline, losing jobs or unfairly treating an employee should they come as a whistle-blower, and it's clearly protected in the act and I would encourage the member to read the act.

Number 2, the whistle-blower protection, as we presented in 2007, is the most comprehensive of its kind at the provincial level. It's talking about public sector employees including Crown corporations, regional health authorities, child and—statutory Child and Family Service agencies and authorities,

independent offices of the Legislative Assembly, et cetera. It's meant to provide protection for all those employees.

It was—we were one—we were the first employee—to provide the separate legislation. And to let the member—to correct the members opposite, there isn't one venue for the person to go to should they have information. There is actually three venues. The first venue an employee can make a disclosure to is, of course, their immediate supervisor, and this is meant to be very quick. It's meant to provide the information as is appropriate in a normal employment situation. Now, if the supervisor knows about it, then they have another venue. Each area has a designated officer that you can then go to. So each department, each Crown, et cetera, has another person who they can go to if the person doesn't want to go to their supervisor or feels that their supervisor isn't going to handle it properly. Also, each person is able to go to the Ombudsman.

Now, I know the members opposite don't have a lot of faith in independent offices of the Legislature. It's obvious from their questions with the—with the Elections Manitoba. It's obvious with their discussions with other organizations.

Now, I know they don't believe that the independent offices of the Legislature should be supported by all 57 members. We believe that the independent offices of the Legislature should be respected and have a role, and their role is to be independent.

Now, I know the members opposite do not believe—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Rondeau: I know that the members opposite do not believe that MLAs are ever partisan. I believe I've seen a little bit of partisanship in the 10 years of my tenure here. So what I believe is that when you want to take things and you want to treat them appropriately with respect, with dignity, you don't do it in a venue where occasionally things become partisan. What I believe is you take it to an independent third party neutral observer, i.e., the Ombudsman, who has a legal obligation to hear the information and act upon it. Not only do they have the obligation, they have the power, and this Chamber, by having all the support of all the MLAs, have the power. We provide the power to the third party independent officers to make independent

decisions without fear or favour, and I think that's a real, real important part, because you're then saying that you can go to your supervisor, you can go to your disclosure officer, or you can go to the Ombudsman, three options and, you know, all of those aren't partisan. All of those are people who are supposed to take it legitimately safe, and if anyone does something wrong they have those venues, and I'm pleased that we have those venues.

The other thing that I'm surprised about the legislation, you know, the biggest way of avoiding being sued or having any penalties that are assessed legally against you is by telling the truth. The biggest defence against slandering someone or telling an incorrect thing is that if you say something that's actual accurate, you can't be sued for defamation because it's true. So, therefore, if people are telling the truth, if people are providing information to a third party, of course they can't be sued. They can't be sued because the whole defence of the truth is a legitimate defence.

So, if someone was to sit there and say Mr. Jim Rondeau—oh, sorry, the Minister of Science and Technology, you are short, that would be a legitimate statement, and thus I could not sue them for defamation, and so I think it's very, very appropriate to have the defence of truth, and so I know the member opposites are not lawyers, I'm not a lawyer, but I understood from some of my research that if you want to be sued for defamation of character, then you have to be providing—and you want to be successful you have to not be accurate.

The other thing that's important about the whistle-blower protection, which is interesting, is it provides protection to the employer from reprisal, but also, it provides the Manitoba Labour Board some power. If there has been a reprisal against the employee for making a disclosure under the act, they can grant remedies, including reinstatement. They can also, if something has contravened the act, they could face a fine, and what's interesting about it is that these whistle-blowers therefore can't be hit as far as discrimination, losing their jobs, being demoted, being disciplined, and yet if there is ever a case that's done that, the Labour Board can make a determination and the department or the organization that actually does anything that would be inappropriate for the whistle-blower can be punished, and I think that's very, very important. So, not only do you have the right to make the whistle-blowing, you have three people to go to or three different

people to go to, but you also want to make sure that there's no discrimination against them and there's penalty for doing that.

* (10:40)

Now, to let you know about the scope, the whistle-blower protection includes any information that's provided on wrongdoing, including contraventions of federal or provincial legislation or any acts or omissions that endanger public safety, public health or the environment, gross mismanagement, including gross mismanagement of public funds or assets, as the members might need to know, and, also, knowingly or directly counselling a person to commit a wrongdoing.

So, in conclusion, we have (a) protection of the whistle-blower; (b) the whole idea of, if you tell the truth, it's very difficult or you will not be sued, and that's very, very important information for those members opposite; and then, also, I think it's important to note that the Ombudsman, as an independent officer, has the right, the power and the position to be truly non-partisan, and so, I think that would be much better.

And, for me, I know that in my role, as MLA, my job is to serve my constituents, not conduct, generally, government business. I want to talk to my constituents; I want to listen to them; I want to serve them; I want to help them with their issues or problems. I do not want to be the designated whistle-blower—receiver of whistle-blower information. I want to be able to service my constituents.

So I know the members opposite may believe that they are the non-partisan group that needs to hear this. I believe the third party—

Mr. Speaker: Order.

Mr. Ron Schuler (Springfield): I'd have to say I am—I am embarrassed for the member for Assiniboine and the kind of comments that were put on the record that, Mr. Speaker, I would like to point out to him a case in point.

There is a young student, 17-year-old, that approaches a staff member, and he raises three different flags with a staff member, and the staff member does the responsible thing and raises it with the authorities, and nothing is done about it. In fact, what's even more telling is, it was the staff member knew that this young youth had been—he was—he was disenfranchised, he was disengaged, he'd been rejected by his peers, and, in fact, it's at that level of

staff that actually see what's going on at the school. They hear what students are saying; they hear what's going on.

This young man raised three flags, and I say this for the member from Assiniboine, who now, of course, will shut his ears and shut down any thought process so he doesn't actually hear the truth instead of the bafflelegab that he put on the record previously. This young man said to the staff member: (1) asked, what is the best way to clean up a lot of blood? That should be an instant red flag. Number 2, what is the best way to dispose of a body? And, worst of all, he then says, what is the best kind of a gun to buy?

The staff member does the right thing. The staff member goes to the administration and nothing is done. And what is the end result, Mr. Speaker? The end result is that, allegedly, this young man went home, murdered his father, dismembered the body and disposed of it in quite a horrible way.

This staff member was not listened to; she was told to be quiet. And the end result, the end result for doing what's right, Mr. Speaker, when hearing the word "gun" in the school, she does what's right. She raises a red flag with the administration. She gets fired.

That's this member—the member from Assiniboine, that's his idea of protection for whistle-blowers. It's his government that fires, basically, this woman 'cause they won't stand up for her. I've asked that this woman's case be sent to the Labour Board.

Well, will the member for Assiniboine stand up for her? No. He's so enshrined in his cushy Cabinet car and his cushy palatial office in the Legislature, he's so out of touch.

This government is so out of touch to what's going on, they've lost all sense of reality, because a whistle-blower did the right thing. She heard the word "gun." She heard the word "disposing" of a body. She heard the word—about cleaning up lots of blood, and she raised the issue. Did that senior administration do the right thing? No, they did not.

