

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

Official Report
(Hansard)

*Published under the
authority of
The Honourable George Hickes
Speaker*

Vol. LXII No. 61 - 1:30 p.m., Monday, June 14, 2010

ISSN 0542-5492

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

Member	Constituency	Political Affiliation
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BLADY, Sharon	Kirkfield Park	N.D.P.
BLAIKIE, Bill, Hon.	Elmwood	N.D.P.
BOROTSIK, Rick	Brandon West	P.C.
BRAUN, Erna	Rossmere	N.D.P.
BRICK, Marilyn	St. Norbert	N.D.P.
BRIESE, Stuart	Ste. Rose	P.C.
CALDWELL, Drew	Brandon East	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CULLEN, Cliff	Turtle Mountain	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
EICHLER, Ralph	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin	Steinbach	P.C.
GRAYDON, Cliff	Emerson	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HICKES, George, Hon.	Point Douglas	N.D.P.
HOWARD, Jennifer, Hon.	Fort Rouge	N.D.P.
IRVIN-ROSS, Kerri, Hon.	Fort Garry	N.D.P.
JENNISSSEN, Gerard	Flin Flon	N.D.P.
JHA, Bidhu	Radisson	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LAMOUREUX, Kevin	Inkster	Lib.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MARCELINO, Flor, Hon.	Wellington	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McFADYEN, Hugh	Fort Whyte	P.C.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MELNICK, Christine, Hon.	Riel	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
OSWALD, Theresa, Hon.	Seine River	N.D.P.
PEDERSEN, Blaine	Carman	P.C.
REID, Daryl	Transcona	N.D.P.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
RONDEAU, Jim, Hon.	Assiniboia	N.D.P.
ROWAT, Leanne	Minnedosa	P.C.
SARAN, Mohinder	The Maples	N.D.P.
SCHULER, Ron	Springfield	P.C.
SELBY, Erin	Southdale	N.D.P.
SELINGER, Greg, Hon.	St. Boniface	N.D.P.
STEFANSON, Heather	Tuxedo	P.C.
STRUTHERS, Stan, Hon.	Dauphin-Roblin	N.D.P.
SWAN, Andrew, Hon.	Minto	N.D.P.
TAILLIEU, Mavis	Morris	P.C.
WHITEHEAD, Frank	The Pas	N.D.P.
WIEBE, Matt	Concordia	N.D.P.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 14, 2010

The House met at 1:30 p.m.

Madam Clerk (Patricia Chaychuk): It is my duty to inform the House that Mr. Speaker is unavoidably absent. Therefore, in accordance with the statutes, I would ask the honourable Deputy Speaker to please take the Chair.

Madam Deputy Speaker (Marilyn Brick): 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, and 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.

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

**Bill 236—The Police Services Amendment Act
(Police Boards for Smaller Municipalities)**

Mr. Kelvin Goertzen (Steinbach): I move, seconded by the member for Brandon West (Mr. Borotsik), that Bill 236, The Police Services Amendment Act (Police Boards for Smaller Municipalities), be now read a first time.

Motion presented.

Mr. Goertzen: Many municipalities across Manitoba employ their own municipal police forces. Smaller municipalities indicate that the ability to work and communicate more directly with police officials improves police responses in those communities. This bill would allow smaller municipalities in the province to maintain these benefits by allowing the municipal council or a subset of the council to function as a police board rather than having to establish another layer of bureaucracy between the municipality and its police force.

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

**Bill 233—The Family Physicians for
All Manitobans Act**

Mr. Kevin Lamoureux (Inkster): Yes, Madam Deputy Speaker, I would move, seconded by the member from River Heights, that Bill 233, The Family Physicians for All Manitobans Act, be read now a first time.

Madam Deputy Speaker: It has been moved by the honourable member for Inkster and seconded by the honourable member for River Heights (Mr. Gerrard), that Bill 22—no—233, The Family Physicians for All Manitobans Act, be now read a first time.

Mr. Lamoureux: Madam Deputy Speaker, in recognition of our—the important role that family doctors play, this bill is brought for us today in hopes that the College of Physicians and Surgeons would be mandated to establish targets to ensure that there are an adequate number of family physicians in the province of Manitoba. And if the government fails to meet that requirement that, in fact, there would then be a reduction in salary for the Minister of Health (Ms. Oswald), in addition a smaller reduction of salary for other ministers of the Crown. Thank you.

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

PETITIONS

Multiple Myeloma Treatments

Mrs. Myrna Driedger (Charleswood): Madam Deputy Speaker, I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

Health Canada has approved the use of Revlimid for patients with multiple myeloma, a rare, progressive and fatal blood cancer.

Revlimid is a vital new treatment that must be accessible to all patients in Manitoba for this life-threatening cancer of the blood cells.

Multiple myeloma is treatable, and new, innovative therapies like Revlimid can extend survival and enhance quality of life for the estimated 2,100 Canadians diagnosed annually.

The provinces of Ontario, Québec, British Columbia, Saskatchewan and Alberta have already listed this drug on their respective pharmacare formularies.

We petition the Legislative Assembly of Manitoba as follows:

That the provincial government consider immediately providing Revlimid as a choice to patients with multiple myeloma and their health-care providers in Manitoba through public funding.

This is signed by S. Hutton, B. Hutton, R. Hutton and many others, Madam Deputy Speaker.

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

Bipole III

Mr. Leonard Derkach (Russell): Madam Deputy Speaker, I wish to present the following petition to the Legislative Assembly.

The background for the petition is as follows:

Manitoba Hydro has been forced by the NDP government to construct its next high-voltage direct transmission line, Bipole III, down the west side of Manitoba, a decision for which the NDP government has not been able to provide any logical justification.

Since this will cost Manitoba ratepayers at least \$640 million more than an east-side route, and given that the Province of Manitoba is facing its largest deficit on record, the burden of this extra cost could not come at a worse time.

Between 2002 and 2009 electricity rates increased by 16 percent, and Manitoba Hydro has filed a request for further rate increases totalling 6 percent over the next two years.

A western Bipole III route will invariably lead to more rate increases.

In addition to being cheaper, the east-side route would be hundreds of kilometres shorter and would be more reliable than a west-side route.

West-side residents have not been adequately consulted and have identified serious concerns with the proposed line.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to consider proceeding with the cheaper, shorter and more

logical east-side route, subject to necessary regulatory approvals, to save ratepayers hundreds of millions of dollars during these challenging economic times.

And this petition, Madam Deputy Speaker, is signed by E. Merry, B. Pedersen, J. McDonald and many, many other fine Manitobans.

Blumenort Christian Preschool

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

These are the reasons for this petition:

The community of Blumenort, Manitoba is a quickly growing and changing community. Several new developments are in the process of being constructed and many young families are moving into the region.

Blumenort families looking for early child-care education, nursery school, have only one option in the community, the Blumenort Christian Preschool.

Research suggests that nursery school gives children ages three to five several advantages by providing school readiness and interactive play with other children in a structured, caring and clean environment.

Blumenort Christian Preschool is currently without government support and will be unable to continue offering quality nursery school programming without that provincial support.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Family Services to consider working with the Blumenort Christian Preschool to ensure that affordable nursery school options remain in the Blumenort Community.

And, Madam Deputy Speaker, this petition is signed by T. Friesen, A. Reimer, M. Neufeld and many, many other Manitobans.

* (13:40)

PTH 15-Twinning

Mr. Ron Schuler (Springfield): Madam Deputy Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition.

In 2004, the Province of Manitoba made a public commitment to the people of Springfield to twin PTH 15 and the floodway bridge on PTH 15, but then in 2006, the twinning was cancelled.

Injuries resulting from collisions on PTH 15 continue to rise and have doubled from 2007 to 2008.

In August 2008, the Minister of Transportation stated that preliminary analysis of current and future traffic demands indicate that local twinning will be required.

The current plan to replace the floodway bridge on PTH 15 does not include twinning and therefore does not fulfil the current nor future traffic demands cited by the Minister of Transportation.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Transportation consider the immediate twinning of the PTH 15 floodway bridge for the safety of the citizens of Manitoba.

Signed by E. Lentowicz, D. Van Amelsvoort, B. Beeston and many, many other Manitobans.

TABLING OF REPORTS

Madam Deputy Speaker: I am pleased to table in the House, in accordance with section 28(1) of The Auditor General Act, the report of the Auditor General to the Legislative Assembly on the Winnipeg Regional Health Authority—Administration of the Value-Added Policy.

Introduction of Guests

Madam Deputy Speaker: I would like to draw the attention of all honourable members to the public gallery where we have with us today over 100 visitors from the Family First home visitors program, who are the guests of the honourable Minister of Healthy Living, Youth and Seniors (Mr. Rondeau).

Also in the gallery today with us, we have Justice of Punjab Haryana, High Court of India, and Mr. Jora Singh, who are the guests of the honourable member from The Maples (Mr. Saran).

Also in the public gallery, we have 28 grade 9 students from the Dauphin Regional Comprehensive Secondary School, who are under the direction of Ms. Dana Luke. They are the guests of the

honourable Minister of Agriculture, Food and Rural Initiatives (Mr. Struthers).

Also seated in the gallery, we have 37 grade 4 students from École Bonaventure under the direction of Ms. Kristi Culbertson. These are the guests of the honourable member for Selkirk (Mr. Dewar).

And also seated in the public gallery, we have 20 students from École Robert Browning School. They are grade 5 students. They are under the direction of Ms. Anna Maria Coniglio, and they are the guests of the honourable member for Kirkfield Park (Ms. Blady).

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

ORAL QUESTIONS

Foster Care Long-Term Placements

Mr. Hugh McFadyen (Leader of the Official Opposition): Seven years after this government rushed through its process of devolution in Child and Family Services, we have, Madam Deputy Speaker, a report from the Children's Advocate saying that the system is in chaos. It's confirmation of the very many pieces of information that have come forward over those seven years. It is an implicit criticism of a government that, time and again, has made promises to address the issues, but has failed to follow through.

One of the things that we had requested was the calling of committee. We're pleased that committee has been called with the Children's Advocate, although disappointed that the government is delaying until next Friday. Another step that we've asked for is a moratorium on transfers from stable, long-term foster families.

I want to ask the Premier: He's had several days now to consider this very reasonable proposal, will they now act on it?

Hon. Greg Selinger (Premier): Madam Deputy Speaker, as the House knows, in 2008 we passed legislation to put child safety as the paramount No. 1 priority in all child welfare decisions that are made inside of Manitoba. That clarity guides all the work done by child welfare workers.

And I was pleasantly surprised to see the comments from the acting Child Advocate in Manitoba on the weekend where they indicated that: It was not a report on the state of child welfare in

Manitoba. It was specifically for the purpose of providing a rationale for the government for increased resources for my staff. And that individual goes on to say that several statements contained in the report were published without being put into context.

This is why we are having this special meeting where the Children's Advocate will be there, the Auditor General will be there, and the—all the people will be there that have done—and the Ombudsman will be there—people that have done reports on the state of child welfare in Manitoba, and they can speak without fear or favour to all members of the Legislature who wish to attend that meeting and find out the overall state of child welfare in Manitoba.

Mr. McFadyen: Madam Deputy Speaker, the Premier has yet to respond to the question with respect to a moratorium.

The state of chaos that exists within the system is one that nobody disputes. They may want to call into question the motives of the Children's Advocate in terms of seeking budget increases, but the statements are an absolute reflection of what we know and what many know to be absolutely true in terms of what's happening within that system, that they failed to look before they leapt in 2003 when they moved ahead in a rushed way with devolution.

Now, Madam Deputy Speaker, we have a proposal to the government to provide a measure of stability until such time as other issues can be addressed. That measure of stability would be provided by introducing a moratorium on transfers away from families from children in stable, long-term foster situations. Regardless of what the legislation says, we know that this continues to happen.

Madam Deputy Speaker, will they act on this recommendation today in order to bring some short-term stability to these very important situations?

Mr. Selinger: Madam Deputy Speaker, I thank the member opposite for the question.

Child safety is paramount in the child welfare system. If the member wishes to propose a moratorium, is he saying that he's refusing to allow children to go home when the circumstances are safe? Would that be the approach that he's taking today?

We look towards having child safety to be protected, no matter what the setting is, for the child. Whether it's in the additional 2,200 foster homes that we've provided, whether it's in the family from which the child comes, whether it's in any other placement, we wish to have child safety be the No. 1 priority and, in the context of that, to provide the most appropriate service to that child for their long-term well-being and to ensure that their interests are advanced every day that they are in care or in the community.

Mr. McFadyen: Madam Deputy Speaker, what we're asking for is to provide some continuity, some certainty and some stability in those situations where children are in long-term, stable foster situations where there are no issues in terms of protection or safety until they can deal with what is a very, very large caseload. Nobody is disputing that the caseload has gone up dramatically over the past number of years. The minister himself has stated that there are overwhelming pressures and demands on the system.

One way of providing some temporary relief while players within the system go about addressing the issues of instability is to provide a measure of stability in those individual situations where children are with long-term—in long-term, stable situations, a temporary measure while they get the chaos under control.

Will they take this reasonable step, Madam Deputy Speaker, or will he continue to defend the ways of his predecessor, Mr. Doer, who created this chaos in the first place?

Mr. Selinger: Madam Deputy Speaker, if the member is seriously interested in continuity, why did they vote against additional resources for child welfare issues?

There are \$35 million in this budget for prevention measures in the child welfare system. There are resources for Healthy Child Manitoba in this budget. There are resources for additional day-care spots in this budget to provide stability and continuity to families in a range of settings and conditions they operate in, whether they're wishing to enter the labour market, whether they're trying to do the job at home and support their young children as they enter parenthood—a very important stage of their lives—whether it's in the school system where we put additional resources for persons with special needs.

* (13:50)

All of these things require a commitment, a long-term commitment, a commitment that we made in this budget and a commitment that members opposite have voted against every single time.

Foster Care Long-Term Placements

Mrs. Bonnie Mitchelson (River East): No amount of money will fix the chaos that's been created by the policies of this government that were implemented through devolution.

And, Madam Deputy Speaker, we're not the only ones calling for a moratorium on ripping children from stable foster families as this government is doing when there are no protection issues, and I just would like to quote from the *Free Press* this weekend that says: "It's an unsupportable system, dependent upon cobbled-together authorities that sometimes hire unqualified staff, return children to families because they're told they have to and, in some cases, whose CEOs have come under scrutiny for misuse of funds and nepotism." It's a broken system.

Will the Minister of Family Services now agree to the freeze on removing children from stable foster families where there are no protection issues?

Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs): By the time the member left her office as the minister of Family Services, the—all of her workers—all of the front-line workers said the system was in crisis.

The Children's Advocate over the weekend confirmed that the system today, in her view, was not in crisis, and I think it's all time that we stop, from the opposition benches, making interpretations of what was said. I think the Children's Advocate can speak for herself.

In terms of the question, what we are doing is putting in place supports for foster parents to make sure that they're able to deal with the many challenges that come into their homes and into their hearts, and that's the path that we are on, and making sure that the professionals who assess risk are able to do that job more effectively.

Mrs. Mitchelson: But these are not my words. They're not this opposition's words. They're words that were expressed in the *Winnipeg Sun* this last week, and it says, I quote: We've seen kids die in care, we've seen them abused sexually and physically, and we've seen kids with perfectly good

and caring foster families ripped away from their homes and placed back into Aboriginal homes purely for political correctness.

Will the minister stand up today, listen to what other Manitobans are saying, and place a moratorium on moving children from stable foster families where there are no protection issues?

Mr. Mackintosh: Well, we actually take the advice—the system is built around a system based on professional assessment of risk, and, in fact, there's an enhanced risk assessment model that is now being tested based on best practices, rather than an editorial.

But if the member opposite wants to overtake the professional judgment in particular cases and tell children they cannot go home when it's safe to do so, Madam Deputy Speaker, that would be very unfortunate for those families and for those children, who should have a right to a loving, safe family relationship.

Mrs. Mitchelson: And it's unfortunate that the minister can't tell that to Gage Guimond and his family, because he's no longer here, Madam Deputy Speaker.

And again I'll quote from others—not from us, Madam Deputy Speaker, but from others: On a smaller and more immediate scale, the Province has to scrap the policy of kids being sent back to their families or communities for culturally appropriate reasons even when it makes no sense economically or socially for the kids to be relocated.

Will he, after a weekend of thinking about this, place a moratorium, a freeze, on moving foster children from caring, loving foster families who have been there for a long time when there are no protection issues?

Mr. Mackintosh: Well, I believe I acknowledged last week how very, very difficult it is for foster parents who have sometimes raised and bonded with the child, to say goodbye to the child. That is—it is like suffering grief, Madam Deputy Speaker. We understand that. That is why we have enhanced, and we'll continue to enhance supports for foster parents, who understand too well the pain of saying goodbye. But we have designed foster care all across North America with a view to it being a temporary, safe haven for children in the hopes, and with the work and interventions of eventually returning home to a safe family.

To say to those children, you're not going home, Madam Deputy Speaker, flies in the face of the whole foundation of the child welfare system, and, in fact, is contrary to the priorities set out by the very member opposite—

Madam Deputy Speaker: Order.

Foster Care Long-Term Placements

Mrs. Mavis Taillieu (Morris): Madam Deputy Speaker, we've repeatedly warned this NDP government not to rush into the devolution process, but they went full speed ahead. The cracks became crevices, and the crevices became the abyss of the child welfare system when Phoenix Sinclair died. Her file was closed during the transfer process and was never reopened during the flurry of deadlines to meet the devolution.

Madam Deputy Speaker, today, five years later, and the child welfare system is still in chaos. Has the NDP government learned nothing? Is the death of Phoenix Sinclair—if that wasn't a warning, what was?

Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs): Well, once again, we have to remind members opposite that, as a result of the tragic death of Phoenix Sinclair, there was a review done of the entire foster care system like never before in the history of Manitoba. And what was discovered was that the members opposite had broken the system. In fact, they had made cut after cut after cut and, in fact, if I—you know, what do the years '93, '94, '96 and '99 have in common, Madam Deputy Speaker? It's years that members opposite made cuts to foster care for the foster children, of all things. That is pathetic, but that is why an overhaul is under way of child welfare in Manitoba. That is why the Changes for Children initiative was launched in 2006. That's why we are funding new positions. We're investing like never before, and we're getting involved like never before in the history of Manitoba, attested to by everyone here, in prevention.

Mrs. Taillieu: Madam Deputy Speaker, this NDP government has had 11 years to take some leadership and show some responsibility, and they have not done that in the child welfare system.

Madam Deputy Speaker, five years ago I stood in this House and I asked a question that came from one of the minister's own staff, and I'll quote from *Hansard*: "Questions need to be asked about the current functioning of the child welfare system. I feel

we are working in chaos." Unquote. Nothing has changed. Five years later, and the Children's Advocate report is still saying there's a system in chaos.

Will the minister get his head out of the sand and do something? Will he, today, place a freeze on removing long-term placements from foster families with no protection issues, or will he continue to ignore the chaos in the child welfare system?

Mr. Mackintosh: So, Madam Deputy Speaker, as a result of the reviews, it was discovered that, in fact, yes, the child welfare system was—and I believe the words used were broken—and we know why. You know, we have to look ahead, and as a result of all of those—the analysis that was done, there was an action plan put in place and that is why child welfare is undergoing an overhaul as we speak. That is why there is a 60 percent budget increase, not decreases as members opposite did. That's why when we asked foster parents to come forward, our target, our hope was 300 more foster beds. And here's what Manitobans came back with: they said we've got 2,207 for you. That speaks to the involvement of Manitobans. I say, thank you.

Mrs. Taillieu: Well, Madam Deputy Speaker, five years after the death of Phoenix Sinclair and children have continued to die under the watch of this minister, the minister's standard answer has been to say that he'll put more money into the system, but no amount of money can bring love and protection to children that need it.

* (14:00)

This government has been warned. It was warned seven years ago, and five years ago when Phoenix Sinclair died, that was a huge warning. And today they're being warned again by the Children's Advocate's report about chaos that remains in the child welfare system.

I'm going to ask this minister to show some leadership today and do something to place a freeze on removing long-term placements from foster families with no protection issues, and—or is he going to continue to see and allow chaos in the child welfare system?

Mr. Mackintosh: It's important that all of us learn from the true chaos of residential schools of the '60s scoop, Madam Deputy Speaker.

Children should have a right to grow up safely in their own family, and sometimes it's their extended

family. They have a right to grow up in their community, and to tell children they can't go home would be most unfortunate for those children and, indeed, for the parents where it is safe to do so.

And, you know, members opposite want to go on and—of course, they want to link the word "devolution" with child deaths, Madam Deputy Speaker. I will say that as long as there is one child who dies in foster care, it is too many. And yes, 12 died in foster care last year.

They didn't have devolution when they left office, Madam Deputy Speaker. Who do they blame for almost double the number of deaths in foster care then?

Child and Family Services Agencies Impact of Devolution

Mrs. Myrna Driedger (Charleswood): Chaos isn't new to the Child Family Services. In fact, in the fall of 2002, I sent a letter to the Minister of Health asking for a system-wide review of Winnipeg Child and Family Services before the system devolved. Front-line social workers were extremely worried that children were being returned to their parents prematurely, that children were being abused while in care and that children were falling through the cracks. All of us were ignored and now kids have been hurt.

So I'd like to ask the Minister of Family Services to tell us why those early red flags were ignored?

Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs): We keep hearing allegations that devolution was rushed. I recall it was in 1991, when, in fact, the commissioners said that immediately the government of the day should move on recognizing the rights of Aboriginal people to have greater control over the caring of their own children. And, Madam Deputy Speaker, members opposite did not move on that and they made a decision.

When we came into office, we worked with Aboriginal communities and put in place over many years a process to make sure that the Aboriginal Justice Inquiry recommendations were given life. That is why we're—not only put in devolution, but why there is now an overhaul even on top of that.

Mrs. Driedger: In the fall of 2002, the Children's Advocate was also sounding alarm bells because she was also worried about the safety of kids in care. She

also wanted to see a system-wide review prior to devolution. She was ignored.

So can the Minister of Family Service tell us: Why was the Children's Advocate ignored then? Why was there a rush to devolve Child and Family Services?

Mr. Mackintosh: Well, the report after report from the Children's Advocate and interview after interview has indicated the Children's Advocate supports the devolution of child welfare. And, in fact, in the reports they concluded that devolution is expected to be a huge part of the strengthening of child welfare.

So the members opposite do not now, nor never have, listened to the Children's Advocate. And, in fact, when you go back, you'll see a very unfortunate history of them denigrating the Children's Advocate and refusing to take the advice of the Children's Advocate, and, in fact, got rid of a Children's Advocate as a result of criticisms of government of the day.

But that is why we're funding new positions. That's why we're investing in child care. That's why we're getting kids out of hotels. And, in fact, 166 kids were in hotels in 2006. We're down to an average of about two—

Madam Deputy Speaker: Order.

Mrs. Driedger: Madam Deputy Speaker, all we're hearing from this government is excuses and rhetoric. They do not seem to understand the questions or they do not seem to want to take leadership on this issue.

Their government ignored early warnings from CUPE, from the Children's Advocate and from us. We were talking to front-line social workers. All of us asked for an external review prior to devolving into the system that we have now. Everybody said that if you do not do an external review, fix the problems now, you're going to devolve the problems into the new system and you're going to set up the new agencies to fail. And that is exactly what happened.

This government rushed devolution and they set the new agencies up to fail. Why did they do that?

Mr. Mackintosh: Well, the outside external reviews made it clear that a devolution did not cause problems in the system and, in fact, quite the opposite. And they said early in the review it became apparent that numerous concerns in the child welfare

system predated the transfer. While the transfer was not the source of these concerns, the review concluded that it does represent a unique opportunity to address them. As a result of devolution, we've been able to get children, with rare exception, out of hotels. We've been able to do quality assurance, reviews of the—

Some Honourable Members: Oh, oh.

Madam Deputy Speaker: Order.

The honourable Minister for Family Services, to complete your answer.

Mr. Mackintosh: We've been able to do systemic quality assurance reviews of agencies, and every agency in Manitoba will be subject to that kind of a review. We've been able to fund 230 new positions in child welfare. We've been able to finally engage the federal government in investing, hopefully, and we'll have an announcement, I hope, in due course, in First Nations communities. We have to address root causes as well as child welfare.

Child and Family Services Agencies Family Reunification Policy

Mrs. Bonnie Mitchelson (River East): But the government was warned predevolution that they needed to take a look at the system.

Madam Deputy Speaker, Phoenix Sinclair died as a direct result of a—her file being closed and not being reopened in the rush through devolution and, then, Gage Guimond died as a direct result of what the minister just said was a child's right to grow up in his own family.

Well, Madam Deputy Speaker, how can he justify moving Gage Guimond into his own family, into an unsafe situation, where he ultimately died? How can he justify that?

Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs): The tragedy of Gage Guimond has been looked at in-depth and, indeed, the system did fail Gage Guimond horribly as a result of a serious breakdown in that agency, and that has all been uncovered, and that is why Gage's law, for one, has been brought into this Legislature to make sure that safety is paramount. That's been backed up by training and the strengthening of many, many standards in child welfare.

But, I remind members, they want to look at what the Children's Advocate says. She's reported on the weekend as saying that she fully supports the

devolution of child welfare services and it's important that we look to see how we can strengthen child welfare which is why the Changes for Children agenda and the overhaul is under way. It's recognizing the shortcomings that were discovered and addressing them head on.

Mrs. Mitchelson: That doesn't say much to Gage Guimond's family and those that lost him as a direct result of moving him to an unsafe situation in a family reunification, and, Madam Deputy Speaker, we're still seeing that kind of thing happening today. This government has learned nothing from the death of Gage Guimond.

Will this minister now get his head out of the sand, look at what's happening in the system that he created that is in chaos and fix it?

Mr. Mackintosh: Well, again, they don't want to let the Children's Advocate speak for herself and attribute interpretations to what she said which I understand is not what she is now saying.

* (14:10)

But the 'paramouncy' of safety always has to be the consideration, which is why when it is safe for a child to return home, that is the fundamental unit of society. A child should have a right to be in a safe and loving family, and where that can't be provided, that is where foster care comes in, that is intended and hoped that it will always be a temporary situation. Sometimes it has to be long term and it is hard to say goodbye, but a child should have a right to go home when it is, indeed, safe.

Foster Care Long-Term Placements

Mrs. Bonnie Mitchelson (River East): But it was pretty hard for Gage Guimond's long-term foster family to say goodbye to him and the next thing to find him dead as a result of being moved to an unsafe family circumstance.

Madam Deputy Speaker, I want the minister to stand up today, recognize and realize what is happening in the system today—

Some Honourable Members: Oh, oh.

Madam Deputy Speaker: Order. I just want to remind all honourable members that we are in front of the viewing public, so I will ask for your co-operation, all members, in maintaining decorum.

The honourable member for River East, to continue your question.

Mrs. Mitchelson: Thank you, Madam Deputy Speaker, and I would like the minister to stand up today and not just listen to what I'm saying but to what outraged Manitobans and others are saying.

Will he now place a moratorium on moving children from long-term foster-family placements where there are no protection issues and ensure that those children remain safe?

Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs): Yes, we put in place the funding for 230 more positions to help children and to help foster families. We've been outside of that, and made investments like never before in the history of this province. And, in fact, today we're celebrating the Families First initiative, and many people are here in the gallery who work with families and many families that are in very difficult circumstances.

And you know what, I think, Madam Deputy Speaker, it's high time we also started talking about what the fundamental challenge is here, and it's set out in the inquest report into Tracia Owen's death. And it says there, in the long term the community has to be made healthy by attacking problems of infrastructure and basic needs of life. Unless these areas are dealt with, the result of poverty and neglect will continue to be crime, violence, abuse, neglect, substance abuse, suicide—

Madam Deputy Speaker: Order.

Child and Family Services Agencies Government Action

Mr. Hugh McFadyen (Leader of the Official Opposition): And there's no dispute, even from members opposite, that the situation is getting worse rather than better in this whole area, Madam Deputy Speaker, and so, for the minister to stand up and to lecture Manitobans in this way is an admission of failure on his part. It's an acknowledgement that the things he's talking about are getting worse and not better. As the caseloads go up, as the number of tragedies increase, as report after report comes forward talking about chaos within the system, it's clear that what they're doing today isn't working.

I want to ask the Premier, who's in a unique position, to do something about this situation, to show leadership. Will he take responsibility? Will he show leadership? Will he overrule his failed Family Services Minister and will he bring stability to the system in a way that we have recommended over the past number of days?

Hon. Greg Selinger (Premier): We've known that there are certain families and communities that have been in crisis in this province when it comes to caring for their children. That is why we have invested additional resources into the child welfare system. That is why we have gone upstream to resource to the tune of \$28 million, the Healthy Child program in Manitoba, so that these things can be prevented, by having prenatal benefits, by having home visitor programs, by having access to primary health care when people need it.

We also know that people need stable housing, which is why we have set up a Housing Department with a very significant commitment to creating new stable housing for families in Manitoba. That is why we have put additional money into programs like Neighbourhoods Alive! so that communities can rally together and provide opportunities for children to thrive recreationally and be safe in those neighbourhoods.

All of those things are measures we are taking to improve the quality of life for children and families: 2,200 new foster beds, 230 new workers and \$35 million additional resources for prevention this year. That's our commitment.

Mr. McFadyen: Madam Deputy Speaker, I think what people are looking for is results, and the reality is that the results, even by the admission of the Premier and the minister, are getting worse. So it's clear that the script that they have been following for the past seven years is not working. They initiated many of the changes without proper care, without proper foresight, that have led to some of the chaos that's now being referred to by the Children's Advocate.

I want to ask the Premier: Is he going to carry on down the path set by his predecessor that created the chaos and continue to take the political position of putting out rhetoric without getting results or will he look for results by reversing the failed policies of his predecessor in order to do better, not just in terms of announcements, not just in terms of spending, but in terms of results for kids in Manitoba?

Mr. Selinger: We will do exactly those things that do get better results for children and families, which is exactly why we have a very thorough review of the resources we put out there for things like Healthy Child. We are doing longitudinal research to see that these investments yield results with children more ready to go to school, families better able to do parenting, families with more supports to be able to

do the important job of parenting, which is one of the fundamental roles of any family in this province, or anywhere in the world, for that matter.

Here's what we won't do. We won't cut the resources to foster parents by 20 percent, which is what the members opposite did. We won't wipe out the Foster Family association by taking away all their funding like the members opposite did. We won't lay off child welfare workers one day a week so we can save money and put families at risk like the members opposite did, Madam Deputy Speaker.

There's a very clear difference here. We're willing to put resources where they count and measure results. They're willing to make excuses and cut back and leave families on their own.

Mr. McFadyen: Thank you, Madam Deputy Speaker. All of the rhetoric in the world doesn't change some basic facts.

It is 2010 right now, Madam Deputy Speaker; 1990 was 20 years ago. They've been in power for 11 of the past 20 years. The situation has gotten worse since 2003 following the changes they made that they were warned about time and time again, and seven years later, after warning not just from members in the House, but from outside experts, from their own supporters, from experts in the field, the situation is getting worse.

Will he acknowledge this reality today as a first step toward bringing stability to a system that is undeniably in chaos?

Mr. Selinger: If you ask the Foster Family association, are they better off now than they were under the members opposite, I think the answer will be clear. They get support now. They get help with training. They get better per diems in order to undertake the very important responsibilities that they do in being foster parents.

We—

Some Honourable Members: Oh, oh.

Madam Deputy Speaker: Order. The honourable First Minister, to complete his answer.

Mr. Selinger: We believe that you have to make progress every single day in the child welfare system. We believe you have to go upstream and invest in families and children when they—so they can have a healthy start to life, so they can stay out of the system. We believe you have to invest in education and day care so that families of all types

and sizes can have the supports they need to function in this modern society. You can't do it by the cutbacks that the members imposed in the '90s. You can't do it by voting against budgets that supply support to families and children. You can't do it by chasing headlines.

A week ago today the priority for the Leader of the Opposition was whether his member on the backbench could meet with a representative from China. The day after he saw the headlines he switched to child welfare. Our commitment is consistent. Our member—our commitment is clear and our commitment is long term to the children and families of this province.

* (14:20)

Child and Family Services Agencies Long-Term Client Care

Hon. Jon Gerrard (River Heights): Madam Deputy Speaker, there is chaos in the child welfare system in Manitoba. Far too many of our children are in care, almost a city of children.

The minister said recently that Manitoba children are in care two years longer than children in Saskatchewan. Is this deliberate government policy? Surely, Madam Deputy Speaker, it's not good to have a province in which children are in care for such a long time. We know this is an NDP province, and that people have to wait and wait. Children and families wait like everybody else, whether it's for court appearance, adoptions—waiting, waiting, waiting.

Can the minister tell us today why he has children as wards of the government for such long periods in Manitoba? Is his just—government just slow when it comes to looking after children?

Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs): When there is breakdown in the family, this member would blame the child welfare worker who has to go in and assess a very challenging situation and make a professional judgment as to what to do to put the safety and the best interests of that child first.

When those children come into care and the numbers of children in care go up, the member gets up and says, it's the fault of the government. It is—Madam Deputy Speaker, the child welfare system is there to deal with the challenges that society puts forth. It is there to make sure that not only is there is a response when there's a family breakdown, with the

child coming first, but also to make investments so that we can reduce the incidence of family breakdown.

**Minister of Family Services
Resignation Request**

Hon. Jon Gerrard (River Heights): Madam Deputy Speaker, we're not blaming the agencies. We're not blaming the child welfare workers. We are blaming this government for creating the chaos causing the disorder.

The minister hasn't given us an adequate explanation. Why are children in care for such a long period of time? We know part of this is because there are excessive waits. You know, for example, if a parent needs addiction treatment, the parent must wait 300 days before even beginning, and that's 300 days that the child has to be in care because the parents are waiting for help. It's not just child welfare which—in chaos, it's other areas which are delayed and make people wait.

I ask the Premier: When will he get rid of the minister who hasn't done his job, who's created the chaos? When will he sort things out, and get a new minister who can do the job?

Hon. Greg Selinger (Premier): The member has attempted to try to personalize this very set of tragic circumstances with many families and children throughout the province.

We have taken an approach where we have been willing to put the resources where they count to make a long-term difference, Madam Deputy Speaker. I recall the member, when he was a federal Cabinet minister, he cut the Canada Assistance program, which funded child welfare, which funded day care, which funded community development efforts.

We're not taking that approach. We're taking an approach where we put resources where they will make a long-term difference for families and children—not the approach he took; not the approach the members of the opposition would take: balance the budget at budget time, and then chase headlines later on.

Mr. Gerrard: Madam Deputy Speaker, this is a government which is trying to blame everybody else. The minister has been up on his feet trying to blame the families, the disruption, the areas of despair in this province. Yes, that's right. The Premier is trying

to blame everyone he can think of, instead of getting to the source of the problem.

We've got far too many children in care. Part of the reason for this—and the minister and the Premier haven't given us an explanation. Is this deliberate government policy? Why do you have children in care for so long? Surely that adds to the dysfunction instead of improving things.

This problem, the child welfare system, is in chaos. When are you going to straighten it out? When are you going to change the minister?

Mr. Selinger: Madam Deputy Speaker, I'm proud of the work this minister has done. Day in and day out, he has devoted his energies to making this system better. He has devoted his energies to improving child welfare, and we have gone beyond the number of children coming into care.

Member opposite wants less children in care. Members in the opposition want more children in care. We want children to be safe and to be able to thrive no matter where they are, whether they're in care, whether they're in their families, whether they're in schools, whether they're in day cares, whether they're in their community. We want children to be safe, to live in safe environments, to have the supports they need, which is why we're investing on all of those fronts. And the member opposite needs to explain to the public why he opposes all those investments, why he consistently votes against them.

Madam Deputy Speaker: Time for oral questions has expired.

MEMBERS' STATEMENTS

Save Our Seine—20th Anniversary

Hon. Nancy Allan (Minister of Education): Madam Deputy Speaker, I stand today to honour and thank the wonderful people involved in Save Our Seine. This year marks the 20th anniversary of their members working hard to preserve, protect and enhance the beautiful Seine River area of south Winnipeg. This dedicated group of community members, which includes a corps of dedicated board members and more than 1,000 organization members, strives to increase a sense of environmental responsibility in their fellow citizens through public education and community activities.

Save Our Seine formed in 1999–1990—as a grass-roots response to damage to the river and its banks due largely to development. In July 1994, they

were incorporated as Save Our Seine Environment Inc. and since then they've wracked up an impressive list of successful initiatives and projects including but certainly not limited to annual Greenings and Cleanings, co-ordinating the Urban Green Team made up of summer students, advocating for changes to increase river levels, sponsoring a study of fish diversity in the Seine and building three kilometres of walkways along the river in old St. Boniface.

The small but often picturesque Seine River originates in the Sandilands area near Steinbach and meanders through towns, villages and, of course, Winnipeg before flowing into the floodway at what is known as the Seine River Siphon.

The Seine River is a treasure in St. Vital and is enjoyed not only by many of my constituents but by residents throughout Winnipeg and beyond. I invite all members to join me in thanking Save Our Seine for their dedication and wish them continued good luck and future success. Thank you.

Patricia G. Everett

Mrs. Heather Stefanson (Tuxedo): I rise today to pay tribute to a respected member of our community, Patricia G. Everett, née Gladstone, who passed away May 19, 2010. Patricia Everett was known as Patty to my parents and Mrs. Everett to the rest of us in the McDonald clan. Patty was an incredibly generous and thoughtful individual, who paid—who played a key role in our community. She married Douglas Everett in 1952, a former Manitoba senator and well-respected businessman in our community. She and Doug had six children and 11 grandchildren. Patty loved her family and looked forward to the time they spent together out at Minaki in the summer.

I remember fondly the years when our family joined the Everetts at their open-house party during the Christmas season. Patty always made us feel welcome. She let my siblings and I play hide and seek in their home at 514 Wellington Crescent, and I can recall many times getting lost and getting a little scared, and when I couldn't find my own mother, Patty was always around the corner with a special plate of Christmas goodies, an infectious smile and a hand held out to me to help me find my way.

Patty took a keen interest in how things were going at the Manitoba Legislature. We had many conversations over the years. I cherished her advice always and appreciated her taking the time to discuss these issues on several occasions.

I believe that nothing more accurately expresses who Patty Everett was than the words that were written in her obituary, and I quote: Every so often someone comes along who is in total harmony with life. Effortlessly they bring a sense of happiness to everyone they meet through their smile, their eyes, their conversation and in so many other ways. They are not overly aware of this extraordinary quality and so they strive to protect—perfect themselves and to achieve as the rest of us do. But they have long since reached a goal that eludes most of us because they contribute so much to the joy of living. Such a person was Patty Everett.

On behalf of my husband, Jason, my siblings—Elizabeth Gage, Donald McDonald, Gillian Quinn and Heidi McSweeney, formerly known as the McDonald clan—I want to express our sincerest condolences to Douglas Everett, his six children and 11 grandchildren, on the loss of Patty—wife, mother, grandmother and friend. Thank you, Madam Deputy Speaker.

* (14:30)

Run With Porter

Ms. Erna Braun (Rossmere): Madam Deputy Speaker, truly nothing can ease the grief of parents who have lost a young infant. Tannis and Ryan Francis were devastated when their son Porter succumbed to a rare immune-deficiency disease just six short months after his birth. Although Porter's life was short, Tannis and Ryan found a way to continue to share their love and memory of Porter with family, friends and community. What they found is called Run with Porter. Family and friends rallied around the East Kildonan couple and helped them organize this annual ecofriendly event that celebrates love, life and nature.

On June the 6th, I was among 630 participants in the second annual Run with Porter in Birds Hill Park. The weather was absolutely perfect and so was the event. It began with a sunrise yoga session and a 100-metre dash for kids, followed by your choice of a run or walk through the park and a very welcome organic breakfast.

A foundation has been established which honours Porter and supports Manitoba charities that have a focus on children and the elements of nature and the environment. The Seedling Foundation is a result of last year's run. The \$10,000 raised this year will support Winnipeg Harvest's new Three Sisters Blue Box Gardens program, which introduces

preschoolers from the inner city to the joys and rewards of growing their own food.

Run with Porter speaks well of our community, our capacity to comfort and support a neighbourhood family suffering a devastating loss, to act on our concerns by building, with the family, a legacy which demonstrates the love of family, friends and nature.

I would like to thank Porter's parents, Tannis and Ryan Francis, for their strength and dedication. Along with Porter's close relatives, in particular Greg and Kelly Lehmann, Rod and Helen Lehmann, Eugenia and Sean Lehmann and their daughter Montana, you have created such a wonderful event that will continue long into the future and remind us of the love of a family.

Thanks to you, the Run with Porter team, and to the 75-some volunteers who helped in so many ways to make Run with Porter an event, we look forward to celebrating with your family each year. Thank you, Madam Deputy Speaker.

Royal Canadian Legion Conference

Mr. Ralph Eichler (Lakeside): This past weekend it was my pleasure to attend the opening ceremonies for the 43rd Dominion Convention of the Royal Canadian Legion.

In 1925, the City of Winnipeg hosted what was known then as a veteran Unity Conference, which led the way to the founding of the British Empire Service legion-League in 1927 and was later renamed the Royal Canadian Legion.

Madam Deputy Speaker, of the legion's 360,000 members from across Canada, more than 1,200 legion delegates will discuss important issues while they consider 139 resolutions this week in Winnipeg, the city where the first conference was held 85 years ago. Some of the issues that will be discussed will include support to Canadian soldiers who have returned from Afghanistan and how to deal with declining legion membership.

There were a number of events that took place over the weekend to kick off the conference. On Saturday, June 12th, a plaque was unveiled at the Marlborough Hotel to commemorate where Winnipeg Mayor Ralph Webb opened the first conference. On Sunday, June 13th, the Parade of Legionnaires and official wreath-laying ceremony took place at the Cenotaph on Memorial Boulevard. The parade was followed by the official opening

ceremony and reception at the Winnipeg Convention Centre.

A number of dignitaries, including members of this Assembly, took part in the formalities. This event was also attended by Honourable Jean-Pierre Blackburn, Minister of Veteran Affairs; Mrs. Della Morley, the National Silver Cross Mother. Guests were privileged to welcome His Excellency Wim Geerts, ambassador from the Kingdom of the Netherlands. His Excellency, the honour-guest of honour, also offered an address as well as the opening ceremonies at the convention.

Madam Deputy Speaker, I would like to welcome all the delegates of the Royal Canadian Legion to Winnipeg for the 43rd biennial convention. It was my honour to be included in the opening of the Legion's convention. I wish the Legion delegates all the best as they discuss important issues this week at the conference.

In closing, I'd encourage all members of this House to stop by and simply say thank you to all the veterans, men and women, who gave of themselves, family and friends, to make this country what it is today.

Brit Café

Ms. Sharon Blady (Kirkfield Park): Madam Deputy Speaker, it's always a treat to find a gem of a restaurant, the kind of place that keeps you coming back for more. The Brit Café in my community is just such a place, and I would like to recognize it today, not only for its outstanding food and friendly atmosphere but also for being awarded the best British expat restaurant in Canada in a recent international contest.

One reason for the restaurant's success is its authenticity. Owner Sally Mann and her family immigrated to Canada in 1998 from Fordham Village, Suffolk, located northeast of London. While a printer by trade, after a few years in Canada, Mann decided to try her hand at business, opening the Raging Brit shop which featured classic British favourites such as Cornish pasties, pork pies and Scotch eggs, as well as sweets, spreads and an array of knick-knacks. With Winnipeggers clamouring for English cuisine, Mann decided to expand her thriving business in 2008 by opening the Brit Café at Portage and Thompson, an instant hit for expats and Canadians alike.