And maybe, maybe, if she would have had one more venue to go to, perhaps if she could have walked into an elected official—and we are elected officials—we have a fiduciary responsibility to protect the electorate who put us there. I know that if she'd gone to an elected official, they would have raised it with the proper authorities. Perhaps they should have—could have advised her to go to the police or go to someone else and raise this issue to get this young

man help. Instead, nothing was done. That is the NDP government way of protecting whistle-blowers: is then, in the end result, have them fired. This woman did the right thing and the legislation that was put forward, the joke of a legislation that was put forward by the NDP party, this NDP government—that legislation did nothing to protect this woman.

So to have members get up, members of the NDP, and stand up for fluff and nonsense is ridiculous. They should stand up for the men and women who actually stand on the front lines. The message being sent out to every public servant, to anybody who hears something—I mean, how outrageous to think that you would walk into an airport and say the word "gun" and not be manhandled onto the ground and handcuffs put on. Well, even more the case should be when that issue is raised in a school, because these staff members took the time with the 17-year-old student and befriended him and listened to him and had an empathetic ear, I believe we potentially dodged a Columbine High School situation.

We were fortunate, fortunate, Mr. Speaker, that he didn't take the gun and walk into the school and, in turn, what do we do for that person? What do we do? How do we protect whistle-blowers under NDP Manitoba? You fire them, and the least—the least—that could have been done by this government and particularly the Minister of Education (Mr. Bjornson), our disengaged Minister of Education, the least he could do is have that file sent to the Labour Board. He could show some leadership there. The message being sent to everybody in the public service is, please don't raise red flags. Let carnage go on. Let go on whatever need but don't raise a red flag, because then you have to be prepared, under NDP whistle-blower legislation, under the member for Assiniboine, his idea of whistle-blower protection is, you better be prepared to lose your job. And that's all we what we get from the NDP government.

What a shameful exhibition we have here today, Mr. Speaker, when we listen to the kinds of things that happen, that staff were prepared and willing to come forward. We need at least, at least one other place, a safe place where individuals can go and say, listen, there's something wrong in our schools. Listen, there's something wrong in our institution. There's something wrong with what's going on. We could have potentially saved this innocent victim's life. That man need not have died. If that, that

message would have gone up the proper channels, if proper help would have been brought forward, we would not be discussing this case right now.

That young man needed help. He came to staff and he cried for help and the staff took that cry forward—and what does he get for it? What does he get for it? Members of the NDP party sitting on the opposite side of the Legislature—what, did she get for it? She got fired.

Here you go. Here are your papers. Go away for having done the right thing. That is a disastrous message to have sent out, and where are the social activists? Where are the activists, the union activists that are supposed to stand up for employees? Where are they? All with their heads down on their desk. Why is that? Why aren't they standing up? Why aren't they and the Deputy Premier (Ms. Wowchuk), why doesn't she stand up for this whistle-blower who actually had the courage to come forward and say something? Why does she not—because they're so enshrined in their big, cushy Cabinet cars and the big, cushy Cabinet offices, that they have lost touch with reality and with what's going on—with what's going on in society.

We have 57 elected officials in Manitoba. By and large, most of us have constituency offices. They are in fairly innocuous places, in strip malls. They're in places that, not necessarily the most highest profile because most of us can't afford that kind of rent. So, for somebody to come into our office, that's not a threat. They can come in, they can say, you know, I really have a concern about what's going on in this institution, that institution. It is a good place to go. We are elected, we are elected by the people of Manitoba, and this government says, they don't trust their own members of the Legislature. That's unfortunate. This is a great piece of legislation. It should move forward, and, in fact, if I were going to call it anything, I would call it the Tracy Rose heroic legislation and allow this to go forward, Mr. Speaker.

* (10:50)

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I appreciate the comments from the previous speaker, and I'd like to bring up another name that was referenced to earlier. And I recognize the member from Portage la Prairie in terms of bringing forward what I believe is a—is a good bill, a bill that should ultimately be passed from the Legislature.

I listened tentatively to the Minister of Agriculture (Ms. Wowchuk), or the Deputy Premier,

and a couple of things come to mind, Mr. Speaker. One, she seemed to be fixated on the fact that the Manitoba Liberal Party stalled her privacy bill. And if the—if the Deputy Premier reflected back as to what was happening back then, she will recall that there was the whole Crocus fiasco, and the Crocus seemed to be dominating the Legislature at that time.

The Liberal Party, in fact, believed that there was serious flaws in the privacy legislation, and that there was a need for the government to give a little bit more attention to the issue of what it was hoping to pass, and maybe not have as many limits, to open it up and allow for different types of amendments, such as the amendments that's being proposed today, or the legislation that's being proposed today, and how that would've enabled more effective legislation, Mr. Speaker.

Well, having said that, the irony is this: As the minister accused the Liberals of filibustering or stalling on her—on her legislation, you know, it was over the Crocus, and the best example, I think, that we can actually give in regards to the need for this legislation is the name Pat Jacobsen, Mr. Speaker. We need to look at what happened to Pat Jacobsen.

Members will recall that Pat Jacobsen had some real issues, some problems with what was taking place in regards to Crocus Fund fiasco. What she did is she brought it to the attention of the Minister of Labour, who was Becky Barrett at the time. Becky Barrett was told of all these red flags and problems with Wally Fox-Decent and the Crocus fund. And what did the Minister of Labour actually do, Becky Barrett, do at the time? Instead of taking action, instead of trying to protect the interests of the Crocus shareholders and all of Manitobans, Mr. Speaker, what Becky Barrett did is she gave the letter of complaint that she received from Pat Jacobsen to Pat's boss, Wally Fox-Decent. And, ultimately, what happened was that Pat Jacobsen was fired. Pat Jacobsen was fired for letting the minister responsible, Becky Barrett, know that there were some problems that were affiliated with the Crocus Fund fiasco, in which hundreds of—\$150 million was lost, 33,000 Manitobans were shafted by the government, and what did Becky Barrett do? Becky Barrett handed the letter to her boss, to Pat Jacobsen's boss, which resulted in Pat Jacobsen being fired.

And that's why it is that we believed there was a need for whistle-blower legislation, to protect the interests of civil servants that are trying to do the

right thing when you've got government incompetence in ministers that don't know what they're doing, Mr. Speaker, that are more interested in protecting their own than they are in terms of doing what's in the best interests of Manitobans. And that's why there is a need for legislation of this nature.

That is why the member of Portage la Prairie brings forward a bill that will, in fact, make the legislation even that much better, Mr. Speaker. Now, a civil servant, if this legislation were to pass, a civil servant can feel comfortable in approaching MLAs and saying to the MLAs, here's what's happening in a situation, and not have to feel that they're going to be sued or fired as a result of bringing it to the attention of an MLA.

Well, Mr. Speaker, one would question why the government would not support legislation of this nature. As they sit in their place and they see legislation of this nature that could have a very real positive impact, they do nothing. They're prepared to let the legislation go by.

Mr. Speaker, the Deputy Premier (Ms. Wowchuk) accused the Liberals of stalling on her private—on her bill, on the government bill. Well, I'll accuse this minister and this NDP government of killing this particular bill. They won't even let it see the light of day, and shame on them. At least the Liberal Party provided them the option to reflect over a couple of months, and, hopefully, bring in the amendments that would make the legislation even better. But what does this government do with a good idea that's even gonna empower the privacy and the whistle-blower legislation to make it even that much more effective? Their decision is to kill the bill.