The menu boasts traditional fare such as toad in the hole, fish and chips, cottage pie and bangers and

mash, all deliciously prepared from scratch. It also reflects England's embrace of cultural influences from India, Pakistan and North America, serving up menu items like butter chicken, samosas, clubhouses and Ruebens.

Customers flock to the Brit Café for the feeling of home. The dining room resembles a modern British café and the restaurant holds regular afternoon teas, Coronation Street days and pub quiz nights. Patrons have warmed to the Manns, some even referring to Sally as mum, and have expressed their appreciation through their votes, which led to the Brit Café taking home the important award.

Madam Deputy Speaker, I would like to congratulate Sally, her children and their staff on their success. I encourage all members to visit the Brit Café. It is a one of a kind place and a taste of England right here in Winnipeg.

GRIEVANCES

Mr. Stuart Briese (Ste. Rose): On a grievance, Madam Deputy Speaker.

Madam Deputy Speaker: The honourable member for Ste. Rose, on a grievance.

Mr. Briese: I rise today on a grievance about the deplorable condition of the provincial drainage in this province.

Now, I realize that there were some cutbacks in the '90s on provincial drainage, and I also realize that the Province at that time—the government was experiencing declining revenues and reductions in transfer payments and had to make some tough decisions.

We have now had 11 years of rising revenues and transfer payments, 11 years with dramatic improvements in revenue in this province, 11 years of doing less and less every year in regard to the provincial drainage system. Now, it's my belief that there may be a need for some new drains in the province but a far bigger problem is the lack of maintenance on the existing drains.

In my own constituency, I have three of the four conservation districts that are responsible for the care of provincial drains. Now, they're responsible for the care of those drains, but they're supposed to be funded by the Province.

The Whitemud Conservation District, Turtle River Conservation District and Alonsa Conservation District do an excellent job of stretching the few

dollars they receive from the Province and achieving some results in addressing the overall provincial drainage problems.

Now, Madam Deputy Speaker, I believe those conservation districts are the best and most cost-effective way to deal with water management in the province, but we must keep in mind that out of their limited budget they're also responsible for all of the crossings on those provincial drains in their jurisdictions. They simply are not allocated enough funding to meet those needs.

The Whitemud Conservation District is responsible for care and maintenance of 1,100 miles of provincial drain—provincial third order drain and 1,200 crossings on a budget of approximately \$700,000 from the Province.

Mr. Speaker, the Province has ignored the responsibility for maintenance—Madam Deputy Speaker, sorry—has ignored their responsibility for maintenance of provincial drains, and as a result we are seeing the problems mushroom. In some municipalities, the local council have all but given up in despair of the Province doing anything and are trying to address some of the problems themselves. They are depleting their municipal budgets to deal with a provincial responsibility.

What does all this mean? Well, Madam Deputy Speaker, it means that we see ever-escalating problems in respect to flooding of agricultural land, flooding of urban centres and flooding of residences and farmyards. If the drains were maintained to their former capacity, these flooding issues would be greatly alleviated.

We see the government willing to roll the dice and take the risk of having to pay out significant amounts of money every year to address the damages. Why doesn't the NDP government realize that if they allocate more money to the maintenance they will certainly reduce the risk of the same flooding occurring year after year after year?

* (14:40)

Recently, I was in Gilbert Plains, and I heard and saw first-hand some of the impacts that are caused by a lack of drain maintenance. The same day I visited areas north of Ste. Rose, where it was obvious that lack of drain maintenance was resulting in flooding of thousands of acres of farmland. The provincial drains have had no maintenance for years. They are half full of sediment and overgrown with vegetation.

Earlier this spring, I visited drains in the McCreary-Alonsa area and saw the same thing.

The government talk about nutrient management, but they certainly are doing nothing to address the issue. The longer water sits on an area, the more nutrients it picks up. Cattails are a wonderful cleaner. They remove a lot of phosphorus from the waterways, but the phosphorus doesn't magically disappear. It is retained in the plant, and when the plant dies and breaks down it releases that phosphate into the waterways. Timely drain maintenance would certainly go a long way toward alleviating the nutrient problem. The longer water sits, the more rotting vegetation it comes in contact with and the more nutrients end up in our waterways.

Madam Deputy Speaker, this government's lack of attention to the provincial drainage system is shameful. Their lack of attention is leading to huge financial losses in the province in addition to increasing environmental risks. Sometimes you have to spend money to make money, and this is one of those cases. I call on the NDP government to do the right thing, pay more attention to their responsibility for provincial drains, allocate more resources and actually do something to address the problem of drain maintenance.

The Province has an affordable delivery mechanism through the conservation district program. I realize that we have had three very wet years in a row, but the problems are exacerbated by a provincial drainage system that has capacity reduction of anywhere from one-third to one-half of what they were designed to handle. We see cropland and property damages increasing everywhere drain capacity diminishes, and that increase costs not only individuals but the Province as well.

The costs, as I said earlier, are both financial and environmental. It will continue to get worse until a meaningful drain-maintenance program is put in place. Madam Deputy Speaker, this NDP government has found many ways to waste money now and into the future: 3 million wasted on Spirited Energy program, 640 million or more being wasted on a west-side hydro line that result in an ongoing additional cost of tens of millions of dollars in line loss and maintenance, \$350 million for unneeded nitrogen removal in Winnipeg's waste-water treatment plants. In addition, we see 105 million provincial dollars going into a stadium that should be privately funded. We see \$260 million being loaned by Manitoba Hydro to a U.S. company to build a

wind farm to produce power to sell back to Manitoba Hydro at a higher price than Hydro can produce the power themselves.

Madam Deputy Speaker, when is this government, this Premier (Mr. Selinger), going to reassess his priorities—if he has any—listen to the people of Manitoba, and provide the basic services which are the responsibility of the government to provide? We see chaos, mismanagement in Family Services, chaos in the health-care system, chaos in Justice, chaos in Agriculture, chaos in Hydro, and now chaos in water management in this province. My message to the NDP is: If you can't show any leadership, step aside and let someone else do the job.

Thank you very much.

ORDERS OF THE DAY GOVERNMENT BUSINESS

House Business

Hon. Bill Blaikie (Government House Leader): The—today the House will proceed to further second reading on bills, beginning with Bills 17, 12, 6, 15, 24 and 34. And I may have other things to announce with respect to government business in due course, Madam Deputy Speaker.

Madam Deputy Speaker: It has been announced that the House will be debating Bill 17, The Biofuels Amendment Act; Bill 12, The Pimachiowin Aki World Heritage Fund Act; Bill 6, The Manitoba Association of School Trustees Amendment Act; Bill 15, the français act; Bill 24, The Aboriginal Languages Recognition Act; Bill 34, The Consumer Protection Amendment Act.

DEBATE ON SECOND READINGS

Bill 17—The Biofuels Amendment Act

Madam Deputy Speaker: We will now move on to Bill 17, The Biofuels Amendment Act.

Mr. Cliff Cullen (Turtle Mountain): It is indeed a pleasure to speak to this particular piece of legislation today, and certainly The Biofuels Amendment Act does have a—interesting history here in the Legislature.

I believe, if you look back in history, it was actually a bill that was brought forward a number of years ago—actually, before my time here, at the Legislature—by the NDP government. And my colleagues tell me it was a very—it was one of those

bills that was rushed in by the government at that particular time. And, as the way it works around this House sometimes, Madam Deputy Speaker, we have this real urgency to pass legislation and sometimes we wonder what the urgency is to get legislation passed.

And I think that was one of those particular bills that some of my colleagues who were here at the time have passed on to me, and the government were quite urgent and wanted the House to sit a longer period of time to make sure that this particular legislation was passed.

The reality was the bill was passed. The original bill was passed at the time, but the government did not bring royal assent and did not proclaim that particular piece of legislation. So we wondered, again, when you look back in history, once that bill was passed, why there was a such rush on behalf of the government to get that particular bill passed, because it did take a long time before the bill was actually proclaimed.

And even several years later—and we're talking five and six years later—pieces of that original piece of legislation have not been proclaimed even yet. And I know that this is at least the second, and possibly the third amendment to that original piece of legislation. So we always have a little doubt in our mind why the government of the day is bringing forward legislation on their own legislation that they tried to rush through.

I think what you'll find, Madam Deputy Speaker, is the fact that it's one of those types of bills that the government can spin the public of Manitoba. They can come out and say, yes, we've passed this biofuels act. This is going to be the saviour for Manitoba. This is going to instantly provide us with an ethanol—plants around the province. It's going to automatically provide biodiesel plants around Manitoba, and Manitoba is going to be a leader in the biofuel industry all across Canada and all across North America, and that's the message they try to leave with the public of Manitoba.

The reality could be nothing further from the truth. As most of us would know, hopefully—most of the people in the Chamber that have an interest in biofuels at least—would know the United States of America have really taken an issue and taken a leading role in terms of the ethanol production in the United States, and they have a great number of facilities established in the United States. And now, a lot of their land, their farmland, is taking up and

growing corn for ethanol production and it's a huge industry in the United States.

And, I guess, that's part of the government policy there, is they are trying to become more self-sufficient when it comes to fuel production. So that is the public policy that they have implemented in the United States is to subsidize the production of both ethanol and biodiesel. So that's why we see the great growth in the industry in the United States.

* (14:50)

And we haven't seen a real growth of industry here in Manitoba. In fact, even several years after the original bill, the original legislation pertaining to biofuels was passed, it was quite some time before we actually have an industry established here in the province of Manitoba. And it wasn't always, in particular, because of the legislation. It was more because the industry could see a way and a need to produce ethanol. And, obviously, the industry—and in, I guess, in Manitoba, we should reflect on it's primarily Mohawk at this particular point in time who are taking advantage of the particular program that has been set up here by the government. So that's what's happened.

But the downside is, Madam Deputy Speaker, we didn't see the growth in the ethanol industry that the government promised would happen. And we know there are, and there has been, a number of companies that would like to produce ethanol here in the province of Manitoba, but at the end of the day there has to be the political will to help that process move forward. And we haven't seen the government, in the last few years, facilitate the development of ethanol production here in the province of Manitoba.

Mr. Mohinder Saran, Acting Speaker, in the Chair

In fact, I know of at least three or four companies who have come forward with ideas to produce ethanol, some from a very innovative point of view, and it's in very environmental, positive points of view. But the government refuses to acknowledge those industries and refuses to work them to enhance the production of ethanol here in the province of Manitoba. So it's—another thing—it's all about perception that they want to leave with the public versus the reality of what's happening in the rest of Manitoba.

So, even with the passage and the amended passage of The Biofuels Act a few years ago, we've had very little uptake or increase in ethanol production here in the province of Manitoba.

And the same thing can be stated for biodiesel production. Now we have a government bringing forward an amendment to their legislation which they will hope will motivate companies to produce biodiesel here in the province of Manitoba. But the reality will be it will force companies to import biodiesel from other jurisdictions. And this is where the government will come out with their political spin and tell Manitobans that we are far ahead of anyone else in terms of biodiesel production here in the province of Manitoba.

The reality is we do not have one commercial biodiesel plant up and running that can produce biodiesel to the companies that need it. So what this government will do, they will force those companies to import biodiesel for their blended fuels.

So this particular legislation is not going to be driving the industry, as the government would like to have the public recognize, and this legislation is all about political spin, as we've seen before.

And I think part of this legislation is because of the current government's record on greenhouse gas emissions. The previous premier made a commitment to try to meet the Kyoto targets, and we know for a fact greenhouse gas emissions have been going up in Manitoba. So it seems highly unlikely, if not almost impossible, that they will be able to meet their greenhouse gas targets.

That is why, I think, this government has decided they better do something else to try to spin their past and negative record on greenhouse gas emissions here in the province of Manitoba. In fact, what this legislation may do, it may actually increase greenhouse gas emissions here in the province.

We know the transportation industry by itself does produce a fairly relatively high amount of greenhouse gas emissions here in the province of Manitoba, and what this legislation will do, it will force companies to import biodiesel from other jurisdictions. And it's quite natural to follow the premise that that transportation, and the increase in transportation, by importing biodiesel will lead to a higher greenhouse gas emissions here in Manitoba.

It's really, Mr. Acting Speaker—where does the rubber hit the road when it comes to biofuels? You know, are we bringing in regulations and legislation that is not going to accomplish what we want it to accomplish?

And I put forward to you, we're bringing forward this legislation because we want the public to be

comfortable with where the government is headed in terms of their environmental policy.

At the same time, we have to have a government that is really serious about moving the industry forward here in Manitoba and I have had first-hand acknowledgment from a number of companies that this government is not there to help them move the industry forward. That is the frustrating part for me, and for my colleagues across rural Manitoba.

If the government of the day was really interested in rural economic development, they would be there hand in hand with these companies that are trying to produce ethanol and biodiesel, but that's not what—that, in reality, is not what is happening. Instead, we have a government bringing forward legislation and changes to that legislation to make it look like they're doing something in terms of greenhouse gas reduction in the province of Manitoba.

And I think, if we can, for a minute, if we reflect on some of the environmental issues that the government have come forward with, in terms of some of their policies, some of their regulation and some of their legislation, I think you will see the same parallel in some of the environmental legislation they've been bringing forward. And, if we want to look at some of the legislation and regulation around water and the protection of water here in the province of Manitoba, I think it draws a really good analogy between that and what's happening here in Bill 17, The Biofuels Amendment Act.

And I would say to you, Mr. Acting Speaker, that that policy, now that the government has set on water protection, is very similar to the policy they put forward under The Biofuels Act, and I would say to you the policy is all about public spin and public perception. They want to leave the perception with the public that they are doing things to protect the environment and to protect water quality here in the province of Manitoba. But their policy, their legislation and their regulation, have very little to do with common sense and science, and that's why we, on this side of the House, those in the scientific community, those in the research community are saying, why are you bringing forward policy and legislation and regulation without a proper consultation with those industries?

As an example, we have the government now announcing for the third time that they're going to go to the Clean Environment Commission for a review of nitrogen removal in the City of Winnipeg water

treatment facilities, and we know what the scientific community for the most part has said about nitrogen removal in that regard. They said it's not worth it. It doesn't really do anything to enhance or protect water quality here in the province of Manitoba. But, at the same time, we have the government of Manitoba out there trying to spin that extra three or four or five hundred million dollars, whatever that cost is going to be, is going to protect the water quality here in the province of Manitoba.

* (15:00)

And another example of this is the recent regulations that have been brought in, pertaining to waste-water sewage ejectors and, again, this particular legislation—or pardon me—regulation was brought in particularly designed to spin people in urban Manitoba. The problem was really an urban problem, a problem close to the Red River Valley in certain sensitive areas. But instead of the government trying to address that specific issue in those specific areas, they decided to come out with a regulation that would blanket the entire province of Manitoba, and the scientific community is saying there is no sound research or scientific data to say that that is going to benefit water quality here in the province of Manitoba.

Now, the NDP try to sell themselves as being the environmental party here in the province of Manitoba, but they do that by political spin. They don't do that by providing concrete results, and they can't back up their legislation and their regulation from a common-sense or a scientific perspective. In fact, what they're doing is they're actually—by the regulation that they're changing in terms of the waste-water regs, it's actually going to cost thousands of Manitobans tens of thousands of dollars more money than they actually need to spend, and the reality is they could actually be making the environmental situation worse.

For the most part, waste-water or sewage ejectors—whatever term you like to use in terms of relation to those specific ejector systems—are proven. They're a proven record. They're used in other jurisdictions as well and they're a proven. They're proven from a—both a functional aspect and they're also proven from an environmental friendly aspect as well.

And we're really talking about grey water that's being pumped out of these particular ejectors which, you know, goes on to the soil and, you know, through the remediation process where it gradually—

it gets a little better. Any of the nasties in there are broken down either by the soil or by sunlight. So they have been proven to be a very effective solution or treatment to our waste-water issues.

But it's unfortunate that the government would take an issue like this and spread it across the province of Manitoba so it impacts many, many Manitobans and will impact them in their pocketbooks. In fact, the reality is some of these ejectors—as I said—have been proven safe, but now people will be forced to put in septic fields. And, in fact, those septic fields may actually be more harmful to ground water than the ejector system is, and that's why we have, certainly, many issues with—in terms of what's happening in rural Manitoba.

I do want to make another additional comment here in terms of biofuels. We recognize there's tremendous potential for a biofuels industry here in the province of Manitoba, but, again, it goes back—there has to be a willingness on behalf of government to make it work.

And I can tell you, the people in and around Killarney dealing with some issues in terms of algae in Killarney Lake are diligently working in trying to come up with some solutions, trying to come up with some solutions for the algae problem in the Killarney Lake. And, in fact, they've put out some sprinkler systems they hope will reduce the algae growth in Killarney Lake. That's certainly one aspect they've looked at.

And the second thing they're trying to do is actually build a algae skimmer to physically remove the algae once it's—once it develops within the lake. And the premise is, if they can get rid of that algae off the lake, then it will be certainly much more appealing for swimmers to go there and swim, and it'll be a lot more aesthetically pleasing as well. And not only that, but when the algae does grow there in the summer and the right conditions exist, it certainly gets to be a—quite a smelly ordeal as well. And, certainly, the premise is, if they can develop a skimmer they can take out on the lake, skim that algae off and collect it, then they can look at some other terms—other methods to dispose of that algae that might be positive.

I know they're currently looking at composting the algae, but we also understand that, around other jurisdictions, they're looking at using algae for biofuels. So the idea is if we could use this algae that's collected—and hopefully the unit itself, the skimmer that they're developing will be successful,

they will be able to collect it and then we can decide what we're going to do with the algae after. And I know other provinces are certainly spending some money in terms of developing biofuels using alternative forms such as algae, and it might be a real opportunity for us as a province, here, to do—look at the same sort of thing.

I'm certainly looking forward to seeing the skimmer in the next week or two. We hope it's going to be in the water in the next couple of weeks. I know they've purchased a pontoon boat which should be ready for the water, and they're in the process now of building the actual conveyor to skim off the algae, and they're working on a system to collect this particular algae. So it will be interesting to see if the theory works—once they do get it out on the lake—and that will be a—I'm sure they're all waiting with bated breath around the area of Killarney to see if this particular mechanism is going to work.

One other thing I did want to mention in terms of greenhouse gas emissions here in Manitoba, and that's the whole premise around Bipole III. It would appear the government is still dug—dug their heels on the issue of having the line run the long, west route here in Manitoba. We know from the engineers, both at Manitoba Hydro and engineers outside of Manitoba Hydro, engineers at the University of Manitoba, that there will be significant electricity and line loss in a longer line, and, obviously, as we build dams in northern Manitoba we're going to be, hopefully, putting more electricity down those particular lines, and the more electricity to put down those lines, the greater the line loss will be.

So there will be significant cost to the Province of Manitoba in terms of lost sales, but the other issue dealing with greenhouse gases, is the fact that we will have less electricity available to sell into the United States. And what that will do, as a result, is allow coal-fired plants to exist in United States. So, naturally, by making this one public policy decision, the NDP are allowing more greenhouse gases to be produced in North America.

If the government is really serious about reducing global greenhouse gases they could take a real positive step forward and allow the Bipole III line to be put in on the east side of the province. Clearly, once Manitobans get to understand the loss in electricity through a west-side line, and they understand the repercussions in terms of greenhouse gas production in North America, I believe they will

have a sober second thought when it comes to that particular decision made by the NDP government.

Now, Mr. Acting Speaker, we certainly hope this—I believe it's the third change in terms of The Biofuels Act—will foster some positive changes in the industry here in the province of Manitoba, but it really is up to the political will of the government to make sure it happens, and that's what it's all about. It's about results. And we know, historically, this government hasn't cared too much about results. They don't mind spending money on things, but they're not really worried about results at the end of the day. So we will be watching to see if there's any results here in the province of Manitoba after the passing of Bill 17.

With those few comments, I do appreciate the opportunity to speak to Bill 17 today, and I thank you very much, Mr. Acting Speaker.

*(15:10)

The Acting Speaker (Mr. Saran): Is the House ready for the question?

Some Honourable Members: Question.

The Acting Speaker (Mr. Saran): The question before the House is second reading of Bill 17, The Biofuels Amendment Act.

Is it the pleasure of the House to adopt the motion? *[Agreed]*

Bill 12—The Pimachiowin Aki World Heritage Fund Act

The Acting Speaker (Mr. Saran): Now, we are ready for Bill 12, The Pimachiowin Aki World Heritage Fund Act.

To resume the adjourned debate on the proposed motion of the honourable Minister of Conservation (Mr. Blaikie), second reading of Bill 12, The Pimachiowin Aki World Heritage Fund Act, standing in the name of the honourable member for Inkster (Mr. Lamoureux), for two minutes.

Is there leave to remain in the honourable—name of the honourable member for Inkster?

Some Honourable Members: No.

The Acting Speaker (Mr. Saran): Leave has been denied.

Mrs. Heather Stefanson (Tuxedo): Mr. Acting Speaker, I am pleased to rise today in the House and put a few words on the record with respect to Bill 12,

The Pimachiowin Aki World Heritage Fund Act, and I will refer to it hereon in as just the World Heritage Fund Act.

But, essentially, Mr. Acting Speaker, this bill establishes the Pimachiowin Aki Heritage Fund and according to the explanatory note in the bill, it says: Income from the fund will be used to protect a natural area east of Lake Winnipeg and to support cultural initiatives in that area. If UNESCO designates an area on the east side of Lake Winnipeg as a World Heritage Site, income from the fund will be used to support the operation of that site.

And, certainly, as we know, Mr. Acting Speaker, that the goal is to have 40,000 square kilometres of the boreal forest in eastern Manitoba and northwestern Ontario designated as UNESCO World Heritage site, and this area includes traditional territories of the four First Nations, as well as Atikaki Provincial Park in Manitoba and Woodland Caribou Provincial Park and the Eagle-Snowshoe conservation area in Ontario.