Well, Mr. Speaker, if you believe that I'm being biased because I happen to be a member of the Liberal Party, let me remind members that the way we found out about Pat Jacobsen was through the provincial Auditor. It was the provincial Auditor that came out and condemned the government and the people in the authorities, and whoever deep throat was—we still don't know who deep throat was, but we do know that the government has, in fact, been held to task for what happened to Pat Jacobsen, even through the provincial Auditor's office, and that is an independent office.

Remember the member from Assiniboia who spoke on this—on this bill, said, well, we respect the independent offices. I would suggest to you that

they're being selective in terms of who they respect, Mr. Speaker. They sure didn't respect the provincial Auditor when they came down on Pat Jacobsen and Becky Barrett and the NDP scandal on the Crocus affair. How selective the government can be. The reality is that this government is guilty of inaction. It is not taking the action that's important and in the best interests of Manitobans to protect the public good, and that is the biggest problem with this government, that if they don't believe—if it's not their idea, they don't want to do and take action that's necessary that will act on those ideas.

So I would suggest, Mr. Speaker, that the government, before 11 o'clock comes by—because I understand, 11 o'clock, chances are the government will decide to either talk out the bill or adjourn debate on the bill, thereby killing the bill, because we know full well that that's, in fact, why they would do that. If they genuinely want to have additional debate on this bill, all they have to do is ask for leave to carry it through and we would be more than happy. I'm sure the member from Portage la Prairie would be more than happy to allow whatever necessary time in order to facilitate whatever kind of debate the government would like to have on the bill.

But, if you believe in whistle-blower legislation, I suggest to the government, if they believe in whistle-blower legislation and protecting the public good, then they should at least allow this bill to go to the committee stage, and that can happen. Even in the dying day of the session, we can still make this bill into law, thereby better serving the public of Manitoba. And I'm sure he would get the leave through the member from Portage la Prairie to support an ongoing debate with the ultimate—ultimately seeing this bill pass. Thank you, Mr. Speaker.

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Mr. Speaker, it's a pleasure to stand in the House to discuss this legislation that has been brought forward, and I see, you know, some things in life are consistent, and the member from Inkster is consistently substituting volume for substance.

But it's a pleasure to be here, a pleasure to be here to speak to this particular legislation. In 2006, we passed a very—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. Order.

Mr. Bjornson: In 2006, we passed a very comprehensive whistle-blower protection legislation which came into effect in 2007, and one of the things that the member consistently talked about was protecting whistle-blowers and, when you look at the act that had come into effect in 2007, it's about protection. Its purpose is to ensure that where an employee reasonably believes that a serious wrongdoing has taken place or is about to take place they can raise the concern and have the matter looked into and not fear for his or her job or fear any other form of reprisal. And reprisal is broadly defined to include discipline, demotion, dismissal or any other measure that adversely affects a person's employment. Should a reprisal be taken against the employee, the employee is able to go to the Labour Board to make a complaint and seek remedy.

So our existing whistle-blower protection act is one of the most comprehensive of its kind at the provincial level, and this legislation covers public sector employees, including those in departments, Crown corporations, regional health authorities, statutory Child and Family Services agencies and authorities, independent offices—

* (11:00)

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

RESOLUTIONS

Res. 25—The Protection of Lake Winnipeg

Mr. Speaker: The hour being now 11 a.m., we will now move on to resolutions, and we'll deal with Resolution No. 25, The Protection of Lake Winnipeg.

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, I move, seconded by the member for Portage la Prairie (Mr. Faurichou), that

WHEREAS the City of Winnipeg is undertaking costly upgrades to its waste-water treatment plants, a component of which involves nitrogen and phosphorus reductions; and

WHEREAS in September 2008 the provincial government asked the Clean Environment Commission to review nutrient removal and ammonia treatment strategies for the city of Winnipeg; and

WHEREAS an eminent group of 63 scientists from Canada, the United States and Israel, including

internationally renown ecology professor David Schindler, advised the CEC on December 19th, 2008, that, and I quote: "Removing nitrogen will at best do nothing, and at worst, increase the dominance of the filamentous nitrogen-fixing cyanobacteria that are the public face of eutrophication in Lake Winnipeg and in many other lakes."; and

WHEREAS these respected scientists also advised the CEC that: "Resources intended for nitrogen reductions would be better spent on a more comprehensive management strategy for phosphorus in the Lake Winnipeg watershed, especially in the Red River Basin."; and

WHEREAS a recent study—a recent case study prepared by the City of Winnipeg engineer determined that requiring the City to treat waste water for both nitrogen and phosphorus at its North End treatment plant could drive up costs to taxpayers by some—by \$750 million more over 20 years; and

WHEREAS a September 24th, 2009, *Winnipeg Free Press* editorial stated that on the nitrogen removal debate, "the Doer government . . . has shown its resilience to reason and science."

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to acknowledge that requiring the City of Winnipeg to remove nitrogen at its waste-water treatment facilities could have undesirable environmental consequences such as promoting blooms of cyanobacteria in Lake Winnipeg; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to acknowledge that the money saved by requiring the City of Winnipeg to focus its waste-water treatment strategy on phosphorus and not nitrogen could be better spent on a broader management strategy aimed at reducing phosphorus in the Lake Winnipeg watershed.

Mr. Speaker: It's been moved by the honourable member for Tuxedo, seconded by the honourable member for Portage la Prairie,

WHEREAS the City of Winnipeg—dispense?

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

Mrs. Stefanson: Mr. Speaker, I am pleased to rise and put a few words on the record about this

resolution, which examines the need for comprehensive and cost-effective strategies to help reduce nutrient loading into bodies of water like Lake Winnipeg.

We have had a considerable amount of debate in this House about the requirement that the City of Winnipeg be forced to treat its waste water for both nitrogen and phosphorus. And I believe this issue warrants further examination, which is why we're here today and why I brought this very important resolution forward that I hope members opposite will support today.

If governments and Manitoba taxpayers are going to invest hundreds of millions of dollars into nitrogen reduction strategies, then we have an obligation to ensure those dollars are being spent in such a way as to ensure the maximum environmental returns.

Back in the fall of 2008, the provincial government asked the Clean Environment Commission to review nutrient removal and ammonia treatment strategies for the city of Winnipeg. A group of 67—or 63 well-respected scientists from Canada, the United States and Israel, including internationally renowned ecology professor, David Schindler, made a very thoughtful submission to the CEC on this matter. The scientists, Mr. Speaker, stated in their submission, and I quote: "We disagree with the government's plans to improve the health of Lake Winnipeg by making minor reductions in inputs of both phosphorus and nitrogen rather than making much larger reductions in phosphorus alone." End quote.

These scientists, Mr. Speaker, pointed out that reports of both the Lake Winnipeg Implementation Committee and the Lake Winnipeg Water Stewardship Board had recommended that the provincial government should focus on phosphorus reductions. The scientists warned that requiring the City of Winnipeg to treat for nitrogen will at best do nothing, and, in fact, could create bigger environmental problems for Lake Winnipeg when it comes to matters such as algal growth, which is one of the key issues with respect to eutrophication in Lake Winnipeg.

Questions are also raised by the scientists about the provincial government's plans to make small reductions in nitrogen and phosphorous in order to try to improve the health of Lake Winnipeg. In their submission to the CEC, the group of the 63 scientists stated, and I quote, Mr. Speaker, "The proposed

nutrient reductions . . . are so small that their effects on Lake Winnipeg will be within the range of natural spatial and year-to-year variability . . . These proposed nutrient reductions will likely not lead, particularly in the short term, to noticeable improvements in water quality in Lake Winnipeg. Undoubtedly, the public will be frustrated by this lack of improvement, considering hundreds of millions in taxpayer dollars will be spent on wastewater treatment upgrades in the City of Winnipeg alone." End quote.

Mr. Speaker, the scientists also made a series of recommendations to the Clean Environment Commission about improving the health of Lake Winnipeg, and these include the following: The Province should promptly complete its nutrient management strategy. The Province needs to set clear goals for improving the health of Lake Winnipeg, and this should include the evaluation method for charting progress toward that goal. The emphasis should be on phosphorous, not nitrogen removal. The Province should broaden the focus of phosphorous management in the Lake Winnipeg watershed.

Mr. Speaker, scientists emphasized, and I quote, "Resources intended for nitrogen reductions would be better spent on a more comprehensive management strategy for phosphorous in the Lake Winnipeg watershed, especially in the Red River Basin." End quote. This group of eminent scientists is not the only one who have raised questions about the merits of requiring the City of Winnipeg to treat its waste water for both nitrogen and phosphorous. Mr. Speaker, in a recent submission to the *Winnipeg Free Press*, Jan Oleszkiewicz, chair of the nutrient removal and recovery specialist group in the International Water Association also questions this directive. They pointed out that 30 years ago, Lake Erie faced considerable water quality challenges. Today the health of the lake is much improved, but nitrogen removal from waste water was never implemented in that case. Only phosphorous was removed from the water.

Oleszkiewicz stated, and I quote: "Deep phosphorous and ammonia nitrogen removal is what is needed and needs to be implemented as soon as possible. The requirement for nitrate . . . removal should be dropped. I, for one, would prefer to see my taxes spent on more cutting-edge medical equipment." End quote.

Mr. Speaker, the debate over the merits of nitrogen removal does not stop here. A recent case study prepared by the City of Winnipeg engineer determined that requiring the city to treat waste water for both nitrogen and phosphorous at its North End treatment plant could drive up costs to taxpayers by \$750 million more over 20 years, and that is a staggering amount of money for taxpayers to bear, particularly in the uncertain economic times that we are facing worldwide.

Mr. Rob Altemeyer, Acting Speaker, in the Chair

In the face of overwhelming evidence from the scientific community, Mr. Deputy Speaker, about the need to focus on phosphorous removal, one might expect some sober second thought from the provincial government about whether the approach on which they have embarked is in fact truly a prudent one. However, as was pointed out in a September 24th, 2009, editorial in the *Winnipeg Free Press* on the nitrogen removal debate, and I quote: "The Doer government . . . has shown its resilience to reason and science." End quote.

It is interesting to point out that it seems not all members of the NDP caucus are on board with the current approach though, Mr. Deputy Speaker. The former Finance Minister seeking the leadership of the NDP said in an October 5th interview on CJOB that he's not opposed to revisiting the N and P removal debate for the City of Winnipeg. The member for St. Boniface (Mr. Selinger) said, and I quote: If you're asking me if I'll take a third look at it, the short answer is yes.

* (11:10)

I think we can all agree that we need a comprehensive strategy to reduce nutrient loading in our lakes and rivers. Nutrient reduction in waste water originating from the city of Winnipeg is an important component of that strategy but it's not the only component. Other point sources, both inside and outside our province, will need to be addressed if we are going to develop an effective strategy to help improve the health of Lake Winnipeg. Implementing such a strategy is going to require a considerable financial investment from all stakeholders, including the provincial government.

It is high time this NDP government acknowledged that requiring the City of Winnipeg to remove nitrogen at its waste-water treatment facilities could have undesirable environmental consequences such

as promoting blooms of cyanobacteria in Lake Winnipeg.

It's time for this government to acknowledge the considerable work undertaken by the scientific community on the nitrogen versus phosphorus removal debate. Mr. Deputy Speaker, the vast majority of scientists hold the review—hold the view that the focus needs to be on phosphorus reduction in order to achieve meaningful gains in water quality, and removal of nitrogen could, in fact, have undesirable consequences. In spite of this, the City of Winnipeg is being asked to undertake costly upgrades to its waste-water treatment systems in order to address both nitrogen and phosphorus.

As a September 24th editorial in the *Winnipeg Free Press* stated, and I quote: the scientists have wisely pointed out that the hundreds of millions to be saved by permitting Winnipeg to target phosphorus alone could be redirected to that larger task. That is logic Manitobans can recognize. End quote. I agree with that argument, Mr. Deputy Speaker.

This NDP government needs to acknowledge that the money saved by requiring the City of Winnipeg to focus its waste-water treatment strategy on phosphorus and not nitrogen could be better spent on a broader management strategy aimed at reducing phosphorus in Lake Winnipeg watershed.

I thank you very much, Mr. Acting Deputy Speaker, for this opportunity to bring this resolution forward. I think this a very one—very important one that Manitobans are very concerned about water quality issues with respect to Lake Winnipeg. And I think that it is incumbent upon the government to listen to sound science. These are a group of scientists who have come forward who have unanimously agreed that the government's wasteful spending on nitrogen removal from the waste-water treatment facilities in Lake Winnipeg is unnecessary. So I hope that members opposite will support this resolution. Thank you.

Hon. Christine Melnick (Minister of Water Stewardship): I'm also pleased that the resolution has been tabled. It allows us to put some facts on the record here.

Over the last number of decades there has been an increase in phosphorus and nitrogen in our water systems and there is a significant challenge here that we, on this side of the House, have embraced very energetically.

Let me speak briefly to the submission provided by the 63 scientists to the CEC. One of the fundamental underlying principles of sound science is the exchange, debate and reasoned argument of differing opinions, differing scientific theories, differing conclusions from other scientific studies and then carefully weighing the evidence of all studies.

The brief presented by the 63 scientists to the CEC represented only one view. They did not invite opportunity for input from others. The CEC, on the other hand, sought out and fully considered the views of all scientists, including those with different points of views, and the commission held several discussions with Dr. Schindler and his colleagues.

On the basis of all the equally valid scientific information, the CEC provided the Province with an independent, thoughtful, well-reasoned set of recommendations that carefully consider the full range of scientific information. This is the fundamental cornerstone of science. The CEC and the Province agrees with many of the recommendations of the 63 scientists. We all agree that as much phosphorus as possible needs to be prevented from reaching our waterways.

In this regard we are doing much. We are acting on virtually all of the 135 recommendations from the Lake Winnipeg Stewardship Board report. We were the first jurisdiction in Canada to regulate phosphorous content in cleaning compounds other than laundry detergent, and we were very pleased that Québec followed quickly and then the federal government. We are the first and only jurisdiction in Canada to legislate limits on phosphorus and fertilizers used for cosmetic purposes on lawns in rural and urban areas. We are the first and only jurisdiction in Canada to put in place buffer zones along all of our waterways. We placed a moratorium on the further expansion of the hog sector, which members opposite did not support.

Let me now speak directly to the issue of removal of both phosphorus and nitrogen from our waste waters. Let me first set the stage. One form of nitrogen is ammonia; ammonia is toxic to fish. It kills fish and it must be removed from the city's waste water. While the City presented alternate scenarios whereby it might reduce its ammonia discharges, the CEC was not convinced in 2003, nor was it convinced in 2009 when it revisited the issue. It was not convinced that the City could reduce the necessary reductions to safeguard the river by the

little that it proposes to do. Indeed, although the limits do not come into force until 2014, when discharges are compared to the limits, the City would've been out of compliance for significant parts of the late summer and fall periods every year since 2002.