On October 13th, 2009, in one of his final acts as premier, then-Premier Gary Doer announced the Province was committing \$10 million, over four years, to establish a trust fund to support the World Heritage project. And the accompanying news release indicated that the trust fund was expected to be worth a minimum of \$20 million and that provincial monies are expected to start flowing in 2012. So, obviously, we have not seen any monies in the existing budgets as of this—yet. But the trust fund will be administered and managed by the Winnipeg Foundation and established in—it's, of course, established in 1921. The Winnipeg Foundation manages more than \$435 million and is home to more than 2,000 endowment funds.

And I know the Winnipeg Foundation has supported many other organizations, great organizations across our city and our province, and they should be commended for all of the work that they do for our community, and, in particular, to all of those—those private citizens and—across Manitoba, who have contributed to the Winnipeg Foundation and, ultimately, to projects that are well worth our while in Winnipeg and in Manitoba. So I want to commend all of those at the Winnipeg Foundation for all the hard work and dedication to our province.

I do want to just touch, Mr. Acting Speaker, of course, on the World Heritage site, the UNESCO World Heritage site. We are certainly in favour of anything to do with a UNESCO World Heritage site

in our province, and we've said that since the get go, and I know that members opposite try to say that we're opposed to it because we want to build a power line through there. Well, we know that members—actually a former chairperson of the UNESCO World Heritage site itself, the committee itself, stated that a hydro line through a UNESCO World Heritage site would have no bearing on whether or not a body of land receives the UNESCO World Heritage site status.

And so, of course, you know, we did challenge members opposite on that, but, of course, they say and they continue to say that a hydro line would have an impact on whether or not that this could potentially become a World Heritage site, a UNESCO World Heritage site status. And, of course, at the same time, Mr. Acting Speaker, as they're opposing a west—or a bipole line down the east side of our province, which we all know, of course, would save over \$1.75 billion to ratepayers and taxpayers in Manitoba and would be the right thing to do and would have no impact, no bearing, on whether or not a UNESCO World Heritage site is established on the east side of Lake Winnipeg—at the same time, apparently, it's not right to have a hydro line, but it is okay to have a road.

Well, go figure, Mr. Acting Speaker. You know, a hydro line is a no-no, but paving roads all the way up through the area is okay—and, quite frankly, we know on this side of the House that we need to build roads to those communities. We know that those communities need to have those, but I would suggest that members opposite have a very ill-conceived argument by saying that a hydro line would have a negative impact on whether or not we are able in Manitoba to receive UNESCO World Heritage site status. Whether or not there is a hydro line or not is completely ridiculous.

And I think it's time that members opposite recognize the fact that their argument is completely flawed and they recognize the fact that you cannot say that a hydro line is not okay but a road at the same time is okay. It's absolutely ridiculous, Manitobans know it, and I think it's time that members opposite recognize the ridiculousness of their argument when it comes to this UNESCO World Heritage site, so—and especially when we have had members who have sat on the committee, who have chaired the committee, the selection committee for UNESCO World Heritage site status, right here from—I believe he was from Minnedosa. And I will tell you, Mr. Acting Speaker, that he said—

he put it in writing, and I believe he even wrote an op-ed piece in the *Winnipeg Free Press* about this, stating that there is absolutely no bearing on whether or not a particular piece of land receives UNESCO World Heritage site status or not—it has nothing to do whether or not a bipole line would be going through that area. It has no bearing, no impact, yet members opposite are still using that as a reason why they have to waste over \$1.75 billion of ratepayers, of Manitoba Hydro ratepayers and the taxpayers of Manitoba, insisting on putting a bipole line, a third bipole line in our province, down the west side of our province.

* (15:20)

It's absolutely ridiculous. They know it, Manitobans know it, we know it, and so maybe they should just take it off their so-called list of reasons why they oppose the east side for a bipole line in this province, because it's absolutely ridiculous.

And I believe that, you know, members opposite, you know, they like to spin all they want when it comes to these issues, but the facts speak for themselves. And the facts are, Mr. Acting Speaker, that when it comes to a fund that this government is trying to set up, we have no problem with that as long as the funds are used specifically for what they are set aside to be used for. But we know in many other instances in the past, when the NDP government has set up funds in the past, they've been used as nothing other than slush funds for whatever their various pet projects are.

And that's why I look at this, I say it looks good on paper, and I say that if we want to set aside a fund that would actually go towards this UNESCO World Heritage site status and protecting the lands in those areas, maybe that would be okay in and of itself, but what I need to know and what I don't really necessarily trust from this government is that the funds will actually go there and that this isn't just another fund set up to fund NDP pet projects.

So I think members—all members of this House need to be cautious whenever we see a bill before this Manitoba Legislature that calls on the NDP government to set up more funds and requires more people in Manitoba to put more money into these funds through their tax dollars and then they're going to put the minister in charge or, you know, through regulations and all this sort of stuff, they're going to figure out how and who will be eligible to get this money, and I would suggest that—I would caution all

members to read the fine print here of this bill to understand exactly what the fund is being set up for, what the reasons are for it, and to ensure that members opposite are not going to be given the ability and will not take advantage of yet another fund set up to just fund their own pet projects.

So with those few words, Mr. Acting Speaker, I will say that, certainly, a fund, we don't have a problem with that as long as it's used towards what it's supposed to be used for and not like members opposite have used in the past for funding their own projects. I don't believe we have a problem with it, but I think members opposite also need to get their head out of the sand when they start to say that a third bipole line on the west side of our province that would save over \$1.75 billion to Manitoba Hydro ratepayers and taxpayers in our province, that that has some impact somehow on whether or not we receive UNESCO World Heritage site status. And so I think they need to recognize that that is nothing—that that is ridiculous. And we—again, we've heard that from the chair of the UNESCO World Heritage site selection team, none other—he's from Minnedosa, Manitoba, I believe, and certainly we need to listen to the experts. Members opposite want to say one thing and do another, as they do every single day, but I would say that the bipole line has no impact on whether or not we receive world-UNESCO World Heritage site status.

So, with those few words, Mr. Acting Speaker, I know that there may be another colleague or so or two that may want to put some words on the record with respect to this, so that's all I have to say for right now. Thank you very much.

Mr. David Faurshou (Portage la Prairie): It is with pleasure I rise this afternoon to participate in second reading of Bill 12, The Pimachiowin Aki World Heritage Fund Act, which was introduced into this Legislative Assembly for first reading on March 24th of this year and currently now proceeding through second reading debate.

This particular bill, as ascribed by my honourable colleague from Tuxedo, is definitely one that we support the outlined intent. However, we do have reservations because at this time of debate, the honourable Minister of Conservation (Mr. Blaikie) has willingly admitted that there is no agreement to which this particular fund will be administered by the Winnipeg Foundation, and without that particular agreement, we all remain concerned as to what the shape and form that this agreement might take, even

though we are very supportive on this side of the House of the intent of the fund.

Ms. Marilyn Brick, Deputy Speaker, in the Chair

There's no question that the potential of a UNESCO-designated area on the east side of Lake Winnipeg that would traverse the Manitoba-Ontario boundary would, indeed, be an immense asset for our province as well as Ontario.

Indeed, the bill says that the intent of the fund is to provide for funding of various projects such as interpretive centres, cultural education, training programs, culturally appropriate social services, including traditional healing centres—all of which, I believe, are needed and certainly welcomed by the First Nations that are participating in the promotion of a World Heritage site.

I would like to make mention of those First Nations, those being Poplar River, Little Grand Rapids, Bloodvein, Pauingassi and Pikangikum First Nations. They are co-operatively working under the Pimachiowin Aki Corporation, which is a not-for-profit organization, all focussed towards the endeavour of having an area which is significant in size—over 40,000 square kilometres of boreal forest—that could be, potentially, designated as a World Heritage site.

Now, what we would like to also mention, though, as my honourable colleague from Tuxedo has already mentioned, and that is this government says that they're very supportive of preservation of the boreal forest, yet are intent—in fact, they are engaged, as we speak, of cutting down significant portions of the boreal forest in order to establish a roadway.

I look to the other side of the Chamber and see the current Minister of Transportation (Mr. Ashton) and the former minister of Transportation listening very intently, but I would like to ask those individuals as to whether or not they have examined the opportunity to have communications, transportation to the remote First Nations community on the east side of Lake Winnipeg, instead of building a road, building a railway.

If you look throughout the world, anyone, any country that is looking to preserve the surrounding area builds a railroad rather than a roadway. A railroad, indeed, would provide access to the heritage site, which we all recognize there's no point in putting up interpretive centres and cultural centres that are focussed on educating individuals and,

indeed, allowing for ecotourism to take place, there has to be transportation to and from the designated area.

Throughout Europe, everyone recognizes that train travel is environmentally friendly, it's cost effective and easily maintained. It has a very limited economic-ecological-footprint because the train tracks are very much in a confined area. The persons or goods that are travelling along those railroad are well contained so that there would not be opportunity for persons, if they were driving a roadway, for instance, to stop, potentially disrupt the environment through perhaps an errant cigarette butt or potential hunting, which we all know does take place from many areas that are cleared but—even though it is against statute passed by government that that practice is not condoned.

* (15:30)

But these are the types of activities that a railroad would prevent, and, indeed, if one is looking to support the UNESCO project, there are more points garnered to one submission if a railroad access is provided rather than a roadway access. It is a positive; more points are given to the proposal if a railroad is employed as an access. If a roadway is used as an access, there are points deducted, and it is something that I want this government to take very seriously.

In fact, this province, this very province has on the legislative books the construction of a railroad on the east side of Lake Winnipeg emanating from passage of legislation very early in this province's history. I believe it was around 1903-1904 when this Legislature had the vision to see that persons residing on the east side of Lake Manitoba had, indeed, access to the rest of the province, and it would also open up economic opportunities for those persons residing in that area.

So I hope the members opposite at least examine the alternative of a railroad versus a roadway, and, having said that, I will believe that there will be a very positive end result, and everyone that I have spoken with on the east side of Lake Winnipeg in this regard has been wide-eyed and very enthusiastic to the examination of this potential on the east side of Lake Manitoba. And I will say that there is additional advantage to having a railway insofar as that if you look to the European model, beside the railroads that are constructed for transportation of goods and services and persons from country to country, that is the same corridor that they use for the

high voltage transmission lines, because the high voltage transmission lines alongside a railroad track are indeed compatible, whereby if you ask any official in Manitoba Hydro, a high voltage transmission line beside a roadway is not compatible.

It has been proven time and time again that persons travelling a roadway beside a transmission line inevitably ends up with difficulty with the transmission line emanating from the close proximity to a roadway travel, and, once again, this would be an opportunity for government to come forward with a very visionary position that would allow for a high voltage transmission line alongside a railroad, and, indeed, that railroad could then also provide for the transportation corridor for all of the equipment that is required to construct the high voltage transmission line—very easy access, very easy transportation, and this, indeed, would be an all-weather transportation route very easily maintained much more so than a roadway.

This particular fund will see approximately \$10 million provided for by the Manitoba government, the taxpayers of Manitoba. The provincial monies will flow commencing in 2012. And, as mentioned earlier, the intent of the legislation is to see the monies administered by the Winnipeg Foundation, and we are all aware of the Winnipeg Foundation and the long history they've had of good works throughout time.

The Winnipeg Foundation was established in 1921 and currently manages in excess of \$435 million and administrates more than 2,000 endowment funds. So they have indeed shown their trustworthiness and expertise and ability to manage the various funds of which we as the Legislative Assembly are once again asking them to do.

So, with those few words, I would very much like to look to the—to all members of the Legislative Assembly for their support and participation and passage of Bill 12 on to committee so those that will have stakeholder interest in the fund directly will have opportunity to provide input.

Thank you very much, Madam Deputy Speaker.

Madam Deputy Speaker: Is the House ready for the question?

An Honourable Member: Question.

Madam Deputy Speaker: The question before the House is second reading of Bill 12, The Pimachiowin Aki World Heritage Fund Act.

Is it the pleasure of the House to adopt the motion? *[Agreed]*

I declare the motion carried.

House Business

Madam Deputy Speaker: The honourable Government House Leader, on House business?

Hon. Bill Blaikie (Government House Leader): On House business—point of order on House business, Madam Deputy Speaker.

Two things, Madam Deputy Speaker. I would like to take this opportunity to announce that the Standing Committee on Legislative Affairs will meet at 1 p.m. on Friday, June 25th, 2010, to consider child welfare in Manitoba. The Ombudsman, the Auditor General and the Deputy Children's Advocate will be invited to appear at this meeting.

Further, Madam Deputy Speaker, I think if you canvass the House you would find that there would be agreement for the House to sit from 5 to 7 this evening to—for further consideration of legislation and that, during that 5-to-7 period, that there would be agreement not to have any quorum calls.

Madam Deputy Speaker: It has been announced by the Government House Leader that the Standing Committee on Legislative Affairs will meet at 1 p.m. on Friday, June 25th, to consider child welfare in Manitoba. The Ombudsman, the Auditor General and the Deputy Children's Advocate will be invited to appear at this meeting.

I've also been asked to canvass the House if there is leave for the House to sit from 5 to 7 this evening with no quorum calls. Is that agreed? *[Agreed]*

This House will sit from 5 to 7 this evening with no quorum calls.

The honourable Government House Leader, on House business.

Mr. Blaikie: Yes, Madam Deputy Speaker, I understand that it was also important for me to have the House's agreement that committees be permitted to sit concurrently while the House is in session, so I would ask leave for that as well.

Madam Deputy Speaker: Is there leave from the House for the committees to sit concurrently this evening with the House also being sitting? *[Agreed]*

It has been agreed that the committees will sit concurrently.

Bill 6—The Manitoba Association of School Trustees Amendment Act

Madam Deputy Speaker: We will now move on to Bill 6, The Manitoba Association of School Trustees Amendment Act.

Mrs. Heather Stefanson (Tuxedo): Madam Deputy—[interjection] Oh, is it sitting in someone else's name?

Madam Deputy Speaker: The bill is standing in the honourable—in the name of the honourable member for Lac du Bonnet (Mr. Hawranik).

Is there leave from the House for the bill to remain standing in the name of the honourable member for Lac du Bonnet?

Some Honourable Members: No.

Madam Deputy Speaker: No. Leave has been denied.

Mrs. Stefanson: Thank you very much, Madam Deputy Speaker. And I'm pleased today to rise and put a few words on the record with respect to Bill 6, The Manitoba Association of School Trustees Amendment Act.

Of course, we know that this bill changes the name of MAST, known as Manitoba Association of School Trustees, to its new name, the Manitoba School Boards Association. And the bill also changes the name of the act accordingly.

* (15:40)

This bill also sets up two vice-president executives where one vice-president is from a district division of more than 6,000 pupils and the other is from a district or division which has less than 6,000 pupils. The bill also makes some administrative amendments, among them requiring the organization to present its annual report which must include a copy of their audited financial statements.

And so, Madam Deputy Speaker, I just wanted to say that, of course, when it comes to education in our province, and educating our kids is one of the most important things towards building the future of our province, we need a strong education system that will help prepare our children for the work force here in Manitoba, and, hopefully, they will stay here and build their families and their businesses right here at home after they graduate.

One of the things that does concern me, of course, Madam Deputy Speaker, is that we have the lowest graduation rate in this country from high school, and I think it's one of those things that is really concerning for all of us in Manitoba. If we're not graduating students in Manitoba at the same rate as other provinces, how are we really building our work force for the future right here at home?

And so I would suggest that—I would like—well, you know, this is obviously asked for by the Manitoba Association of School Trustees, or the now Manitoba School Boards Association, this kind of legislation, and we respect that. And, certainly, we agree with that. That's—there's nothing wrong with this legislation as it stands.

But we do believe that members opposite need to focus a little bit more on the quality of education as opposed to looking at sort of tinkering with various acts that are in there to change names, and so on. Members opposite need to focus much more on the education and the quality of education for our kids. And what I find is alarming is that we do have the lowest graduation rate across our country in our province. And I think, Madam Deputy Speaker, that I would like to see members opposite focussing a little bit more on the lack of quality of education in our province and some of those things, rather than so much focussing on name changes and so on.

And so I just wanted to caution—caution members opposite that we believe that they need bills that better reflect a better quality of education in our province for the future of our young people and the future of our province that will, inevitably, have to pay down that debt that members opposite are leaving for them. And, of course, it's unfortunate we're sitting at a debt of more than \$23.5 billion now, and who knows what it may be by the time the NDP is ultimately out of power in this province. But, certainly, they've taken it and they've increased it by more than \$10 billion since the time that they came into power, and ultimately, of course, that will be left on the backs of our young people in this province.

And so when they're not focussing on the quality of education issues in our province, making sure that our young people are graduating from high school in our province—and, again, we have the lowest graduation rate across the country—I think those are the issues that they should be focussing on a little bit more, Madam Deputy Speaker.

So I encourage members opposite to put their money where their mouth is, so to speak, and start to

actually do something with that. We know that they have completely mismanaged child—the child welfare system in our province, and what we don't want to see is that they continue along the same lines of spend more, get less out of all of our systems here in Manitoba that are—that should be there to protect the most vulnerable people in our society, that being the children. And if we're not giving them the hope and opportunity that they need by allowing them and encouraging them to graduate from high school, then what are we really achieving here, Madam Deputy Speaker?

So, with those few words, I want to thank you for the opportunity to say a few words about this bill.

Mr. Peter Dyck (Pembina): Well, Madam Deputy Speaker, and I, too, want to put just a few words on the record regarding the name change from the Manitoba Association of School Trustees to Manitoba School Boards Association.

And, Madam Deputy Speaker, I happened to be on the school board in Garden Valley School Division for some 15 years and had an opportunity to find out and be a part of the responsibilities and the policy-setting group within the—in the province of Manitoba. And so, if this is—and the way I understand it, is a housekeeping matter of wanting to change the name to Boards Association, that, certainly, I think, that we are in favour of that move.

But, Madam Deputy Speaker, I want to, with this, take the opportunity to speak also about the importance that the school boards have in enacting the policies for their own divisions, and, of course, that's for our children and our grandchildren in the province of Manitoba, a tremendous responsibility. And I think very often what takes place is that boards get very involved and carried away with the minutiae, and that doesn't mean that there are such things that are not important in the education of children, but they have the responsibility to set the policy within the division. And so, consequently, they want to become micromanagers in many cases.

And I know that when I chaired the school board, that that was a part of my responsibility, to continue to encourage and remind board members that their responsibilities were to set policy and give direction to our administration and to the staff in the division.

And so, Madam Deputy Speaker, I'm pleased to see that we are following up on the wishes of the school boards. And, again, if this is what they feel is

going to help them in enacting their responsibilities, and enacting them in a more responsible way, I believe that it is important to do so.

But I also want to take the opportunity to talk a little bit about some of the education within the area that I represent and the two divisions that I represent. And, of course, the boards in our divisions are the Western School Division and the Garden Valley School Division.

And both of these divisions are growing in numbers, and, Madam Deputy Speaker, as you will have heard me indicate numerous times, we have growth within our area that I believe is unprecedented in rural Manitoba. And yet, with that, we have the infrastructure needs that continue to grow as well.

And so I know that the minister is here and is a part of the process of making this name change. But the responsibilities that these boards have and, as I indicated, this is a school board that has the responsibility to carry out the policies within the division and the policies are that they need to provide space for all students.

And, again, I have numerous times indicated, that the space that our students require, so that they can learn and they can learn in proper facilities, is something that is lacking. I know that they're trying to address that. I know that the board has met numerous times with the minister, with the department, in order to establish the parameters needed in order to facilitate the learning that is to take place. And yet, though, and I've said this numerous times as well, we are concerned about the fact that within our high school, that the school itself is being postponed for another year. These are students who are living in conditions and getting their education in conditions that are crowded. They—again, they don't have the opportunity to have timely access to washrooms, and it is a concern to the parents within the constituency that I represent.

So, as I say, the responsibilities that the boards have in meeting the needs of students, in meeting the needs and providing for facilities, are great. They are very demanding responsibilities.

I know that presently I have a brother who's on the board and I believe they are hiring some 38 new teachers within the division, at the present, for this coming school year. And so they have huge responsibilities and the board is very involved in the

responsibilities and the carrying out of the needs in the division.

So, again, Madam Deputy Speaker, I just want to indicate that, I believe, that we are following through on the wishes of the school boards within the province of changing the names from the Manitoba Association of School Trustees to the Manitoba School Boards Association. And I'm pleased that we're listening to the boards. And, hopefully, we will continue to listen to the boards in such a manner also in being able to establish and to give them the facilities that they need, to provide the infrastructure that they need, in order that they can give the education to the students as they require it.

So, with those few words, I just want to thank you for the opportunity to speak and to support this bill. Thank you.

* (15:50)

Mr. Ron Schuler (Springfield): I, too, wish to put a few comments on the record in regards to Bill 6.

And this is a piece of legislation that was requested by the Manitoba Association of School Trustees, probably one of the last times we'll be using that name in this Chamber because it is going to change, the name of an association that I was proudly part of for over four years, and certainly respect and appreciate the kind of efforts put on by the volunteer board and the staff at Manitoba Association of School Trustees. We're all going to have to get used to calling it MSBA, or Manitoba School Boards Association, and they felt that it would reflect a little bit better what it was that they do.

There's a few other amendments in there that make a lot of sense and, actually, we're really quite pleased that this current minister has decided to bring this forward on behalf of MAST, or MSBA. We have watched very closely over the years how education—the Department of Education has been run. It seemed to be this car completely out of control running down a hill with no brakes and it went from one bad minister of Education to another to another. The first minister, the member from Brandon East, was an absolute disaster with his poorly thought-out and poorly managed school board amalgamation that was, at best, punishment politics, and at worst, actually punished students, costing taxpayers 20 to 30 and up, in millions of dollars and it was supposed to save something like \$50,000 and ended up costing tens of millions of dollars.