After carefully hearing and weighing all of the valid scientific evidence from not only the 63 phosphorus scientists, but all the evidence that was presented, here is what the CEC had to say: In 2006 the effluent from all three City of Winnipeg waste-water treatment plants contained 3,230 tonnes of nitrogen and 337 tonnes of phosphorus. This is the equivalent of the load carried by 277 13-tonne dump trucks, or the dumping of just over one truckload of nutrients every working day into the Red and Assiniboine rivers. There is a body of evidence that links high nitrogen levels with the eutrophication of lakes. There are valid and responsible environmental reasons for the Province to also engage in nitrogen control measures.

In January 2009, the City requested further adjustments in ammonia discharge limits for the North End plant. The request was based on an argument that the City could comply with adjusted ammonia standards without posing a threat to aquatic life. The effect of these changes would relieve the City of the cost of converting ammonia in its waste water to nitrate, another nitrogen compound.

The commission does not support either eliminating the nitrogen level or granting the adjustments to the ammonia limits. The commission does not accept: (1) the City's arguments for changes to its ammonia limits, or (2) the City's arguments that it can meet its ammonia limits without nitrification. By bringing the City of Winnipeg north and south end waste water treatment plants into compliance with the nitrogen discharge requirements in the current environmental act licences, the City will eliminate the threat that ammonia currently discharged by these plants presents—by these—by these plants presents to aquatic life. Excessive reactive nitrogen in the environment contributes to eutrophication, loss of biodiversity, global warming, pollution of drinking water, kills fish, contains acid rain and ozone depletion. There exists a strong scientific case for limiting the nitrogen load in the City of Winnipeg waste water. On the basis of all of this evidence, the CEC confirmed that we are on the right track, and that we need to control nitrogen and phosphorus.

I would also like to say that we are not alone in our scientific approach to the removal of both phosphorus and nitrogen levels. Virtually all other cities in western Canada have been removing phosphorus and treating ammonia for many years. Examples include the Okanagan Valley in B.C., Edmonton, Calgary, Lethbridge, Saskatoon, Regina and, most recently, the City of Brandon. The City of Winnipeg has lagged behind until now.

In addition to continuing to remove phosphorus and treat the ammonia, as it has done for many years, the City of Regina is moving forward to remove nitrogen from its waste water by 2011-2012 with even more stringent limits being planned in comparison to those in place for the City of Winnipeg.

On October 29th, 2008, less than one year ago, the Province of Alberta issued new environmental limits to waste-water treatment facilities in the city of Calgary, and now requires both phosphorus and nitrogen to be removed from its newest facility at Pine Creek.

* (11:20)

On Thursday, September 24th of this year, the United States Department of Agriculture's secretary, Tom Vilsack, announced \$18 million each year for the next four years to clean up the Mississippi River. The funding will go to Minnesota and 11 other states along the Mississippi. The Mississippi suffers from the same overload of nutrients as does many of our waterways in Manitoba, including Lake Winnipeg, and the dead zone in the Gulf of Mexico arising from these nutrients from the Mississippi continues to grow. This is what—this is what the monies will be used for: to reduce excessive nitrogen and phosphorus runoff from farms that enters the river through its tributaries and creates a dead zone each summer in the Gulf of Mexico. The nutrients cause vast algal blooms that eventually die, sink to the bottom and are consumed by bacteria that rob the water of most of its oxygen. I underscore: This is about the removal of phosphorus and nitrogen.

We are concerned about the facts of the \$750 million put forward by the City of Winnipeg engineer. It amortizes over 20 years at 6 percent per annum, the additional cost between what the City proposes and what the CEC has found to be inadequate. It does not consider the provincial contribution of one-third, nor does it consider the contribution of one-third by the federal government, neither of which will need to be amortized. It does

not consider the additional revenue generated from increased rates already approved by the City of Winnipeg council to collect fees by the utility on a pay-as-you-go basis and which will not need to be amortized. Nor does it consider the huge savings already accrued to the benefit of the City of Winnipeg, since it has avoided investing in nutrient controls for more than 20 years while our neighbours to the west have been making these investments.

Mr. Speaker, I want to conclude with one final quote from the CEC in its report to us after its thorough, thoughtful and complete weighing of all the valid scientific evidence on the matter of phosphorus and nitrogen controls at the city of Winnipeg: Nitrogen must be removed. In our view, not to do so would be irresponsible, leaving an unhealthy environmental legacy to our children and grandchildren.

This matter has been concluded. The time for debate is over, and the time for action is overdue. We are moving forward on the basis of the very best and the most complete scientific evidence, and we will do what is right for our children, their children and the generations to come.

Mr. Speaker, I urge all members opposite to join us in doing the right thing now, to remove as much phosphorus from our contributions to our water system as possible, to remove nitrogen in careful balance, to demonstrate to our neighbours, many of which are already in the lead, that we will do what is necessary in our jurisdiction to restore the health of our many waterways, including Lake Winnipeg, and through this leadership will demonstrate that we will expect nothing less from them. Thank you.

Hon. Jon Gerrard (River Heights): Mr. Speaker, on this issue, the time for debate is not over. There is a time that the government should be understanding the 63 scientists who very clearly have showed that all you need to do is to take out phosphorus.

The problem that you have is very, very clear. This air which is all around you, 80 percent of the air which you breathe in and out every day has nitrogen. That nitrogen is available, is available to the algae and, in fact, the algae which grow on Lake Winnipeg and will grow on Lake Winnipeg can get plenty of nitrogen from the air.

Let's set a few things straight. It was the Liberal Party which brought in the first legislation to get rid of phosphorus and automatic dishwashing detergents. The NDP called it a dishwasher bill, and

then they decided to take it up because it was a good idea, although they still haven't removed phosphorus from industrial automatic dishwasher detergents. The government brought forward legislation to reduce phosphorus in cosmetic fertilizers, and that, again, was a Liberal concept that we brought forward, and we're pleased that the government has acted on those two areas. Good stuff, good science, and that's very positive.

The buffer zones, we actually need to have more sophistication, because the best study to date shows that it's very variable, the effect you can achieve on such buffer zones, and on flat Manitoba land, the water goes off through drainage swallows or ditches from the field. It doesn't go through the buffer zones, and so in many places the buffer zones are not effective, although in some places they can be. We should have been more selective and more sophisticated in how it was applied.

The concept in terms of the hog industry, this is a government, which, in 10 years, failed to adequately address environmental issues and pollution, and then, at the last minute, as a way to say we're doing something, put on a moratorium, which was not the way to do this.

You should have made sure that you're not stifling innovation, you're not depressing equity, you're not putting the hog producers in a position where they can't invest in the very environmental changes that we need to improve our waterways.

Mistake after mistake, and the biggest one is this one: trying to spend about \$700 million, as we have estimated by Nick Szoke and others at the City of Winnipeg very carefully, an extra \$700 million on the backs of the taxpayers of our province, whether it's city taxes, provincial taxes or federal taxes, it's all one taxpayer, and it's \$700 million.

Now, the minister—the minister can say that not all of that is amortized. Well, the fact is that the provincial infrastructure dollars are now being amortized, as the minister from Infrastructure should already know and the Minister of Finance (Ms. Wowchuk) should know. So that this claim that the Province is not amortizing infrastructure expenditures is just wrong. The minister needs to read her own books.

Even if it's not \$700 million, maybe it's only \$600 million. Six hundred million dollars was the figure that I used as a best estimate in the last election, when I talked about the NDP waste and the

money that could be saved by doing things sensibly in Manitoba, using the best scientific evidence and proceeding.

There is one issue that should be cleared up. Everybody is going to remove ammonia as well as the phosphorus. So it is not a question of whether or not the ammonia is being removed. Under the approach, which would remove phosphorus and ammonia, it just would not remove nitrogen. That is what is being proposed by the 63 independent scientists. That is a concept that Nick Szoke presented, not only to the CEC, but he presented it at a conference in Europe and received an award for his presentation.

He presented it recently at a conference in Winnipeg, and I followed up with a question in question period, and this government shows that it's got ear muffs on in the summer, when you don't need them. It doesn't know how to listen to the common sense that's coming from the people in Manitoba.

This, Mr. Speaker, is an important issue for all of us and for all Manitobans, 'cause we're talking about \$600 million, and it's been talked about for a while about how much good that money, if we were to spend it instead of there—to put it into cleaning up and removing phosphorus in other places around the province. There is a lot of places where there is phosphorus in lagoons which is not being removed before the water in municipal lagoons is emptied into a drainage ditch or a waterway.

In Lake Erie, when the people around Lake Erie put together a plan, it was a phosphorus-only removal plan, and they removed phosphorus from laundry detergent, and that was the start of a movement, broadly, to remove phosphorus from laundry detergent. It was a positive step forward, and it showed in a lake, which was suffering like Lake Winnipeg, Lake Erie was then, that you can do it with a phosphorus-only strategy.

Very clearly, the science, which has been done by scientists at the experimental lakes area in northwestern Ontario, people like David Schindler, Diane Malley, and many, many others have clearly shown that it is the phosphorus which makes the difference and that you can have an effect by just getting rid of the phosphorus. You can get a clear lake by getting rid of the phosphorus.

* (11:30)

And that, Mr. Speaker, is what we should be doing, is we should be using cost-effective

approaches which are the right ones. And part of the problem in trying to take out nitrogen is that, in doing so, we may actually end up with an overgrowth of the bad type of algae instead of what we want is getting rid of and reducing—not completely, obviously, but to a very considerable extent—the algae blooms, which are troubling, in Lake Winnipeg and Killarney Lake.

And speaking of Killarney Lake, here is an area which needs attention, where the minister wasn't even at a critical meeting on September the 9th where people from all over the place were invited to come down and help make sure that there was a good approach for Killarney Lake. Killarney could be used as a model, and at a much lower cost, to try and help us as we clean up Lake Winnipeg.

There is a long way to go in Lake Winnipeg. Sadly, where we are today is that the content of phosphorus in the lake is as high or higher—higher—than when this government came to office. The problems with algae, Lake Winnipeg and Killarney Lake, are more than when this government came to office. And in spite of a lot of rhetoric and some positive things, but still mistakes here and problems which could be addressed if we took a sensible approach and used the money to have phosphorus-only solution for the city of Lake Winnipeg that includes ammonia, but not nitrogen.

And then we could use some of that money to help clean up and reduce phosphorus in the rest of the province. Winnipeg's only half the population of the province, and only a small proportion in terms of the total area, so it would be wise to see if we can work, not just in Winnipeg, but around the province, but effectively, with good ideas.

And we in the Liberal Party have been putting forward good ideas, and we support this legislation, and we hope that there will be support from all sides this time.

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): It's a pleasure to rise here as the member for Gimli and a lifelong resident of Gimli where I'm very much—[interjection]—where I'm very much acquainted with the moods of Lake Winnipeg. [interjection]

You know, one thing about being in the Chamber, Mr. Speaker, people—Mr. Deputy Speaker—people often ask me, what prepared you best, as a teacher, to get into politics and be in the Chamber? And I said, teaching grade 9. But I can see I owe

grade 9s an apology, because the behaviour of members opposite, it's certainly not very flattering to this Chamber, the way members opposite behave. At any rate, back to the topic at hand.

I've often characterized Lake Winnipeg as the serene, the surreal, and the savage, because when you look at—there's nothing like walking down the beach and having your cup of coffee and drinking your cup of coffee and reading your morning paper when the water is nice and calm and the sun's reflecting off it first thing in the morning. That's the serene. The surreal is when the lake takes on the same hue as the sky and you can't differentiate between the horizon. And the savage, of course, is what we see all too often in October when it's brutally savage lake where the—where the waves whip up and, in a manner of hours, the level can rise by three, three and a half feet, and wreak havoc on the shoreline. So it's quite an incredible body of water we have here in Manitoba, and it's something that I have a tremendous amount of respect for.

And these characterizations, of course, refer to the surface, but it's what is in the lake right now that has been of tremendous concern to us as a government, and of tremendous concern to all Manitobans, when it comes to what lies beneath in Lake Winnipeg and what it means to the future of the lake and what it means to the future of the fishers, what it means to the future of the recreation that we have on Lake Winnipeg, and what defines our province as a province in terms of this very important asset to Manitoba, this asset in terms of the culture, this asset in terms of the tourism and the economy.

So I'm very proud to be a part of a government that has done a lot to support research on Lake Winnipeg, to support, through legislation, efforts to turn the tide, if you will, on what's been going on for the last 30 years with respect to the health of Lake Winnipeg. And I think it's critical that we—that we continue to do the good work that we do as government, and that we continue to embrace the challenges that have been put before us as a result of the long-term research that's been going on by the scientists on the *Namao*.

And I think that was one of the first signs, to me. When I was on municipal council in Gimli, I attended an announcement by this government that we were—that we would be funding longitudinal research of Lake Winnipeg. As a municipal councillor, I had the privilege of representing the

Town of Gimli at the time, and the announcement was made that the *Namao* would be funded for the purpose of the first long-term study of the lake.

I truly believe that it's one of the great lakes here in Canada. And I believe that, as one of the great lakes, it has not been researched enough and, certainly, the work that's been going on under the stewardship of Dr. Alan Kristofferson on the *Namao* and the research—Lake Winnipeg Research Consortium is going to be critical to our understanding of the lake. And I know that Dr. Kristofferson and I have met on a number of occasions to discuss these very important issues and some of the things that he has seen that have occurred over the last 30 years and the impact that that has had on the health of our lake.

And when we talk about the—about the lake, there's the Lake Winnipeg Foundation, and there's a concert tonight, in fact, to raise money to continue the research for Lake Winnipeg. And friends of Lake Winnipeg are hosting this concert, and I'm proud to say my nine-year-old son will be playing guitar and singing at this concert. But, I guess, the musical talent skips a generation. I can play the iPod, he can play the guitar and sing. My son reminds me I, actually, can play the eight-track, but that's another story, I digress.

So when you look at—when you look at the fact that this is something that the community has embraced, people from all over—all over the province have embraced the efforts to work towards a healthy Lake Winnipeg. And, of course, when we met with the governors from the United States and talked about water, that was the—the best setting for that was at the Lakeview Resort in Gimli where we talked about issues concerning water in Manitoba and some of the issues of mutual concern.