We went then to the member for La Verendrye (Mr. Lemieux), and if that wasn't just an interesting time. I can remember sitting in committee with the former minister of Education and that was an interesting time, and then it went on to the member for Gimli (Mr. Bjornson) and we know that the former disgraced member of Education, the member for Gimli—and besides the very, very poorly, poorly run program of denying retired teachers their rightful COLA, a COLA that was negotiated under, of all premiers, Premier Schreyer, and it was a trade-off and they were supposed to get full COLA, which they got, might I remind members opposite, during the '90s. They got full COLA; something that they had negotiated; something that they were paying for and was rightfully theirs, was stripped by a teacher, by an individual who should have known better the kind of hardships that stripping retired teachers of a proper COLA, the kind of effect it would have on them, and there was the member for Gimli, absolutely, sitting at committee, there were 300 presenters, more than almost any other bill that's come in front of this House, and retired teacher after retired teacher, some of them coming in walkers, on canes, and sitting late into the night.

No reasonableness—I mean, there was no reasonableness by the member for Gimli when he was minister of Education and wouldn't allow—he wouldn't allow the committee to sit during the afternoons and evenings, you know, where people then could come reasonably and make their presentations. He forced all these old, retired teachers to sit till midnight to see if maybe they'd have an opportunity to make their presentation, and person after person—he had his head down, didn't have the courage to look at them, didn't ever make any comments, never said anything, and sold out the retired teachers down the river. And that was very unfortunate.

And so, now, we have the fourth Minister of Education (Ms. Allan) and pleased to see that at least she brings in a piece of legislation that doesn't actually punish anybody. So that's a really good step forward. This bill actually does really administrative kinds of things and, of course, we're pleased to support this piece of legislation because we actually love education, we on this side, and certainly, for myself, have a—perhaps a conflict of interest. I have three children in the public school system and my children come home, and they're balanced, well educated, doing exceptionally well, whether it's in their academics or socially or the kind of sports

they're involved in, and I know members in this House are just absolutely ecstatic to hear, you know, tales of my children's sports activities and they're doing well.

And you know what, we have just outstanding teachers in our school system. And I—again, I declare a conflict. I'm a benefit of that, and they're doing just an amazing job of educating our children and the kinds of sports programs—in fact, on the weekend was the track and field finals and, if I remember correctly, over a thousand students participated. And I know some of them. There's a student out of Valley Gardens, Jash [*phonetic*] is his name, just unbelievable, unbelievable athlete, and I know he always scores top of everything. In fact, he's a 13-year-old soccer player, too, and I wish he wasn't quite so good because when his team plays my son's team, he's just an outstanding athlete.

So the school system is doing well in spite—in spite—of the disastrous—disastrous—and poorly, poorly chosen previous ministers of Education. Despite them, our system is strong enough and you know what? Credit has to go to our administrators, and credit has to go to the school trustees, and credit really has to go to our teachers and the parents and those individuals that have built an education system that is strong enough to withstand the likes—to withstand the likes, the poor administration, the poor Education ministers like the member for Brandon East (Mr. Caldwell), the member for La Verendrye (Mr. Lemieux) and the member for Gimli (Mr. Bjornson).

So this is good legislation. It gives our Manitoba Association of School Trustees or now going to be referred to as MSBA, the opportunity to modernize themselves, to move forward in their duties and, you know what, is they do a great job. I would like to commend and I wish all the school trustees well. Those who are retiring, we thank them for their years. Those that are going to go on and challenge in the next election, we certainly wish them all the best and certainly appreciate what our public education system is doing and the fact that they are able, that they are strong enough, that they are capable enough to withstand a terrible, terrible list of disastrous and disgraced ministers of Education and still provide a first-class, No. 1 outstanding education system, and I thank them on behalf of the present Conservative caucus for withstanding what has been a very tough 10 years for them. Thank you, Madam Deputy Speaker.

Madam Deputy Speaker: Just prior to recognizing the honourable member for Russell—[*interjection*] Order. Just prior to recognizing the honourable member for Russell, I want to remind all honourable members that all members in the Legislative Assembly are honourable members.

Mr. Leonard Derkach (Russell): I'm pleased to put a few comments on the record with regard to this bill, Madam Deputy Speaker. I have to confess that as a former school board trustee and chair of a school board, I always have a close place in my heart for school trustees and the work that they do.

And, Madam Deputy Speaker, I think over the years school trustees have proven that not only are they current with what's happening in the education field, in many instances they have led some innovative approaches to education.

Madam Deputy Speaker, during my years as a minister of Education, I worked fairly closely with the Association of School Trustees, and during that time I came to realize that across the province we generally have people involved in school boards who are—who have a genuine interest, either because their families are in the school system or because someone close to them is involved in the school system, and so they have put their names forward to try to contribute what they can.

And one sometimes says, well, there are too many school trustees and they are costing the Province too much money. In my view, this is probably the most inexpensive investment that we have in this education system, is the sort of the volunteer, if you like, by a large measure, the person who works and gives up their time at home to work on school board matters.

Madam Deputy Speaker, here we have a bill that sort of confirms what the school boards would like to see happen throughout the province, and I think the most important part of it is that now we're going to have two vice-presidents of the association, one who is—represents students or schools of more than 6,000 divisions—of more than 6,000 pupils and the other representing divisions of less than 6,000 pupils.

And so this gives a little bit more representation to the—both the smaller and the larger schools, and I think, by and large, it's going to make the school boards a little more responsive perhaps to the issues that come from both the small schools and the larger schools.

* (16:00)

But, Madam Deputy Speaker, this—the government sometimes takes unwarranted credit for what they are doing in the field of education. And yes, and, of course, they like to cast aspersions on what happened in the former administration, and that's fine. But let's be honest.

Today, when I look at what happened with retiring teachers in this province who, in my view, have contributed significantly to the growth and the well-being of our schools across this province, and we have a government across the way, that would not recognize retired teachers and invest in their retirement or in the years that they contributed by giving them full COLA.

And, Madam Deputy Speaker, it's amazing because, just recently, I understand that nurses received full COLA without any argument, without having to petition this government, without having to come forward with a rally to this Legislature. But they were awarded COLA simply by this government reaching out and saying, okay, we think that you deserve COLA. Well, why is it one sector of our society deserves full COLA, whereas another sector does not?

Madam Deputy Speaker, when we were in government, I have to say that each and every year full COLA was awarded to the teachers. Now, the teachers wanted a full COLA to be not only given to them on an annual basis, but they wanted it to be enshrined that, indeed, they would deserve and earn full COLA. And we have a government that, for whatever reason and it still isn't clear what the reason was, decided that they are going to be very chintzy and discriminate against retired teachers.

And that's what they have done, Madam Deputy Speaker, they have discriminated against retired teachers. And this will come back to haunt this government, because, by and large, retired teachers are people who have invested their lives into the education system. And it's once again an example of how this party, this government, can talk about—they can talk the talk, but when it comes walking the walk, they fall very short.

Madam Deputy Speaker, I have some chirping going on from the member from Kildonan. And, of course, we go back a fair ways, because I remember him as being the critic for Education. And he was a good critic for Education. He seemed to have a fairly good handle on what was going on. And I remember him coming into Estimates with his little recipe box, and he would pull the questions out as he would pull

a recipe out of a—the recipe box, and then he would—and they were good questions. I have to say they were. And oftentimes we had some good debate in the House on education matters. And I think it was a debate that I often enjoyed, and it was a learned debate.

Madam Deputy Speaker, we are going to support this legislation because it is good. This is legislation that has been asked for by retiring teachers—or pardon me, the trustees. They are the ones who have requested this. The government has responded, finally, in a positive fashion, and I honestly believe that, finally, we've got a government that perhaps has listened to, at least, the trustees in our province.

But, Madam Deputy Speaker, once again, I have to say that I am disappointed in the way that the government has treated retired teachers in this province. And I'll keep saying that every time I stand up, because those individuals are out there and, today, they deserve to be treated like other sectors in our society. As MLAs—when MLAs retire, they will receive full COLA. When nurses retire, they will receive full COLA. When civil servants retire, they will receive full COLA. Why is it that retired teachers aren't given that same opportunity, aren't treated in like fashion, aren't treated equally in our—in this province, in this day and age? And there is no good answer.

The minister—the former minister couldn't give us any good answers in that regard, and he's responsible. And it will go down in history and in the histories of this Legislature that the member from Gimli was the minister of Education who refused to accede to the requests of retired teachers and took away their ability to earn full COLA, as other sectors of our society earn. And, Madam Deputy Speaker, the retired teachers in Gimli are going to remember that at the polls the next time, and they'll be reminded by us as well.

So with those words I have to say that this bill is certainly going to get our support. And we—and I want to congratulate trustees around this province for the work that they do on a daily, on a weekly, on an annual basis, in ensuring that our education system is keeping pace with other jurisdictions and that our students are given every opportunity to reach their absolute maximum potential. For that, Madam Deputy Speaker, I want to thank you for the opportunity.

Mr. David Faurshou (Portage la Prairie): Madam Deputy Speaker, it a pleasure to rise this afternoon

and participate in the second reading debate of Bill 6, The Manitoba Association of School Trustees Amendment Act, which was introduced into this Legislative Assembly on December 7th, 2009.

So, indeed, we have waited a long time to have this opportunity. However, I know that the school trustees, that are—voted back in March 20th, 2009, to ask government for this amendment to their governance act—are anxiously waiting for the official word of the—this bill's passage.

Now, I'd like to state, on the record, that I'm very proud to have served the Manitoba Association of School Trustees as a regional director during my 14-year tenure as school trustee for the Portage la Prairie School Division. And it was a very, very exciting time to be involved with the trustees and the school boards throughout the province, and it was truly an honour to represent the central region during my stint as regional director.

And, as we have had opportunity on numerous occasions to speak in this House about the public education system, I would like to state, for the record, of the number of hours that persons that are elected to school boards throughout the province dedicate to the public education system throughout the province. It is always a marvel to me to see the unexpected—the service because—of persons, because they don't—they come to office not expecting to receive praise or recognition for their dedication, their commitment to the public schools. They're there simply because of their interest and commitment to the education of the next generation. The members that serve on school boards throughout the province are indeed very similar in that respect; not looking for recognition, only looking to make the system, to which we're all very proud of, better than it was without their participation.

The Manitoba Association of School Trustees is an organization that has served our province for many, many years, although it wasn't until the mid-'40s that the Province of Manitoba gave recognition to the school boards as being part of a formalized organization. In fact, it was 1943 when the organization became legally recognized and currently there are 38 public school boards throughout the province, serving the thousands of young Manitobans that are receiving their education throughout the province of Manitoba.

We have to be recognizing, too, that the school boards are under significant pressure to provide for the students in our public school system because this

government has stated that they are supporting public education in the province but, indeed, when you come down to the actual budgets of all of the school boards throughout the province, you will see that there is a consistency when it comes to increased property taxes there for the operations of public schools. And Portage la Prairie—just slightly over 50 percent of the funding required to operate the Portage la Prairie School Division, in any given year, is provided for by the Province. The rest comes from tuitions from various locales and primarily from the property taxes.

* (16:10)

I will also say that this—the former minister of Education took on a very contentious issue with—and when he stated that he believed that their school boards were hoarding money and that they had, in fact, a—substantive surpluses within their own bank accounts and that they, then, were going to have to be penalized for that frugal activity. And this government's on their wisdom that they would know better as to how much of a bank account each division should have and that they were going to impose penalties if that division had more money in their bank account than what the Province believed was adequate.

The—I had opportunity to talk with the minister at that time and asked the minister if he could value his particular position and look first, though, to the level of interest paid by each school division to the financial institutions to which their—these bank accounts were housed, because that would be a true indicator as to whether or not the school divisions had adequate monies in the bank account to take out the peaks and the valleys to which we all know occur in the funding of public schools here in the province of Manitoba, because money does not flow each and every day. It comes from the municipalities and it comes from the Province's and it comes from those that are paying tuition on very scheduled dates.

And so the school division has to operate each and every day and has expenditures each and every day, so therefore they have to have monies which are sometimes considered surplus in order to be able to finance those day-to-day operations prior to receiving the revenues from the various funding agencies. And so this government has to recognize what each and every school division requires on a day-to-day operation in order to be fully understanding and comprehending of the finances of the school divisions. And to arbitrarily set a

particular—I believe it was 4 percent that they were looking at as a level of designated surplus—that that was going to be adequate.

Well, Madam Deputy Speaker, that was not adequate, because you have to understand that persons that are working within the school division do require to be paid. Their—the lights have to be kept on. There are numerous, numerous other expenditures that are required on each and every day, and yet this government was not recognizing that fact and making school divisions borrow significant amounts of monies to bridge their—finance their expenditures before the Province provided the dollars for the schools divisions in which to operate.

And so if the minister wants to effectively have that type of control, then they also have to recognize that monies must flow from Treasury on a more regular basis, because we all know that to their—the contract obligations, whether it be with CUPE or with the members of the Manitoba Teachers' Society, payroll days do come. And maybe this government should recognize that there needs to be a more consistent flow of dollars to school divisions so that borrowings are kept at a minimum, because monies that are paid from the school division to financial institutions contribute nothing towards the education of our young people.

When I was first elected, more than a quarter-million dollars was paid to the financial institution for borrowed monies. If you—at that time, we could have hired more than half a dozen teachers, twice that many in teacher assistants. In addition to that, we could've added more books to the library, more computers. The list is almost endless for that quarter million dollars and it was fortunate that the trustees around the board table at the Portage la Prairie School Division had a vision to wipe out the requirement for interest to be paid to financial institutions and wanted to have enough money in the bank so that they were able to cover off all of their expenditures between the payments received from municipalities and from government, and I'm very proud to say that when I left the Portage la Prairie school board, that was, in fact, the case, and that no monies were being paid on interest, and every single dollar that was being received by the school division was indeed being put right into the classroom, to the benefit of the students of the Portage la Prairie School Division.

So, Madam Deputy Speaker, I believe that this government has to walk in the shoes of the school

board members in order to fully comprehend and understand the needs of our young people in today's society, and we have to always look to changing our system and the services to which we offer. We have to look forward to what the students that are in our classrooms today will need when they enter into society after graduation. Whether or not they are intending on attending college or university here in the province of Manitoba or elsewhere, we have to look at what the needs of our students will be into the future. And I'm afraid this government, at this point in time, does not seem to comprehend that fact, and we have seen it year over year over year, when funding announcements are made, that they provide the monies to the school boards with increasingly number of caveats where the school divisions are limited in what they're able to provide the—to the students, because this government believes that they know better than those elected individuals within our respective communities. So there's a lot of reservation as to the relationship that has developed over the last 10 years between the Manitoba government and those elected to provide for the education, within our public schools, of the next generation of Manitobans.

So, Madam Deputy Speaker, I know that it's a passionate topic of mine. In fact, this was the reason that I entered into public office. It was because I believed that education was the future of our province and that I wanted to share with elected officials within this Chamber the importance of education, and that we must do our part in providing the opportunities that our young people will need. A foundation of knowledge for them to be what they aspire to be. Thank you.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Ready.

Madam Deputy Speaker: The question before the House is second reading of Bill 6, The Manitoba Association of School Trustees Amendment Act.

Is it the pleasure of the House to adopt the motion? *[Agreed]*

I declare the motion carried.

Bill 15—The Franchises Act

Madam Deputy Speaker: We will now move on to Bill 15, the français act—

Some Honourable Members: Franchise.

Madam Deputy Speaker: Franchise, I'm sorry, excuse me. The Franchises Act, standing in the honourable—on the name of the honourable member for Ste. Rose (Mr. Briese).

Shall the bill remain standing in the honourable name—honourable member for Ste. Rose?

Some Honourable Members: No.

Madam Deputy Speaker: No. It shall not remain standing in the name of the honourable member for Ste. Rose.

* (16:20)

Mr. Rick Borotsik (Brandon West): I raced back from a very important meeting that was being held in Kenton, Manitoba. It was a regional meeting for the AMM, the Association of Manitoba Municipalities, and I raced back so I could put some very valuable comments on the record with respect to The Franchises Act.

But I mention that meeting specifically because I was a little disappointed, being that there was a regional meeting of the Association of Manitoba Municipalities, which is a very important, integral organization when it comes to provincial operations and administration because, as we all know, the provincial government is the administrator of municipalities, and I was disappointed that the Minister of Local Government (Mr. Lemieux) wasn't at that meeting. He could've come back with me in my vehicle. I would've, in fact, offered him a ride if he wished.

We did have the member from Brandon East there, however, on behalf of the government, which, I suppose, was a half measure, maybe a quarter measure, but I was also told at that time that, in fact, the Minister of Local Government will only be at one of the regional meetings of the AMM, which I find somewhat disappointing, and in some of those meetings no member of the government is going to be in attendance at those meetings.

So I took the special opportunity of being at that meeting and racing back to talk to Bill 15, The Franchises Act, because I think it's very important that we put some positive comments toward—to government, but I guess—I thought maybe the Minister of Local Government stayed here because he wanted to debate some of the bills that were coming forward as other members of the government and the back bench because there are a number of very good pieces of legislation that the government

has brought forward. But, unfortunately, they don't stand to, in fact, speak to any of these pieces of legislation.

The minister will put on five minutes on the record, but does that mean that the members of the government and the members of the back bench of the government don't even understand the legislation that's coming forward? Because if they don't understand it, maybe they should question the ministers and question the administration as to actually what is happening with this legislation that's been brought forward. And the reason I mention that is because the franchise act is one of those pieces of legislation.

Now, we all know that the Minister of Entrepreneurship, Training and Trade (Mr. Bjornson) really doesn't understand entrepreneurship all that well. We do know that—

An Honourable Member: —understand education either.

Mr. Borotsik: Well, I can't speak to education. I think he probably did understand education. He just didn't understand—he didn't understand pensions, which is a finance issue. He didn't understand COLA. He didn't understand the retired teachers, but he probably understood education.

I'm surprised he didn't talk to the last bill—Bill 6, which spoke to the trustees act, but that's another issue. He does and did put forward Bill 15, which is the franchise act, but we—I said earlier I don't think that he really understands entrepreneurship all that well.

We definitely know he doesn't understand trade all that well if we want to get into the New West Partnership and arrangements that have been made with the other three provinces to the west of us. That's trade, and he doesn't understand trade. And it was fairly evident that he really didn't understand franchises all that well either.

The reason—and you would think that a minister in the government would bring forward legislation based on some lofty premise or some ideal—some ideology; in fact, this legislation was brought forward because others have done it—which is a follower, not a leader in this particular case—and it was brought forward because the Manitoba Law Reform Commission had brought it forward and suggested that the franchise act be standardized with other provinces across the country.

So it wasn't because the minister said, wow, I really understand franchises and franchisees and franchisors, and I really know that there has to be some changes to the legislation, and I really want, as a passionate person on Entrepreneurship, Training and Trade, bring this legislation forward. But, no, it was done because somebody else suggested that it be done, the Manitoba law review commission, or for that matter three other provinces in the country who want to try to standardize the franchisee legislation.

So there wasn't really a real demand for it. There wasn't a real push for it. There wasn't a real, Madam Deputy Speaker, a real understanding of it in the minister's office. Some of the staff—

An Honourable Member: He's going to get up and debate it next.

Mr. Borotsik: Oh, good, somebody's going to debate it from the government side, hopefully. *[interjection]* Anyway, well—Madam Deputy Speaker, Minister of Justice (Mr. Swan) said he was explaining and I should be listening.

Well, I went to the bill briefing and I tried to get the explanation, but there were some glazed-over eyes at that point in time. The staff did, in fact, understand some of it because they were using a template or a model from other provinces.

But let's get into franchises and franchisors and franchisees. And if the government members want to debate this and get up, they can get up and they can actually talk to a piece of legislation. They can do that, I think. I don't think they've been given any instructions to the otherwise. Perhaps, maybe after we've had an opportunity to discuss it here, they would get up and have an opportunity to tell us exactly what it was that they wanted to put forward.

But franchises, Madam Deputy Speaker, from what we know of them, are very important, not only in Manitoba but all provinces across the country. And I would suspect that on a daily basis, each member in this Legislature will, in fact, enter into a franchise operation at some time during the day. If you ever go through a drive-through in Tim Hortons—raise your hands if you ever use Tim Hortons—because Tim Hortons is a franchise. If you ever take your children or grandchildren to McDonald's to get those wonderful little toys that they have and that—those hamburgers that they sell, McDonald's is a franchise. We have A&W. We have Orange Julius. We have Dairy Queen. We have Panhandler. We have retail and services that are

franchises. *[interjection]* And what that means—Starbucks was mentioned as a franchise.

And what that means is at some point in time, not too long ago, some individual—well, actually it was Tim Horton, if you want to use that as an example—had an idea. And the idea was to put into place a retail outlet and, in this particular case, it was a very successful retail outlet. So, the first one that they had, Tim Horton and his partners decided that this was just too good an idea to keep only in Ontario. They wanted to expand the operation of Tim Hortons. What a great idea. Now, when they did that, they didn't want to build all the company stores; they didn't have the capital to do that. Didn't want to go through all the provinces and say, we want to find a locations for Tim Hortons, but what they did is they found entrepreneurs—wow, what a great word, here we go—entrepreneurs who decided that they would, in fact, take a risk and put their own capital into a retail operation.

Unlike governments, who use other people's money to spend on their projects, entrepreneurs actually use their own money, their own capital, and then they put it into a retail—and the understanding is—heaven forbid, stop me from saying this—the hope is that they will make a profit. *[interjection]* No, I tell you, an entrepreneur will invest his or her own capital and they will, in fact, enter into a franchise agreement with something that looks real and has opportunity so that they can put it into place and make a profit.

What a—now, Madam Deputy Speaker, I'm sorry, because profit seems to be a dirty word, and I don't know if that's in *Beauchesne's* or not, but if it is, please call me out of order. Like, profit is a dirty word to some of the members on the other side.

So this franchisor, which, in this example, is Tim Hortons, goes and enters into an arrangement and agreement with a franchisee, which is the individual who now will sign an agreement with the franchisor. And the franchisor promises to provide certain products, certain information, certain experience, certain knowledge. For that knowledge, product, experience, you then pay what's known as a franchise fee.

Okay, now here's where the government comes in. They don't necessarily think that people can really operate on their own. There has to be Big Brother and there has to be protections, Big Brother because they don't think that an entrepreneur should, in fact, risk their own money without having a number of

protections by people who don't really understand entrepreneurship anyway.

So that's a bit of an oxymoron. It's a bit of a difficult thing to understand. I know that, but obviously members—maybe the government members will speak to this legislation. Maybe they'll stand up and explain to me why it is that they have to make sure there's protections in place for everybody other than themselves.

* (16:30)

So, anyway, we now have a franchisor and a franchisee. Now, unbeknownst to members opposite, I have actually had some experience with a franchise, with franchisees and franchisors. And quite a number of years ago, in fact, Alberta was the first province in this country that put in some legislation that was dealing with franchisors. At that time, I was in Alberta, and we were doing some lease arrangements with franchisees and franchisors, and I have to admit it was very difficult to do because it was the only province that put in some very difficult restrictions to the franchisor. Why they did that, I don't know, because Alberta, typically, is entrepreneurship heaven, and they really did, in fact, want to develop business and make sure the people did make a profit, but, in fact, they had some restrictions in place with franchisors. And we had to jump through some hoops and had to make sure that there was certain disclosures, and we had to make sure that the franchisor did make sure the franchisor did comply with a lot of the regulations that were put into place. And, as it was, the franchisors did develop their disclosure packages and we were able to, in fact, do some arrangements and agreements with some of those franchisors—franchisees.

Now, Manitoba hasn't done that. This was years and years ago. And you would think that, as leaders, our government would have headed out the door, and said, well, if it's good enough for Alberta, it's probably good enough for us, but that's probably not true, too, because you see Alberta doesn't—isn't quite as standardized as our government. For example, they don't have a sales tax.

Standardization—if we wanted to standardize in Manitoba, like we'd want to with the franchise act, perhaps we should standardize our payroll tax. Oh, no, I'm sorry, but Saskatchewan, Alberta, B.C. and Ontario doesn't have a payroll tax, so we don't want to standardize that. We'll standardize something that's really easy and isn't going to impact

government revenues. Perhaps they'd like to standardize indexation. That would be a real easy one to standardize. Let's not standardize something like the franchisee act, but, let's say, we could standardize indexation.

Now, obviously, there are some individuals over there who don't understand finance, but indexation is pretty simple—pretty simple, like what it means is: if you have CPI on a—oh, CPI, that's a dirty word, too, because CPI can be tied into COLA, and COLA is not something that we want to talk about, certainly to this minister, because COLA, like profit, seems to be a nasty word. So I, again, don't want to have that in the record so that I'm saying bad words.

So COLA, CPI, indexation with taxation brackets and taxation rates—you see, other provinces have standardized that. They have, in fact, said that if we're going to have taxes go up or if—on an annual basis when we charge taxes, we're going to index the brackets so that the bracket goes up and people, as your salaries go up, you then can stay under those top brackets. But, no, we don't want to standardize that.

And then we have indexation on the basic personal tax exemption, which is what you get as an individual when you file your income tax. But, in Manitoba, we don't want to standardize that. We would much rather standardize the franchise act, because it's pretty simple and it doesn't cost us anything and, by the way, somebody else is telling us to do it anyway. We don't want to be leaders. We don't want to be able to stand up and say that we're going to help Manitobans. No, we're going to do something that somebody else tells us what to do, because it's a lot easier to do that than to actually be leaders and put something in place that's going to help Manitobans. So, we're not going to standardize the basic tax—the basic personal tax exemption. We don't want to do that, but we're going to standardize legislation that deals with franchises.

So, we've talked about franchises. Franchises are extremely important—extremely important—and, when I talked about Tim Horton, and he decided to sell his knowledge, expertise and product to others so that they could make a profit, he charged a fee for that. Now, there's others out here. In fact, we have some in Manitoba who are entrepreneurs who will actually put into place, with their own ideas and their own capital and their own risk, they'll put into place retail or service establishments. And they look at it and it's successful, and they say, well, why can't I share this

with the rest of the capitalist world? And so they go and they suggest that they want to franchise.

Now, they're not as successful now, nor was Tim Hortons at the beginning, nor was McDonald's, nor was anybody. They started off small and they weren't quite as successful at the beginning. And there's small guys right now in this province, right now, who've got some really good ideas that they want to franchise. So they're going to franchise not only in Manitoba but they're going to franchise in Alberta, Saskatchewan, B.C., Ontario, Prince Edward Island, and some of those jurisdictions have requirements. And the requirement is is that they have to have a disclosure, and what they have to do is they have to disclose their financials. So if you're buying a franchise—and some franchises are extremely expensive—so when you're buying a franchise, you want to make sure that the franchisor is well capitalized, that when they make promises to you about providing product, by providing advertising, by providing design criteria for your business, by providing a simple thing as uniforms, the ketchup packages are quality and they're of a standard.

So when they say they're going to provide all of these things, you want to make sure that the franchisor is financially viable, and when you're spending a lot of money on a franchise fee for a fairly large franchise, those individuals usually are fairly sophisticated. They have lawyers. They have accountants. They have individuals that can look at the financials of a major franchise, and when you're spending millions and millions of dollars for a franchise and for a building you usually know, Madam Deputy Speaker, of what you talk about and what you can do.

Okay, that's, again, entrepreneurs and their own capital going forward with risk. You usually do due diligence. You don't need government to do that for you. You usually do due diligence but, in fairness, there are small franchisors who don't charge very much because, really, the franchise isn't worth as much as a Tim Hortons or a McDonald's. So they don't charge a big franchise fee but they do charge royalties. So that if you're making sales, they'll charge—they'll make sure that they generate revenue on royalties because of the services they provide.

And that's what speaks in this legislation is protection for all franchisees but, quite frankly, it should be restricted to a smaller number of those franchisees. There should be in here an exemption—and oh, by the way, we talk about standardization

and how the government was forced into this legislation in the first place because of the Manitoba Law Reform Commission and all the rest, but they want to standardize and we already talked about how they're not standardizing other components of their government. But they want to standardize this, but there are exemptions in the other legislation which isn't identified in here and we mentioned that and it was said, well, don't worry about that because that'll come in regulation.

Well, I have to tell you, as much as I've experienced in the past, you can hide an awful lot in regulation, and do we really trust the minister to be the final say and authority on that regulation? So I asked if the regulations couldn't be provided before the legislation was passed, and lo and behold, that wasn't quite happening because regulations was going to be controlled by the minister. Now, remember, I said the minister doesn't quite understand franchises at the best of times, but that's okay, he is now going to be the final authority of any of the regulations that are going to come forward.

So we have a concern with this legislation. Not that the standardized across the country because that's a bad thing. When you're selling a franchise in Québec or Ontario, having the same opportunity to sell the franchise in B.C. or Alberta is fine. Not many of them will stop in Manitoba, but that's okay, we can have legislation in place anyway, and some of that legislation will speak to the rights of the franchisee.

One of the things we did find in this legislation is that the rights of the franchisor, the owner of the franchise who's selling the knowledge, the ability to actually generate revenue—the rights of the franchisor are not really the important thing for this government. It's the rights of the franchisee that the government seems that they want to protect. So they want to protect the franchisee.

* (16:40)

Now the franchisors want it because there's going to be some standardization, but I just talked about the standardization where we don't have that. We don't have the exemptions that they have in other jurisdictions. We don't have the total standardization because we still think—this government still thinks that they know best, which they don't, but they think they know best. So there isn't quite the standardization that this government suggests.

However, the franchisor really is the one who's not protected. It's the franchisee, in fact, to the point, Madam Deputy Speaker, that this government actually is setting up the ability for a franchisee to have an association. Now, I don't think the franchisors are really excited about that. Because as a franchisee, as you understand, if you go to one in B.C. and one in Ontario, whether it be a Tim Hortons, or an A&W, or a McDonald's, or whatever it is, those franchises are the same. They have a standard of quality, a standard of service, a standard everywhere you go. You will be able to have the same product in locations anywhere across the country.

Now, sometimes there's good franchisees and there's not such good franchisees. Sometimes there are franchisees that don't follow the rules. Sometimes there are franchisees that try to circumvent some of the restrictions that are placed on them by the franchisors for quality control. Sometimes there are franchisees who don't report the sales, perhaps, like they would be expected to. Sometimes there are franchisees that don't follow the franchise requirements to the letter of the law. And sometimes those franchisees really like to complain about the franchisor.

So what's going to happen now is that one individual is now going to be able to go to all of the other franchisees throughout the province or throughout western Canada, or throughout, well, in this case, the province of Manitoba, and ask all of the other franchisees to gang up on the franchisor. They can do that by association, and this government says that's a real good thing, because it sounds like labour law that they put into place actually. They like to have the unions have more power than management, and that's pretty much the same thing that they're asking for here. So our minister's decided that that's a really good idea, that they can put—that they can get an association going and question the franchisor.

Now what that ultimately does, perhaps, is reduces the quality and the standardization of that franchise, or the franchisor has to, in some other way, shape or form try to either get their franchise back from that franchisee that they don't want to have operate under their name and ruin the standardization that they have throughout the province.

So the minister was forced into it, brought it forward because it really doesn't cost him anything. And questioned, saying, okay, we have the

legislation. How is it going to be enforced? And the answer was, well, it's going to be enforced by the courts. All we want to do is make sure that there are disclosure requirements by the franchisor and time lines put into the legislation, whereby the franchisee has to receive this information, time lines not only for receiving the information, but time lines also for being able to get out of the agreement. Also have the association ability, if they don't like what's happening with the franchisor, put some other conditions that are in the legislation.

But when asked, how are—how's the government going to enforce this? The answer was, well, the government's not going to. It's going to be the courts. The courts are going to enforce this. So we now have a franchise agreement that, in fact, could have been enforced by the courts, because the franchise agreement's not just done on the back of a napkin. A franchise agreement is pretty sophisticated. They actually—when you're spending money for a franchise fee, and you're paying royalties, you want to know what the franchisor is going to provide you. So this isn't done on the back of a napkin. This is done knowing full well what the requirements are from the franchisor and what the requirements are from the franchisee.

So, if there is some dispute, do you not think that either one of the partners, and that's what they are, would not take this dispute to the courts? Of course, they would; there's money involved. And the courts have the power to adjudicate one way or the other based on the franchise agreement. But we now don't believe in the courts unless they have this legislation put into place in the province of Manitoba.

So, Madam Deputy Speaker, I am extremely pleased to have raced back here and been able to say that the Minister of Local Government (Mr. Lemieux)—I gave his excuses for not being there, and I do hope he appreciates that. So I'm glad I raced back here in order to be able to talk with some sense to the franchise legislation and maybe, just maybe, somebody on the back benches of the NDP government might just want to stand up and either refute some of the things that I've said, agree with some of the things that I've said, disagree with some of the things that I've said, or just simply stand up and pretend that they understand what's going on with The Franchises Act that's being proposed here today.

Thank you, Madam Deputy Speaker.

Mrs. Heather Stefanson (Tuxedo): Madam Deputy Speaker, and I did wait for a moment after my colleague, the member from Brandon West, spoke because I certainly looked around the room and didn't see anyone on the other side get up to try and dispute what the member for Brandon West just put on the record with respect to this piece of legislation. And, you know, I would hope that if members opposite have something to say to defend this piece of legislation that, in fact, they would take the time to debate these bills. And, as we've talked about before, there are times for debate in this Legislature, there's time to set aside our partisan differences and to work on things together.

This, obviously, is the time for debate. We are questioning some of the things and the reasons why members opposite have, in fact, brought this piece of legislation forward. We're questioning some of those things. So why are they not getting up to answer them? Is it that they don't care, or is it that they—fact—they don't understand what the legislation is?

And I think, you know, either way, it's unbecoming of a government. I think that, certainly, members in this House and members out there in Manitoba deserve to know and understand why, in fact, this government is bringing forward this legislation. And I think it's unfortunate that members opposite are refusing to debate their own piece of legislation and to, in fact, support their own piece of legislation. Because by sitting in silence, what that means, Madam Deputy Speaker, is that they are refusing to debate their own piece of legislation and refusing to, in fact, support their own piece of legislation, which is interesting. And, if members opposite, as they say, chirping from their seats, if they really believe and want to support this piece of legislation I think that they should stand and tell us why. Why is it that they support this legislation, and why is it that they want this legislation to be passed?

You know, I actually think—when I looked at this legislation—I actually think that there's a couple of issues that could potentially discourage franchises, Madam Deputy Speaker, from settling in Manitoba. And this could potentially add to the unfavourable business climate that's already present in our province.

And I think, Madam Deputy Speaker, that we don't—you know, don't we already suffer enough in our province, in Manitoba, from an environment that is not conducive to doing business as it is already?

As it is already, we're not as competitive as other provinces across our country, and we're already in this situation of an uncompetitive advantage when it comes to other provinces across the country.

And if it was—if we were competitive, to a certain extent, then why is it that a—that the organization like Yes! Winnipeg has set up so that the private sector now is driving our province to try and encourage businesses to come to Manitoba and to stay in Manitoba? Why is it that everyone else is looking to clean up the mess of this government out there, to work towards doing that to make Manitoba a better place to live, work and do business in Manitoba? Why is it that everyone else is doing that except this government? Everyone else is having to cover—to come together to pick up the pieces, and I think that that's unfortunate.

And so rather than this government focussing on what it should be focussing on, and that is tearing down the barriers to business—that's what they should be doing, Madam Deputy Speaker. They should be tearing down the barriers to business and the red tape involved with doing business in our province to make us competitive across this country rather than putting those barriers up, which they do time and time and time again.

*(16:50)

And so—and, Madam Deputy Speaker, I think it's—we need look no further than the fact that this very government and this very minister refuse to be a part of the New West Partnership Agreement. And, you know, you wonder why that is. Why would they not—why would we, as Manitobans, not be at the table with the rest of the western provinces in our country? This is going to hurt Manitoba by us not being there.

But why is it that they're not there? Is it because, Madam Deputy Speaker, that we are in a situation right now where Manitoba is so heavily dependent on federal government transfer payments to support our economy here in Manitoba and all of those other western provinces are not dependent on that? So, if that is the case, is that why those other western provinces are saying, you know what? We're not—Manitoba isn't even at the table because they can't be, because all their focus is on how much more money they can steal from the federal government and how much more money they can get from the federal government, so that's why they're not involved. Or is it because their union boss friends are, in fact, opposed to this? Because they are actually opposed

to anything to do with free trade or anything with bringing partnerships and agreements together to do with that.

So I think, Madam Deputy Speaker, what's unfortunate is that members opposite have refused to get up and engage in the debate in this province when it comes to what—some things that could make our provinces better.

And certainly, with respect to Bill 15 and The Franchises Act, franchises are a big part of our business community, our small-business community, here in Manitoba, and they need and deserve to have the same kind of opportunity right here in Manitoba that they have in other provinces across the country. And I think if we're not creating the kind of competitive environment that we can here in Manitoba, the best competitive environment that we possibly can, Madam Deputy Speaker, that we will continue to fall behind, and franchises won't even look at Manitoba in the future if there's too much red tape, too many barriers there involved for them to do business here in Manitoba.

So, with those few words, I will leave it at that, Madam Deputy Speaker, but I would hope that members opposite would get us up—get up and debate this bill and let us know and let all Manitobans know why, in fact, this is such an important bill to them.

Mr. Blaine Pedersen (Carman): Bill 15, The Franchises Act, it certainly is interesting. The irony of it is they're bringing in a franchise act to be similar to other provinces, and yet they're so opposed to other—harmonization with other provinces, such as the New West Partnership. But this legislation will be similar to Alberta, Ontario, New Brunswick and Prince Edward Island, and that's a good thing in that they have gone forward. The minister says that the franchisors have been looking for legislation like this.

However, they didn't see fit, as would—as in other provinces, to have the—an exemption on large franchises, which—obviously, if you're putting in that much money to a—to buy a franchise, you will be aware of what is involved and—whereas this act is, in other provinces, was somewhat protection for the smaller companies that were buying into a franchise.

But really, the ironic part of this bill is that they're bringing it in to make it similar to other provinces, and yet the ones—the franchises who are most affected are—is the service industry. And it's the

service industry such as the restaurants that tend to be the franchises, not solely, but they tend to be there. And yet in this province, we have—with the service industry tends to be the minimum wage jobs on labour, and yet this Province refuses to listen to the industry. They were very strenuous in their opposition to raising the minimum wage, with the proposal on the other side that instead of raising minimum wages, if you would raise our rock-bottom basic personal exemption here in Manitoba, you would actually—their employees would actually take home more money in a pay period.

And it is not news to anyone who has hired help, who has done deductions, that the basic cause of low wages—low take-home pays in Manitoba is because we have such a rock-bottom basic personal exemption, and that—compared to Saskatchewan, compared to Alberta—and what you're doing and—by raising the minimum wage is, actually, government is padding their own pockets on this because they're taking more taxes out of Manitobans.

There is legislation, as I understand, in Ontario and I also believe it's in Alberta where you have a two-tier minimum wage system where people under 16, I—or under 18, pardon me, would actually qualify for a different wage rate and it's—you know, this government, they could look at something like that. They could at least explore that, and as a means of helping the very businesses that this franchise act affects, and yet this government has no interest in doing anything like that.

I can see why they try to understand franchises because it's about licences and permits and collection of fees, and they're very good at that. They certainly shine in that department when it comes to charging services. So maybe they're trying to make Manitoba one big franchise, but I guess we already are—of the federal government. In terms of our budget at—in the amount of money that's coming out of the federal government into Manitoba, they're—we are now the franchisee of the federal government. It must really bite to get all that money out of a Conservative government, but I guess money is money when it's coming. As long as the colour is right of the money, they'll take it.

But this bill is—it's putting—it's bringing some harmonization from other provinces for companies who are national and in some cases multinational—many cases are multinational. It's bringing some harmonization within Manitoba, and that's always a good thing. But, like so many other things with this

government, they're always afraid to really step out and be a leader when it comes to promoting businesses and helping businesses because, as I said, for one thing, there's our minimum wages which—and our low basic personal exemption, and then the other side of it is the—there's no threshold on this in terms of the franchise size.

So, again, when a company—a national, multinational company looking at setting up in Manitoba, again, they have to—they understand that they have to deal within regulations of each province. But the closer we can become in standardized regulations across Canada, particularly across Canada, because that's the easiest way to compare, we need to be taking out—pulling all the stops out in encouraging businesses to come here, and we know that this certainly hasn't been the case with this government. They're—it's the tin-cup rattle to Ottawa that's been their main industry here and it continues to be their main industry, and so that, while this legislation is one good step towards it, they could certainly pick up the pace and become far more proactive in encouraging businesses.

There are some parts of this bill that we do question. According to section 7(5), the burden of proof seems to rest on the franchisor, the accused, and this is a reversal of traditional view in law which leads to executive franchisors to be guilty by association for actions. But I'm sure the—this legislation could be improved in there.

The Manitoba Law Reform Commission was advocating for this bill—for a bill that brings Manitoba franchise laws in line with federal law, and that's a good note, and, again, it's—this one is modelled on the Uniform Franchises Act, which was prepared by the Uniform Law Conference of Canada, and any time we can become more uniform within Canada with the other provinces, this is a good deal.

* (17:00)

So the bill does go part way. Again, it's the lack of imagination of this government when it comes to promoting business, that they could have taken it a bit farther and made it even better. We need the atmosphere in Manitoba for businesses, to encourage businesses to come. We know that that hasn't been the case.

So, Madam Deputy Speaker, this bill, it's a short step forward. I think it would be certainly good if this government would look at something like The Franchises Act and see how it really compares to

things like the New West Partnership. Because when you're talking about making regulations similar with other provinces, that's what the New West Partnership is all about. And they could be far more imaginative on that than what they have been. But I guess they have their sources that they want to protect, and we're being left out of the trade package in western Canada. The Franchise Act will—you know, is one small step there. But they, this government, only at the prodding of someone else did they do this, so I guess that's why they react to this. It certainly wouldn't be from their own imagination that they would bring forward something to make it more harmony—in harmony with other provinces.

So, Madam Deputy Speaker, Bill 15 is a good start. We would like to see them use a good start as to be an even, a further step, the first step in many steps towards increasing trade and encouraging businesses within Canada and from outside of Canada, and certainly this bill is one small step. But there are many, many more steps that they could be doing and should be doing to promote business coming here to Manitoba.

With that, I'll leave that at that. Thank you.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House is second reading of Bill 15, The Franchises Act.

Is it the pleasure of the House to adopt the motion? *[Agreed]*

I declare the motion carried.

Bill 24—The Aboriginal Languages Recognition Act

Madam Deputy Speaker: We will now move on to Bill 24, The Aboriginal Languages Recognition Act. And debate is open on this act.

Mr. Gerald Hawranik (Lac du Bonnet): Yes, Madam Deputy Speaker, and I'm very pleased to put some remarks on the record with regard to Bill 24. I know that language and culture are inextricably mixed, and I think that's the case not only with the Aboriginal culture that we have here in this province, but also other languages and cultures throughout the province. And we see that, I think, most importantly—at least we see it visibly, most importantly, I think, in Folklorama. Those of us who attend Folklorama can

attest, I think, to the fact that a language does preserve culture, and language is a part of culture. And if you don't recognize particular languages, if you don't ensure that they are recognized within the province of Manitoba, then they are in danger of disappearing.

And I have to, Madam Deputy Speaker—and I know that the bill recognizes seven Aboriginal languages within the province of Manitoba, that they're being used in Manitoba and, of course, some languages are used more than others. And long before the European settlement of Aboriginal peoples in Manitoba, the Aboriginal peoples of Manitoba developed and used their own, rich, Aboriginal languages. And this recognizes, of course, seven of those that are currently spoken within the province.