Mr. Speaker in the Chair

And, certainly, when you look at what's happening in other jurisdictions, there's some very progressive legislation in other jurisdictions, as well, that speaks to a international commitment—to an international commitment to address the health of Lake Winnipeg.

So, Mr. Speaker, it's always a pleasure to rise in this Chamber and speak about Lake Winnipeg and the efforts that we have undertaken as a government to address that. And as—it's not just what we've done through legislation, it's what we've done through action. And one of the projects, of course, that is

very important to the community of Gimli is the fact that we have a state-of-the-art waste-water treatment facility, and that waste-water treatment facility has come on line and we will be decommissioning—the community will be decommissioning the lagoons right by the lake in due course. And, of course, the infrastructure money with the federal government is looking at putting in sewer lines to have other communities within the area of what used to be the town of Gimli. Other communities beyond those borders hooked up to that waste-water treatment facility.

So that's important and, of course, when I meet with the Village of Dunnottar, they've got a new filter system that they've been working on that has shown tremendous results in terms of the reduction of phosphates and whatnot that had been coming out of their system through their sewage lagoon. And they've created a—they're monitoring this new filter system that seems to be working quite well, with reductions in the neighbourhood of 70 and 75 percent on certain items that would have gone straight into the lake otherwise.

So, if you look at what's been going on over the last few years, it is this government that's shown tremendous leadership, this government that's shown tremendous leadership both in terms of the investment in infrastructure, in terms of the people on the ground to inspect sewage treatment on site, in terms of regulations.

And it's really interesting, you know, the members opposite were saying that we shouldn't be banning sewage ejectors. And at the same time they're talking about this after we've had two years of incredible, incredible precipitation. So I, for one, when I see the impacts of the precipitation that we've had in the Interlake, and knowing that this overland is flooding, includes raw sewage that is spewed out of a sewage ejector onto the farmlands or the—or some of the smaller houses—[interjection] Well, I see a couple, actually, Mr. Speaker. I've seen a few sewage ejectors. I do know friends—I do know friends who have sewage ejectors and they have said to me that, yes, they realize that it is an added expense, but they also realize why this is being done. And that is what they are prepared to do because they are prepared to do their part because they know what is right for our environment, and they know what is right for our water protection.

* (11:40)

So, Mr. Speaker, it's really fascinating to hear some of the rhetoric from members opposite because they'll be duplicitous in their positions on regulations one day—oh, we're going to scrap all the regulations, but you need to do this, you know, and we would have done that, we could'a, should'a, would'a, but we didn't. So now they're looking at what we're doing through rather an interesting lens, when we have been engaged in dialogue, legislation, research, infrastructure investments for the duration of our tenure in government, and we'll continue to be supportive.

So if you look at what we've been doing, we have been taking the advice of the Clean Environment Commission. And when the scientists that have been part of this discussion—I know Michael Trevan, from the University of Manitoba, has stated that nitrates in water are converted to ammonia, which is highly toxic to fish—highly toxic to fish. There are indications that nitrogen affects algae in the streams and rivers that feed Lake Winnipeg, especially the kinds of algae we often see attached to rocks and other fixed structures. Dr. Leavitt, from the University of Regina, noted that—his analysis suggests that improvements in water quality are linked to reductions in nitrogen. Nitrogen from urban waste waters was effectively transported to downstream lakes, where it resulted in a 300 percent increase in algal production.

So for members opposite to suggest that this is a burden on the taxpayers to invest more in the infrastructure that's necessary to eliminate nitrates is rather a fascinating approach that members opposite would take to this particular issue, because not doing so is more of a burden to the health and the ecology of Lake Winnipeg, and the rivers and streams that feed Lake Winnipeg, Mr. Speaker.

So I'll stand by this government, and the record of this government, in terms of what we've been doing in investing in infrastructure and investing in research, investing in people on the ground to inspect waste—on-site waste management systems, investing in water resource officers, and a number of different initiatives that we have taken to address the health of our lake and the health of the water here in the province of Manitoba. It is a tremendous asset and, of course, Lake Winnipeg is, in my opinion, one of the jewels of Manitoba and we need to take better care of it, and it's this government that's doing the lot—that's doing a lot to take of Lake Winnipeg. Thank you, Mr. Speaker.

Mr. David Faurschou (Portage la Prairie): Mr. Speaker, it is a pleasure for me to rise and participate in the debate of the resolution presented before us this morning by the honourable member for Tuxedo (Mrs. Stefanson).

It is a well-thought-out resolution and the requests have been put forward by the resolution urging the provincial government to recognize the importance of Lake Winnipeg, and to take a common sense approach to take action towards improving the water quality contained within the lake.

Mr. Speaker, all of us acknowledge that the large bodies of water which Manitoba has been blessed with is, indeed, an important asset of this province. In fact, the importance of water to all of us is explained in the very concise quote by Dr. Michael Mehta: "The water is the lifeblood of our planet. Without this natural resource, ecosystems collapse and communities suffer."

I had the privilege of attending a conference that was held last year, and I would like to commend the University of Winnipeg's Richardson College for the Environment that held a symposium with—in the co-operation with Lake Winnipeg Foundation about a year ago.

The conference was—had a number of program events, but I will say the highlight of it was an open forum that was hosted by the former premier of our province, Premier Gary Filmon, who moderated a very interesting and spirited discussion that took place amongst five experts that had presented at different times during the conference: David Schindler, Robert Hecky, Hans Peterson, Peter Leavitt and Norman Yan, was—were all engaged within the—within the open forum, and the topic of nutrients was certainly front and centre regarding the dialogue that was experienced between the attendees and the panel members. There was an element, though, that was very important to myself with—contained within the dialogue, and that was the use of common sense and understanding of the nature.

And this government, although, can be complimented on putting in place a couple of boards that have a specific responsibility towards the health of our lakes, Lake Manitoba Water Stewardship Board and Lake Winnipeg Water Stewardship Board. But the failing of this government is that they are not listening to these boards and are ignoring the science that is being brought forward within the reports from these two very respected organizations. And this

government continues to go along its merry way and looking first to the polls within the public realm and making its decisions based upon that, and not on science.

And the honourable Minister for Education (Mr. Bjornson) stood just moments ago and spoke specifically about nitrogen and made some very selective quotations. But it's disheartening when the minister does just that, when those of us that have had the experience and been fortunate to take courses through our formal education that regard to plant growth, and one must acknowledge that it's not one specific nutrient, but it is, indeed, a combination of nutrients that make for plant propagation. It is disheartening when a minister stands up and shows naivety towards this precise fact.

And also I gotta compliment the honourable Leader of the Liberal Party who made very specific mention of Lake Erie and the initiative to remove phosphate from that lake and the improvement within the water quality without—without—focussing on nitrogen.

Because phosphate is a very critical element to the package of nutrients that are required for plant growth. And if you remove phosphate, if you still have nitrogen, there isn't going to be plant growth because phosphate is not available. And so the plant development, and specifically, the blue-green algae blooms that are so prominent in Lake Winnipeg, would be significantly reduced and hamper, to a great degree, any continued growth.

And when we look at the actual overall cost of removal of various nutrients, removal of phosphate is very doable. The removal of nitrogen is an extraordinary costly undertaking. And when we, as legislators in this House, recognize the demands upon taxpayers' dollars, and the other services that Manitobans are in need of, it goes well beyond my comprehension as to why this government would be pursuing the removal of nitrogen in this particular climate of need.