Any visitor to Manitoba will realize that Manitoba is a province of diversity, and I think we see that particularly with respect to the Folklorama celebration that we have here every year in August. The use of these languages is very widespread throughout the province. Although in some areas of the province, there are certain languages that are dominant and other languages that are not. Dakota is spoken most often in southern Manitoba; Ojibway is found more throughout the Interlake region. The Cree language is present into the north, into the boreal forests. Oji-Cree is found in between, and, in the more northern areas of the province, Dene and Inuktitut is found.

I know that I had the experience several years ago, in fact, I do a fair amount of fishing, prior to becoming an MLA and, of course, when I get a chance, I get—I go up north, fly up north quite often in the fall to do a fishing trip at least once or twice a year. And I recall a time about five years ago when I went into a very remote lake and we flew in some canoes and we fished for a couple of days and left back to go home for a couple of days and when we returned, we found that there was another canoe on the lake and that was occupied by an Aboriginal family, a husband, a wife and a daughter who were all trapping on that particular lake.

So they saw that we were there in the camp and they stopped by and started talking to us but, of course, they didn't know how to speak English. They were in a very remote community. But the end result is that we seemed to know what the other was talking about and got along in spite of the fact that we didn't know each other's languages. So that was a

bit of an eye opener to myself. I'd never spoken to, particularly in a remote situation like that, to find an Aboriginal family on that lake was very unusual and to actually communicate with them, I think, with even not knowing a word of their language and not knowing—their not knowing a word of the English language, we were able to communicate.

Many Canadians are aware that the history of Canada has traditionally been understood as a history between dominant linguistic groups, the French and the English. For much of our history, we focus and—on that and have downplayed the role of many linguistic traditions of Aboriginal Canadians, as well as other languages. And I believe that this bill itself will at least highlight the fact that there are Aboriginal languages in the province that perhaps are even in danger of disappearing. And if there is no recognition to those languages, there is a very distinct possibility that they—those languages will disappear and so would the culture influence that goes along with knowing the language itself.

It's just one step, Madam Deputy Speaker, to make more Manitobans aware of these linguistic traditions. Hopefully, the passage of bill—of this bill—will indicate to Aboriginal people that their languages do have a place of honour and respect in the province. A language is also an important component of how people understand themselves; it gives meanings to individuals, their families and to their culture. The continued use of language keeps traditions alive and connects individuals in the present to their ancestors in the past.

For too long, government has, at best, shown ambivalence toward Aboriginal languages and, at worst, hostility and oppression. This is the most—this is most present during Canada's history of residential schools, a period where many Aboriginal children were forced away from their families and, of course, away from their linguistic identity. Stories of Aboriginal peoples being punished—punished for speaking their tongue at residential schools had become commonplace, and the chilling effects of this period are still felt today and have created difficulties for, I believe, all Aboriginal people in the province who may want to learn their traditional languages and has become an obstacle in that case, in that way. A lot has changed since then. As a society, we've come to understand culture as important to our society and the contribution culture has to our society here in Manitoba, indeed, throughout the country.

The current state of Aboriginal languages is concerning. The bill points out that only 30 percent of First Nations people are able to speak an Aboriginal language well enough to even carry on a conversation, and young individuals are less likely to learn Aboriginal languages off the reserve. This is as concerning as the—this is concerning as the promotion and learning of Aboriginal language is important, to make sure that our next generation of Aboriginal people can participate with rich traditions and contributions that they have made to this province.

* (17:10)

The preservation of any language is dependent on it being taught from one generation to another, and given the fact that there is a dwindling number of Aboriginal people who understand these and can speak these languages and the fact that generation after generation will likely produce fewer and fewer people who are willing to learn the language and willing—or willing to speak the language is a bit of a concern. So I believe that this bill at least recognizes those languages and highlights the importance, I believe, to Aboriginal people and non-Aboriginal people alike, that the languages ought to be preserved.

However, government can only do so much with respect to this, but it's inspiring to see that in Aboriginal communities many elders and community leaders have taken the lead to ensure that their linguistic traditions are being passed on from one generation to another.

We all recognize, I believe, that Manitoba has a rich heritage of linguistic diversity, and an important part of this heritage that has not always been recognized is the seven Aboriginal languages that are included in this bill. The bill is taking one step today to preserve the language, but it will need active participation from Aboriginal communities across this province, from Aboriginal people. They are the ones who, obviously, know the language and they have the ability to promote it, and I would encourage all Aboriginal people to preserve this language within their own communities to ensure that young people do have an opportunity to learn the language, and, in fact, I would encourage all non-Aboriginal people to support that.

I note that in committee and we're—I'd be interested in hearing from presenters at committee,

and I note that at this point there's one presenter who is registered to speak to this bill at committee, and I look forward to hearing the presentation and perhaps assisting with the presentation by asking a few questions. Of course, if they come to speak to committee and they speak an Aboriginal language, we won't understand, but I suspect that there will be support for this particular bill at committee, and I look forward to any presentation that comes forward. Thank you very much, Madam Deputy Speaker.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House is second reading of Bill 24, The Aboriginal Languages Recognition Act.

Is it the pleasure of the House to adopt the motion? *[Agreed]*

I declare the motion carried.

House Business

Madam Deputy Speaker: On—the Government House Leader, on House business.

Hon. Bill Blaikie (Government House Leader): House business, indeed, House business.

Madam Deputy Speaker, on House business, I would like to announce that the Standing Committee on Social and Economic Development will meet on Wednesday, June the 16th, 2010, at 6 p.m., to consider the following bills: No. 6, The Manitoba Association of School Trustees Amendment Act; No. 12, The Pimachiowin Aki World Heritage Fund Act; No. 15, The Franchises Act; No. 17, The Biofuels Amendment Act; and No. 24, The Aboriginal Languages Recognition Act.

Madam Deputy Speaker: It has been announced that the Standing Committee on Social and Economic Development will meet on Wednesday, June 16th, 2010, at 6 p.m., to consider the following bills: Bill 6, The Manitoba Association of School Trustees Amendment Act; Bill 12, The Pimachiowin Aki World Heritage Fund Act; Bill 15, The Franchises Act; Bill 17, The Biofuels Amendment Act; Bill 24, The Aboriginal Languages Recognition Act.

**Bill 34—The Consumer Protection
Amendment Act (Negative Option Marketing
and Enhanced Remedies)**

Madam Deputy Speaker: We will now move on to Bill 34, The Consumer Protection Amendment Act (Negative Option Marketing and Enhanced Remedies).

The bill is standing in the name of the honourable member for Emerson (Mr. Graydon).

Is there unanimous consent for the bill to stand in the name of the honourable member for Emerson?

Some Honourable Members: No.

Madam Deputy Speaker: No. Unanimous consent has not been given for the matter to stand.

Mr. David Faurichou (Portage la Prairie): It is once again a pleasure to rise and participate in debate of second reading of Bill 34, The Consumer Protection Amendment Act (Negative Option Marketing and Enhanced Remedies).

This bill was first introduced into the Legislative Assembly on May the 11th of this year. Indeed, I suspect each and every member of this Legislative Assembly has had an opportunity to be a customer of persons supplying goods or services to which this bill speaks. We know that we have had numerous occasions where, effectively, one has ordered a good or a service, and then, very shortly thereafter, one receives the good or service once again and is surprised to learn that, by the initial order, one effectively has entered into a contractual obligation to receive the goods or services as previously provided, now on a regular or routine basis.

I will say that this legislation does speak to the negative option marketing which I have just described, whereby a good or a service is provided to a consumer, without effectively having ordered that good or service, only that they had received it in a previous occasion.

The information that has been provided through the bill briefing of Bill 34, is, with my understanding, that the supplier of a good or service must now make known to the consumer that they will be receiving the good or service on a routine or regular basis in a manner to which the consumer is aware. That being that the—a contract is entered into either verbally or written, and that the details of that contract of renewal for goods and services, is, indeed, well known to the consumer. In the case of a written contract, the information must be provided in

a language and a font size that is easily read and understood.

And I'm going to speak from personal experience without providing the actual supplier of a service that I understood was on a one-time occasion. It was for an annual subscription and I believed that the annual subscription would lapse if I did not make it known that I wanted the subscription renewed. Much to my surprise and chagrin, I received a fairly substantive charge to my credit card on the anniversary date of this subscription, and it came to my attention that, in extraordinarily small font size, that they would renew the subscription without notification at the anniversary, one-year anniversary, of the subscription to the service, if not notified. And I will say that once I was aware that the subscription had been renewed, I made contact with the supplier and asked that I be removed from the subscription and I was. I learned that I could indeed be removed from the subscription, however, there were no return of monies for services not received. And I was extraordinarily upset that I had been duped into this particular contract and was out a fairly substantial amount of money and I had no way of recovering those monies.

This particular piece of legislation speaks to that circumstance, and, indeed, would have then been in contravention of this legislation because of not only the font size but a complete and clear acknowledgment that I understood the language of the contract for the services to which I was entering into. And there was no acknowledgment given by either way of verbal notice or by specific signing of a contract.

* (17:20)

This particular legislation also does provide for substantial fines for persons that make monies from a negative optioning options scheme and the court has the discretion of being able to levy a fine to the tune of three times what the individual or the corporation's revenues from the negative option scheme or to levy an outright fine at the court's discretion.

Mr. Rob Altemeyer, Acting Speaker, in the Chair

Also, this legislation does attempt to provide the security to consumers that eight other provincial governments have already provided. So once again, we're seeing catch-up legislation by this government and the government has acknowledged that they are woefully lacking in consumer protection within the

province of Manitoba with their recent announcement of a five-year plan with Monty Hall's endorsement to let's make a deal. This particular initiative by government is what I say, better late than never, but certainly consumers have been paying the price for this government's negligence in updating our consumer protection laws in the province of Manitoba. It's high time that this government recognizes that there is need to protect consumers and as the sophistication grows by those that are providing goods and services to persons residing in our province.

The question though still begs to be answered and only after passage of this legislation will we begin to find out whether or not co-operating with other provinces is enough to bring individuals and corporations before the courts if they are found in contravention of the law that Bill 34 provides, because much of our marketing of goods and services comes by way of sophisticated telemarketers which are based not in our country, not even perhaps on this continent and are away from the judicial system within our province.

So there is concern that without the co-operation and coordination of legislation to which we have before us this afternoon, that it won't be worth the paper to which it's written on, and these are the concerns that have been raised. And this, once again, is an indication that this Province needs to work with other jurisdictions, and we're seeing time in, time out that this Province is not willing to work with other jurisdictions on not just consumer law but labour law and laws governing the recognition of credentials of those persons graduating from our post-secondary educational institutions and those immigrating to our province.

Once again, I think of the impediment that was put in front of a very scholarly lady who came to reside in Manitoba, that was wanting to carry on with her speech and language pathology career, and found that she had to take a six-month long English course, and her particular career started in the United Kingdom, of which we all know is a bastion for the correct pronunciation and dictation of the English language—and yet she was, when immigrated to Manitoba, was questioned as to whether she could properly express herself in English and that she had to take an English course, which was accredited here in Manitoba before she could resume her career.

And I find that this New Democratic Party is so out of touch with the realities of the world today,

where persons who are wanting to come to Manitoba and enjoy the many amenities to which we as residents and those of us that have spent our entire lifetime within the province know so very well. And these individuals want to enjoy those amenities and are prevented from contributing through their training and their career experience because this government is out of touch with the reality of the day. And I challenge any member sitting on the government side of the House to justify why a speech and language pathologist would be prevented from working in Manitoba because she couldn't verify that she would—she was able to speak English, even though she was schooled and her career experience came from the United Kingdom where English is the language of instruction.

But, anyway, that is this government, and we're all—all of us are becoming more and more aware of the shortcomings of this government because they are not keeping up with what's happening in the world today.

Now, this particular piece of legislation does bring us in key—up to current language with the definitions that are attributable to this type of marketing of goods and services. And one is able to, now, attempt to accommodate the individuals that want to renew, yet those that do not want to renew for their goods and services previously provided will be able to apply for refund, of which I spoke of my own personal experience earlier, that currently is not now the case. However, I—the supplier of the subscription is located in the United States, and I'm very curious as to whether this government is going to be able to enforce the legislation that is before us.

Also, too, I am pleased that the government has recognized that, from time to time, when one is looking at receiving goods from a particular supplier, that sometimes the supplier changes the specifications of the goods being shipped and they, then, either are more expensive to the consumer or that they—the consumer does not particularly want that good that has been significantly changed because of either an allergy or that they—the good no longer provides the initial intent of the order. And this legislation says that substantive changes to the goods or services being received are—once again, will make null and void the contractual obligation of the consumer, and the supplier will then have to provide for refund.

* (17:30)

So we're seeing that the legislation is starting to address what many, many consumers have been saying for years and years, that telemarketing schemes or on-line solicitation for goods and services can now essentially be addressed. And I hope that the minister of consumer and corporate affairs has done his homework with his colleague from—the Minister of Justice (Mr. Swan) as to the logistics and working agreements that are required to make certain that the legislation that we are considering before us today is, indeed, enforceable.

So, Mr. Acting Speaker, I do want to say that we on this side of the House are supportive of the Bill 34, The Consumer Protection Amendment Act (Negative Option Marketing and Enhanced Remedies), for the reasons that I have spoken. And I believe that the \$300,000 maximum fine and imprisonment of three years is substantive enough for—a deterrent to those individuals that have been taking advantage of Manitoba consumers with negative option marketing.

And I will say that it is not just those that are unschooled and perhaps not as wise to the ways of the world that get duped into contracts that are renewed under this negative option marketing, because I don't classify myself as either. I believe I had read the terms of the agreement and had entered into a contractual agreement for a subscription that I only wanted to receive for a one-year period and was not interested in renewal, yet I failed to be able to read the very, very small font because I, as my age now at—of 54, I do need the assistance of reading glasses and even those, even with the use of my reading glasses, I was unable to decipher the fine print of the contract to which I was entering into. And this bill does speak to the size of the font necessary to convey a message. And I will say that I have now employed the use of a magnifying glass beside my computer for just these purposes and hopefully will not be—not succumb to this type of negative option marketing again, because it's not only a disappointment to know that I was taken advantage of, but it is also disappointing that I now have been relieved of a fair number of dollars that would have elsewhere been spent and enjoyed through receiving other goods or services.

So, Mr. Acting Speaker, I'm pleased to say that the Minister of Consumer Affairs (Mr. Mackintosh) has brought this bill forward, I look forward to any presentations by those that are concerned when this bill does come before committee, and I trust that this government has done their homework so that they

can, indeed, enforce the law to which will become that of Manitoba, alongside eight other provinces here in the nation of Canada.

Thank you ever so much.

The Acting Speaker (Mr. Altemeyer): Is the House ready for the question?

Some Honourable Members: Question.

The Acting Speaker (Mr. Altemeyer): The question before the House is second reading of Bill 34, The Consumer Protection Amendment Act (Negative Option Marketing and Enhanced Remedies).

Is it the pleasure of the House to adopt the motion? *[Agreed]*

House Business

Hon. Dave Chomiak (Deputy Government House Leader): I would like to announce that the Standing Committee on Social and Economic Development meeting this evening at 6 p.m. will also be considering Bill 34, The Consumer Protection Amendment Act (Negative Option Marketing and Enhanced Remedies).

The Acting Speaker (Mr. Altemeyer): It has been announced that the Standing Committee on Social and Economic Development meeting this evening, Monday, June 14th at 6 p.m., will also be considering Bill 34, The Consumer Protection Amendment Act (Negative Option Marketing and Enhanced Remedies).

Mr. Chomiak: Mr. Acting Speaker, I'd like to call the second readings of the next bills in the following order: Bill 20, The University College of the North Amendment Act; Bill 29, The Advanced Education Administration Act and Amendments to The Council on Post-Secondary Education Act and The Education Administration Act, be followed by Bill 23, The Public Schools Amendment Act, and No. 26, the—Bill 26, The Addictions Foundation Amendment Act.

The Acting Speaker (Mr. Altemeyer): The House will be considering the following acts in this order: Bill 20, The University College of the North Amendment Act, followed by Bill 29, The Advanced Education Administration Act and Amendments to The Council on Post-Secondary Education Act and the Education Administration Act, followed by Bill 23, The Public Schools Amendment Act, and following that, Bill 26, The Addictions Foundation Amendment Act.

SECOND READINGS**Bill 20—The University College of the North
Amendment Act**

Hon. Diane McGifford (Minister of Advanced Education and Literacy): Mr. Acting Speaker, I move, seconded by the Minister of Innovation, Energy and Mines (Mr. Chomiak), that Bill 20, The University College of the North Amendment Act; Loi modifiant la Loi sur le Collège universitaire du Nord, be now read a second time and be referred to a committee of this House.

Motion presented.

Ms. McGifford: Mr. Acting Speaker, this bill represents important improvements to Manitoba's post-secondary education system. Principally, the bill ensures that governance features of University College of the North are consistent with those of other Manitoba institutions.

There are four major objectives of this bill which include: establishing the Chancellor as a voting member of the governing council, as is the case in each university in this province; secondly, ensuring that the learning council has similar authority to other Manitoba universities over academic matters, such as programming, the 'conferrance' of credentials and the organization of academic units within the university college; ensuring that the University College of the North is treated the same as—in the same way as other universities, by ensuring that the college and post-secondary education is the only external body with program oversight; and giving the University College of the North a March fiscal year end, rather than a June fiscal year end, so that its financial statements are consistent with the other universities in Manitoba.

These changes were made after an extensive consultation process with key stakeholders. I believe that these amendments will strengthen University—the University College of the North and help to foster excellence in post-secondary education in northern Manitoba.

Thank you, Mr. Acting Speaker.

Mr. Cliff Cullen (Turtle Mountain): Mr. Acting Speaker, it's a pleasure to ride—to rise today to talk about a very important issue here in the province of Manitoba. And, obviously, education plays a very important part of our society. And we certainly, as Progressive Conservatives, firmly believe that the proper and adequate public education and education

in general can play a very positive role for the future of Manitobans.

* (17:40)

And we're certainly encouraged by what we hear from the public, from the teachers and from some of the universities in terms of the discussion we've had. And we firmly believe there are some real positive initiatives that can be undertaken, you know, both at the elementary level, the secondary level and, of course, in the post-secondary level.

And, you know, we're talking about a piece of legislation that is going to make some changes in terms of the College of the North. And, obviously, when we talk about the College of the North, it really is aimed at the post-secondary education, in terms of the people in northern and more remote communities. And, as we know, Mr. Acting Speaker, there are certainly challenges facing people in northern communities in terms of their current economic situation. And also there's, obviously, there's social issues there as well. But we firmly believe that a proper education provided to, or at least the opportunity of education provided to those constituents will, in the long run, be a great benefit for rural and northern Manitoba.

And we have had consultations with a number of people in northern communities, and they also agree that education can be very important to the people of northern and remote communities. I actually had the opportunity just today to have a short visit with some people from the Mining Association of Manitoba. And, obviously, the mining sector has seen a bit of a—I guess a bit of a resurgence, because prices in some of the metals are bouncing back. And with that we see some added investment in terms of the mining industry here in the province of Manitoba.

And with that added investment in the province, we know we're going to require trained people, and we know that we're going to require trained people in the construction phase of some of those mines. We know that we're going to require people in the mining industry themselves, people that will be going into the mines themselves and doing work. And, as well, the value added of those, during that process, is very important to Manitoba. And I think that's an area where we as a Province should be putting some resources to, is in terms of mining our natural—working with and processing our minerals. And, obviously, that's the message we're getting from the mining industry. That's the message we're

getting from the communities and the community leaders of northern Manitoba.

So, obviously, the University College of the North, I think, can play a very important role in terms of the education of the northern communities. As we go forward, we recognize that education's going to be important. For us, and I think some of those communities and some of the First Nations communities are starting to recognize the importance that education can provide the youth of those remote communities. And we certainly look forward to working with those First Nations communities, as well, in terms of trying to determine what it actually is that they require to have their youth stay in school. And that, certainly, has been a challenge over the years is, you know, we can get the children into the first few years, to get a bit of elementary education. But they seem to wander and, unfortunately, they don't stay there for a period of time to complete their education. What they have to do is, obviously, move on; if they want to complete their grade 12, many of them are being forced to come to Winnipeg or other communities for that.

But I think what we're, what's happening is we're—somehow those students become disengaged with the process, and we have to work with those communities to understand what it is that causes that disengagement. So we have to energize the community leaders in those communities to make sure they're involved in the process, they understand what the implications are to the youth and what's holding them back from completing their education. I think that's a very important role that the government should be—would be taking forward. And once we get them, you know, through the secondary—elementary and secondary levels, then we move on to the post-secondary level. The policy that we have and the framework around the College of the North will play an important role as well.

So I just wanted to, you know, make those initial comments in terms of this particular legislation. We, obviously, are moving it into committee. We would like to hear what Manitobans have to say about this particular legislation. I'm sure there will be some words of wisdom from the community, and I think it's important that we, as elected officials, do, in fact, listen to what our constituents and then what Manitobans have to say about policy as we implement it here in the province of Manitoba.

So, with that, I just want to thank you for the opportunity to put a few—those few comments on the

record in regard to this particular bill. Thank you very much.

Hon. Jon Gerrard (River Heights): Yes, Mr. Acting Speaker, I rise to talk briefly about Bill 40, which amends The University College of the North Act.

I want to make it clear, as I have on numerous occasions, that we are, in the Liberal Party, supporters of the University College of the North. We see this as very important for the north to improve the opportunities and the access for education.

I've visited the area of the University College of the North in Thompson and The Pas and talked to individuals in many other communities. There's no doubt that, you know, under the NDP, the development of the University College of the North has proceeded slower than it might, but it is coming, and that, I think, is good.

We will be supportive of this legislation but, at the same time, look on the opportunity for the committee to be an opportunity to have a good dialogue with individuals from the University College of the North who are coming to present.

And I wonder if we are going to be set up so that we can have individuals from Thompson and The Pas come by teleconference, which we certainly should be set up, and hopefully this government will be ready for that.

That with those comments, thank you.