And so, I look to government to use a common-sense approach. Let's focus on phosphate removal. Let's make sure that each and every opportunity we have to replace and improve the water treatment and to embody within our policies the practices that would effectively prevent phosphate from making its way into our various water courses that ultimately end up in Lake Winnipeg or Lake Manitoba, to do our very, very best in that regard rather than go

helter-skelter and costly endeavours that really truly do not pay dividends.

* (11:50)

And I would like to hearken once more back to the conference that was given the name The RED ZONE: Chemicals, Currents and Change Symposium, Reducing Lake—Rescuing, sorry, Mr. Speaker—Lake Winnipeg's Watershed. And it was an extremely interesting—and I hope this government was listening to the information that was provided by the very distinguished participants in this conference and to take their advice and to move forward in a common sense approach.

The adoption of this resolution by the members of this Legislative Assembly do support a common sense approach, and if government is, indeed, wanting to do the responsible actions that Manitobans demand of us that are elected to this esteemed Chamber, that they will adopt this resolution and we can move to preserving the water quality within our lakes for future generations. Thank you very much, Mr. Speaker.

Hon. Stan Struthers (Minister of Conservation): Mr. Speaker, in the few short minutes that we have to talk about as an important issue of this, I want to kind of cut right to the chase and deal with the phony baloney approach that members opposite have, not only in terms of picking and choosing what science they want to follow, but also picking and choosing and coming up with figures in terms of the cost of what we're doing, and what we're asking people to do.

It's the phoniest, most arrogant approach that I've seen in a long time emanating from the benches across the way, Mr. Speaker. What an arrogant approach on the part of a handful of politicians across the way who think they're so much smarter than all the scientists that have been talking on this issue, have been researching for years on this issue, who've been publishing on this issue, whose publications have been critiqued one way and another on this issue.

They think they can just step up and cherry-pick which scientist they want us all to take a look at. We understand the importance of science in making decisions. What I don't understand is why members opposite, both Tories and Liberals on this matter, think that they can cherry-pick, they can look through those scientists whose work agrees with their political approach on this issue, and then ignore all

of those scientists out there who don't agree with their political approach on this issue, Mr. Speaker. I think we owe it to a lot of people, including the scientists themselves to take an honest approach at looking at the science that's out there and then make decisions based on that, as we have done on all of our issues that deal with water protection and human health, whether they be phosphorus containment, whether they be sewage ejectors, whether they be an approach to municipal removal of phosphorus and nitrogen and ammonia.

We owe it to the scientists; we owe it to Manitobans; we owe it to those people who making their livings on Lake Winnipeg, on Lake Dauphin, on Killarney Lake, if you want to add that in there, Mr. Speaker. What we need is an honest approach to the scientist. What we have in Manitoba and in the Hudson Bay watershed, we have a group of scientists, very eminent scientists who are talking to us about the removal of phosphorus—people like David Schindler.

David Schindler, who's been quoted and partly misquoted by members opposite throughout this whole debate—in speaking with David Schindler, myself, when we made this announcement, Schindler said to me, he said, oh, I understand where you're coming from. He made his presentation to the Clean Environment Commission. He made his presentation eloquently and he said to me, he said, I believe there's other reasons why you would want to remove nitrogen and ammonia. He said, very clearly, ammonia kills fish.

Now members opposite, I guess when you're in opposition you can do this, you can pick and choose which scientist you think you want to listen to make your political case, but you're—even the scientists that you're saying back you up, don't actually completely back you up. You're actually cherry-picking what David Schindler says—let alone taking him—taking the other scientists that don't agree with you and ignoring them. So you're picking and choosing from the science to back up your political agenda. That's just not good enough to protect Lake Winnipeg, Mr. Speaker.

We have, you know, on the other side of this issue, presenting to the Clean Environment Commission, Michael Trevan, from the University of Manitoba. Now, here's another good example of opposition picking and choosing what they want to hear from scientists to fit their political agenda. When Michael Trevan—when Michael Trevan came

out and said that we were not doing the right thing with Bill 17, that was fine, okay? So Michael Trevan disagreed with us in terms of the hog moratorium, the Bill 17. He came to me and he talked to me. There're scientists out there, despite what the member of Ste. Rose saying, there's scientists on each side of this issue doing very good work. We shouldn't discredit that as he just did. Mr. Speaker, Michael Trevan came to me and he gave his reasons why he thought Bill 17 wasn't all that great. That's good. We listened to it, we listened. He had his say.

And then when we introduced—when we—when the Clean Environment Commission gave us the report that we'd asked for, in terms of the nitrogen removal and the City of Winnipeg, Michael Trevan picked up the phone and he called me and he said, you know, I may have disagreed with you earlier, but I agree with you on this. I think the CEC's doing the right thing by recommending we remove nitrogen, we deal with ammonia, we go hard on phosphorus like Schindler has said, like Oleszkiewicz has said. We go hard on phosphorus and we include nitrogen, Mr. Speaker.

Michael Trevan now, I guess, isn't credible, according to the Tories and the Liberals. You know, they believed him when he was saying things that fit into their political ideology and their short-term political aspirations. No, he was their hero then. Where is he now? What do you think of Michael Trevan now? He disagrees with you. You're ignoring the guy now. He's given you very good advice on why we should remove nitrogen. He's provided a scientific critique of David Schindler's Experimental Lakes program, which you seem to be putting all your eggs in that basket on. Where's Michael Trevan in your list now?

It's not good enough to just pick and choose which scientists we're going to believe. I want to give you a better approach, and that's the approach that this government took. We realized—we realized that there were a lot of people out there, a lot of scientists, a lot of scientists doing very good work, who were giving different advice to all of us. So, did we sit back—did we sit back—did we sit back and pick

and choose which ones fit into somebody's political ideology? No, Mr. Speaker.

We turned to the Clean Environment Commission, and we said to the Clean Environment Commission, you know a lot about this issue. We want you to sit down with these scientists and come back to us with some objective, science-based recommendations—*[interjection]*—which is what they did, on the hog ban and on this issue, Mr. Speaker. You know, members opposite can laugh and they can play around with this all they like, but this is an important issue. The Clean Environment Commission came back to us and said, this is what you should do, and that's what we put in place.

And do you know who gets this? Do you know who gets this, Mr. Speaker? People in Calgary get it. People in Regina get it. People in Brandon get it. Do you know who else, I want to point out, gets it? The City of Winnipeg gets it, because they're removing nitrogen in their West End plant now. Where've you—where've you been? Where on earth have you been on this issue? The City of Winnipeg gets it, because they increased. They've done this already. In '07 and in '08 and in '09, they have increased water rates to pay for doing this. They've done it already.

You guys are so far behind everybody on this issue, it hurts, Mr. Speaker. Get out of your political short-term-aspiration thinking. Get out of that. Do something that's going to benefit Manitobans for once. Listen to all the scientists and understand what the CEC is saying to us. You didn't listen to them in the early '90s. You totally ignored them in the early '90s. Liberals, Tories together ignored the Clean Environment Commission for well over a decade.

In '03, we take this to the CEC and we say, look, give us a definitive answer on this. They did. We followed that and dealing with the—

Mr. Speaker: Order. Order. When this matter is again in front of the House, the honourable member will have one minute remaining.

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, October 8, 2009

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