The Acting Speaker (Mr. Altemeyer): Is the House ready for the question?

Some Honourable Members: Question.

The Acting Speaker (Mr. Altemeyer): Oh.

Mrs. Mavis Taillieu (Morris): I did want to put some words on the record in regard to Bill 20, The University College of the North Amendment Act.

What this bill is doing is transferring the responsibility of—for the academic policy of University College of the North from the Governing Council to the Learning Council. It removes any role the minister or the department plays in academic organizational policy at the University College of the North, but the minister does retain some authority through the Council on Post-Secondary Education.

I just want to say that we are certainly supportive of any college or university and its ability to impart

education to any area of the province. So we support the idea that education is universal and should be available everywhere.

I also want to point out that the precursor to University College of the North was the Keewatin—sorry, I need to get this right. Yes, the precursor to the University College of the North was the Keewatin Community College, and, before that, the Northern Manitoba Vocational Centre. And it was established under Duff Roblin's government in 1966. It was renamed Keewatin Community College in 1969. So I just want to remind the minister and members opposite, that we, on this side of the House, were the ones that actually established the University College of the North, as it is called now. So let them not say that we do not support the University College of the North.

And, certainly, when we looked at this bill and we had the briefing from the minister, we were informed that it was likely mostly a housekeeping bill, but, you know, we always do our due diligence and go to the public and speak to people that are stakeholders and get some advice from them.

*(17:50)

Some comments did come back to us and certainly there's some feeling that there may be—in the trades, for example—there may be a number of people being trained in the trades, but are they able to find apprenticeships, or at the journeyman level to complete their training? And this has been something that has been brought to our attention as a possible shortfall of the whole continuing education system.

And we did also hear from people saying that the economy in northern Manitoba is based on mining and forestry, hydro electric and tourism, and these sectors need skilled trained people primarily with those vocational and technical skills provided by a community college. It follows that the northern Manitoba needs a strong robust community college providing relevant training that meets the needs of the local labour market.

Indeed the whole concept of community college is based on the premise of college of the community. And those are comments coming from interested people, and certainly we support that notion that any training needs to be in sync or in lock step with the industries that need the people to work in those sectors.

It's interesting that this bill has been brought about as the result of a review of college of—the

University College of the North, an organizational operational review. Interesting the person who did the review, and there was only one person who did the review, as far as we can determine, who is a very good friend of the NDP and particularly of the Premier (Mr. Selinger).

So we are, of course, thinking that any recommendations made would be recommendations of a very socialistic view, particularly from this—particularly the person who wrote the review, he has a very interesting biography. In fact, one of his quotes, is I like—one of his quotes, John Loxley's quote, says, "I like to believe my politics are radical." Anyway, I just wanted to mention that, Mr. Acting Speaker.

It's also interesting to note that the University College of the North, when we were looking through the annual reports, we were determined that there was a fairly significant amount of money that went into travel and expenses, and we sent in a freedom of information request for a breakdown of these expenses. And, unfortunately, we were denied that, basically telling us we'd have to pay \$12,000 to get this information, which to me seemed a bit steep, but in fact a bit ridiculous to have to pay \$12,000 for information that would be already available because, as we all know, you don't submit an expense account and get money without receipts, and that would have to be documented in an accounting ledger somewhere.

So the information is there and available, and to say that it would take \$12,000 because of the number of man hours required to compile this information really didn't make a lot of sense to me. And, when we spoke further with the College of the North, first of all, they were quite put out, I guess, that we would ask for this information, wanted to know why we needed it, and we had the conversation just to inform them that, no, it was us that would require the information and they had to provide this information. I don't believe that they have to date, although I think that they do understand the need to be able to comply with this request.

Mr. Acting Speaker, also there's another thing that we found when we did some reviewing and comparing of the University College of the North to, say, Brandon University and University of Winnipeg, University of Manitoba, and it's interesting that there is no remuneration paid to members of the governing council other than to University College of the North. They're the only

governing council that gets a remuneration. It's, you know, not a whole lot but it's just out of step, I guess, with the other universities, just a comment I wanted to put on the record.

But, Mr. Acting Speaker, this is a bill I think that in some ways with establishing the year-end, for example, falls into sync with some of the other universities, and the transition from the governing council to the learning council seems to also fall into sync with some of the other universities.

So we feel, though, that there should be oversight, still, by the minister, to have accountability of the University College of the North as in other universities through her department, so it does—we would not like to see the minister not still have the final accountability for all the colleges in the province.

But, Mr. Acting Speaker, we would just certainly like to see this bill go to committee and hear what Manitobans might have to say on this bill.

Ms. Marilyn Brick, Deputy Speaker, in the Chair

So, with those few words, I think we will allow this bill to pass to committee and see what Manitobans to say. Thank you very much.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: Question. The question before the House is second reading of Bill 20, The University College of the North Amendment Act.

Is it the pleasure of the House to adopt the motion? [*Agreed*]

I declare the motion carried.

Bill 29—The Advanced Education Administration Act and Amendments to The Council on Post-Secondary Education Act and The Education Administration Act

Madam Deputy Speaker: We will now move on to debate on Bill 29, The Advanced Education Administration Act and Amendments to The Council on Post-Secondary Education Act and The Education Administration Act.

Hon. Diane McGifford (Minister of Advanced Education and Literacy): I move, seconded by the Minister of Innovation, Energy and Mines (Mr. Chomiak), that Bill 29, The Advanced Education Administration Act and Amendments to The Council

on Post-Secondary Education Act and The Education Administration Act; Loi sur l'administration de l'enseignement postsecondaire et modifications concernant la Loi sur le Conseil de l'enseignement postsecondaire et la Loi sur l'administration scolaire, be now read a second time and be referred to a committee of this House.

His Honour the Lieutenant-Governor has been advised of this bill, and I table the message.

Motion presented.

Madam Deputy Speaker: His Honour the Lieutenant-Governor has been advised of the bill, and the message has been tabled.

Ms. McGifford: This bill has three parts. It establishes a new advanced education administrative act and makes amendments to both The Council on Post-Secondary Education Act and The Education Administration Act.

The legislation articulates the minister's system-wide mandate for post-secondary education and adult learning and establishes clear authorities concerning the collection and use of education data, including individual student data. It includes provisions to ensure that the privacy of students' personal information is protected consistent with privacy legislation.

* (18:00)

This legislation responds to growing demands for improved data to support quality, transparency and accountability of the post-secondary and adult-learning sectors. Over the long term, this will enable analysis of education data in support of important policy-related questions. Examples of such analysis include analysis of student pathways and mobility, such as understanding student transitions from K to 12 to post-secondary education, and movement of students among universities and colleges; monitoring of student retention and completion of post-secondary education, including rates of retention and graduation for under-represented groups; and understanding how the provision of student financial assistance—is related to post-secondary completion and length of time to complete.

Thank you, Madam Deputy Speaker. That's what I have to say today.

Mrs. Mavis Taillieu (Morris): Madam Deputy Speaker, and I do want to put some comment on the record in regard to Bill 29, The Advanced Education

Administration Act and Amendments to The Council on Post-Secondary Education Act and The Education Administration Act.

I think, when you have an act like this that looks, on the surface, to be something that it is not when you delve into it, there's room for concern.

First of all, I do want to say that when you're talking about statistical data for purposes of education, providing education, changes in demographics and desires within the community, and what kind of knowledge has to be included in curriculum, that kind of statistical data is very meaningful, and we could support that, Madam Deputy Speaker. But that isn't the issue here in particular. There's more to this bill than meets the eye.

And what Bill 29 is about is collecting personal information, which is the MET number assigned at kindergarten and all the way through grade 12, then sharing it with the Advanced Education Department and allowing the Council on Post-Secondary Education the administrative authority to use this data for their analysis.

Now, there's question around how much data is absolutely necessary for the statistical analysis, and if there's any reason there needs to be more information, could it not be addressed quite openly and up front through The Freedom of Information and Protection of Privacy Act? Now, that hasn't happened in this case. It's almost as if the government went—or the government said, we want to collect more information, and they went to their Legislative Counsel and the Legislative Counsel looked at it and said, well, you can't really do that because you would be contravening the FIPPA act. So, in order to do it, that we're going to have to go around through the back door, come in through a couple of other departments, and then enact it which—and try not to supersede FIPPA. And maybe we'll just, you know, cast it to a side so people really won't see what we're doing here.

And when this happens, it just makes you very suspicious of the motives. Now, as I said, if the motives are to collect information for statistical purposes, to keep up with the demographics of society and the needs and wants of the educational system, that's one thing, and we support that.

But what we are concerned about is if you take information which is more personal in nature, which would contravene The Freedom of Information and

Protection of Privacy Act, and take it to the ministerial level, then, in fact, you may actually be breaching FIPPA. And I have some legal advice on that, and saying if that is the case, then there may actually be a breach of FIPPA.

So I think it's something that we need to have a serious look at here, and I have some concern. Even in the press release, Madam Deputy Speaker, when the press release says: amendments to the council on post-secondary act would ensure the council has the information about students required to carry out its mandate, and amendments to The Education Administration Act would formalize existing administrative processes. So, you know, if it's something that's already existing—administrative process—that means it's already being done. This information is being collected. So to formalize existing processes—and to go further back in the press release: legislative proposals would allow data collection. It sounds to me, perhaps, that there's a contravention of the law right now and something is being collected that really shouldn't have been collected. And, in looking at what they wanted to collect, they determined this and then thought, oh, okay, well, we're going to have to find a way to legalize what we've already been doing. And, if that is the case, then, up to this point, they may have been breaking their own laws because in the spreadsheet, on section C of The Education Administration Act, it says: The amendments create a statutory framework for the student number currently assigned by Manitoba Education, which is the Manitoba Education and Training number, and also provides clear authority to collect or to obtain limited student-level data that is necessary to carry out the department's mandate for school boards and other specified entities.

And yet this number is specified in FIPPA as a number that's okay to collect, so I'm not sure why they need to go and collect—and to provide an amendment to collect the number here, because it's already specified in FIPPA that you can.

So there's a number of other things as—okay, as I just said, the definition of personal information under FIPPA includes an identifying number, symbol or other particular assigned to that individual. So, it's already there but—so I'm not sure why they have to provide this statutory framework, except that there has to be a way to share that information across a department with the Minister of Advanced Education (Ms. McGifford) from the Minister of Education (Ms. Allan), and then to share that with COPSE.

But the problem is, Madam Deputy Speaker, is if this information goes to the ministerial level, then it can be used for political purposes. And I would argue that this is an administrative process and if data needs to be collected for administrative purposes, that's one thing. But to argue that it has to go to ministerial level, I would argue that, at the ministerial level, it's policy setting and that is not—the minister does not need this information and, in fact, it opens up a whole area where she could take information and use it for their own political purposes.

It's interesting that in schedules A and B of the bill, the definition of personal information, as stated in FIPPA and PHIA, and then goes on to include the MET number specifically here. So, in these two sections, they actually add in the MET number. So I don't know why they feel they need to do that.

Also, under FIPPA, restrictions on use and disclosure in division 3 42(1)-44(1), it says that it should be limited to the minimum amount of information necessary to accomplish the purpose for which it is used or disclosed. It also states: This information should be limited to those who need it. FIPPA also states that: A public body may disclose information to a minister only if this information is necessary for the minister to carry out his or her duties.

And I, again, would argue that the minister's duty or role is policy setting and not administrative, so there would be no need for this information to flow directly to the minister.

There are a number of questions, Madam Deputy Speaker, that we—that arose to us following the briefing because in the briefing, some of the comments that were made—first of all, I have to say, in the briefing, and I thank the minister for the briefing, and the members of the Post-Secondary Education Council that were there. I thank them for their briefing, but I really got the sense that they didn't understand the necessary—that it was necessary to protect personal information.

* (18:10)

I feel that that was—there wasn't really—they wanted this information and, rather than address it out in the open right through FIPPA, which probably couldn't be done because it was probably in contravention, then they would have to get around it in another way, which is a very roundabout way to collect this information because when you're

collecting information, it is collection of personal information. Why aren't we addressing it through The Freedom of Information and Protection of—personal information act? It just doesn't really make a lot of sense.

But one of the things that was said—and I wrote down some notes from the meeting. One of—and these are quotes from the meeting, and one of them was: We're not asking for political affiliation. Well, we never said they were, but it's interesting that that comment would come up.

The other thing is, it's all about being able to integrate data. Now, I know that this is true and certainly some integration of data would be necessary, but there is the potential to use the information in a very political manner, and so we would not support that.

They also said that they could follow up with surveys after graduation. So—and this would be a number that would be assigned for life, so they're looking for tracking of individuals through their lifetime and what they do, which I think goes a little bit beyond the mandate of Advanced Education. I could be wrong about that, but I think, certainly, they want to find out if people are still working in their profession and whether still working in the province, that kind of thing. But perhaps then will be the time to get in touch with people and ask what is their political affiliation. I think there's danger in this information being—going to the minister, who could use it for political purposes.

And they did also say that they needed the legislative authority. So—which means to me that they want this information, they couldn't get it through FIPPA or PHIA and they had to find a way to get it.

Now, I also did phone the Ombudsman and ask her if she had been consulted before this legislation was drafted, and she said she had not. And we know from her annual report that part of her mandate is to be involved in a proactive way with any legislation that involves protection of personal information or freedom to access of information, so she should have been consulted.

When I asked in the briefing if the Ombudsman had been consulted, the answer was no, with a—it was a kind of, why would we need to do that, kind of attitude. But when I spoke to the Ombudsman—and I've written her a letter and she has indicated that she will be responding to me in writing this week—but the

conversation on the phone, she did indicate that she had some concerns about this legislation. It was drafted without her input and she did—I expressed some of my concerns and she agreed with some of my concerns about use and disclosure of personal information being collected for the intended purposes and not used for other purposes beyond that, that kind of thing. So I'm sure she's had an opportunity to look at this bill, and perhaps the minister has even had an opportunity to speak with the Ombudsman. I'm not sure about that.

I also note that there were—I know that Mr. Brian Bowman, who is a leading privacy authority in the province and, indeed, in Canada—and one would think that if you were going to be looking at areas that encroach on personal privacy, which I believe this bill could create that—it's one of those things that could even be an unintended consequence, I suppose, but there—provides an opportunity for that to happen—so one would think that if that was the case, they would be seeking some input from experts in the field, but that does not appear to have happened.

And, when I spoke to Mr. Bowman on the phone, he did say that this is a huge grab of information funnelled to the minister and an error in terms of privacy compliance, Madam Deputy Speaker. So I know that Mr. Bowman has some concerns about this bill and is kind of—at first, when he first took a look at the bill—kind of scratching his head and saying, why are they doing it this way? Why would they go through the education act, through the advanced education to the Council on Post-Secondary Education, when it's all about collecting personal information?

Seems to me the upfront and right thing to be doing would be to be addressing it through FIPPA, but they have not done that.

Another—some of the other concerns I have is they were wanting to collect information about, say, for example, where students got their students loans and if they had maybe more than one student loan. But, you know, a lot of students get loans from their parents, and if it's determined that a student gets a loan from their parents, that is actually third-party information about the parents. Now, is that contravening the FIPPA legislation? I'm asking it as a question. I'm not sure, and it is one of the questions I posed to the Ombudsman.

Also, they're asking for personal health information about diseases that students may have. Now, is a disease the flu? That's one matter because,

perhaps, they want to collect information about the seasonal flu or H1N1 so that they know how many students are absent or can alert the schools about this. But, perhaps, there are students, and I'll say maybe in post-secondary education, that have a disease that they do not want to share that information and, perhaps, it's very sensitive data. Perhaps it's something like HIV and, perhaps, it's a blood-borne disease, and, perhaps, that is information that shouldn't be shared and—or doesn't need to be shared or the individual doesn't want that to be shared.

So when you use the term "disease," it's a very broad term which could be—could mean anything. And I know there may be good intentions, that that may be related to people with disabilities that they have to provide special services for. I understand that. But this gives a much broader interpretation, I guess, of the word. And what may be intended for its use at the present time could be interpreted along the way in future years to be something completely different.

So when you're doing this kind of legislation, I think it's important to be—to know exactly what you're collecting and why, and make sure that you are in accordance with the existing statutes, which would be FIPPA and PHIA.

This legislation also goes further to go into private schools and home schools and wanting the information on children that are attending private schools, even those private schools which obtain no funding from the provincial government, and home-schooled children, Madam Deputy Speaker.

And I've said this before many times, and I just don't understand why this government doesn't understand this, but there are no statutes in this province that protect the personal information of people in the private sector other than the federal legislation, PIPEDA, which only protects individuals in a consumer process.

So this is a gap in the privacy legislation in this province, and I've said this many times—in fact, I've been introducing a bill for five years on this. So now I'm saying is they're going into the private sector, wanting information from people, and, again, it may be okay. But if these people then say—if someone comes along and says, I gave my personal information to the government and they used it for a purpose that I wasn't intending them to use it for, they have no recourse except to take their complaint to Ottawa. So it becomes a matter of logistics and

expense for that person because of the gap in our privacy legislation here in the province.

There's one other thing that kind of troubles me and it is, again, in regard to the MET number which is already being collected from K-to-12 students, because FIPPA states that personal information can only be collected directly from the individual the information is about. Which means that they would have to collect that information from the student or the guardian—parents. Or they could collect this information by another method of collection is authorized by that individual or by an enactment of Manitoba or Canada.

* (18:20)

So to, perhaps, get around having to collect this information over again and get consent, get consent to collect this information, I think, is the key because if they're collecting it now, they're not collecting it with consent. So if they want to formalize collecting this number, they'd need consent, according to FIPPA, unless they enact another statute.

So is this the part that clarifies the collection, use and disclosure of this information? Is this how they're going to be able to collect the information without going back for consent?

I'm asking that question. It's a question I've asked of privacy lawyers, and it's a question that I've asked of the Ombudsman. I'm simply asking that question. I'm not a lawyer and I'm not a privacy expert, by any means, so—but I do feel that there should be some more examination of this legislation to determine if, in fact, it is something that is—if it is, in fact, something that is legalizing or formalizing existing practices, then, perhaps, this government has been collecting information that it shouldn't have been collecting and using it for—in a manner that it shouldn't have been using it for.

So that—those are questions I have. I'm just simply raising these questions because they are questions that need to be asked.

As I said, I'm certainly not opposed to the collection of information if it's necessary to be used for enhanced education, changes in education, to respond to society's needs. I'm not against that at all, but certainly would be cautious if information was to flow directly to a minister where she doesn't need the information, and it could be used for her own political purposes. That, I think, is something that needs to be—Manitobans would be very cautious about. Manitobans, as we know, are more and more

cautious and careful about their personal information and fear the loss of their personal information. In fact, I think, it's over 70 percent of Manitobans fear the loss of their personal information and fear that governments already collect too much information on them and, certainly, would not want information to be used for purposes that it wasn't collected for.

So I have, as I say, many questions about this legislation, and as I say, I'm asking these questions. I may be completely wrong on these issues, but it's certainly something I feel needs to be looked into because Manitobans are concerned about the amount of information needed to be collected.

If you can use information that you already have and get the same results, then you shouldn't need to collect any more information. If you need to collect more information, then address it right up front through our privacy laws and make it known to the public what you're doing. This way it becomes very, very unclear to the public when they look at this bill. It's very unclear to the public what this bill is actually doing. So, will the public even know what this government is doing?

It's very convoluted and, in fact, this is one of the things that the Ombudsman did raise with me as well. Will the public even know what's happening here or—and this is not what the Ombudsman said—but I'm saying it, or is the government pulling the wool over the eyes of Manitobans again?

We've seen them do this in other pieces of legislation where they put a lot of different things into a bill and passed the bill, and Manitobans are left wondering what happened, because it was very obscure that it was in that bill. And they were not able to pull that bill apart and to find out exactly what was happening, what the rationale was.

So, as I've said, Madam Deputy Speaker, I do think that this bill could be a little bit Big Brotherish in terms of collection of data that could be, along the way, used for political purposes, and I don't think that is something we would like to see in Manitoba. I don't think people are comfortable, I guess, with the government having more information than they need.

If the minister can make a case why she needs to collect more information, that's one thing. She hasn't made that case. At least she hasn't made that case to the Ombudsman. She hasn't made that case to Manitobans, and she certainly hasn't made that case to the opposition, particularly to me.

So I feel that there are a lot of questions and I, for these reasons—although, I will say again, not opposed to information that is going to be useful in determining education and the direction of advanced education in terms of what the change in demographics, the change in societal needs and the curriculum changes that may need to happen—not opposed to that. I want to state that very emphatically: not opposed to that, but are opposed in the way in which the minister has approached this bill. She should have just done it straight up through Freedom of Information Protection of Privacy statutes instead of trying to go through three different areas and three different bills to amend so she can collect information which perhaps is being used illegally, I guess. If it's—if it has to be formalized in legislation to make it legal, then I guess maybe what's happening now could be illegal. I'm simply asking that question.

So, Madam Deputy Speaker, I don't—I can't support this piece of legislation as it's written. I think there's more work that needs to be done. I think the minister needs to do some more work on this bill. In fact, I did address a question to her and asked her to pull the bill and do some more intensive study on this bill and perhaps consult the Ombudsman this time before just ramming this legislation through, because that's exactly what's happened here. It's going to be rammed through. Manitobans aren't going to know the implications of this bill. Parents aren't going to know. Students aren't going to know and that, I think, is simply wrong, not to be up front with Manitobans.

So, with those very few words, I will allow my colleagues to put some words on the record as well. Thank you very much, Madam Deputy Speaker.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House is second reading of Bill 29, The Advanced Education Administration Act and Amendments to The Council on Post-Secondary Education Act and The Education Administration Act.

Is it the pleasure of the House to adopt the motion? *[Agreed]*

I declare the motion carried.

House Business

Madam Deputy Speaker: The Official Opposition House Leader, on House business?

Mr. Gerald Hawranik (Official Opposition House Leader): Yes, on House business, Madam Deputy Speaker, I would seek leave to introduce—reintroduce for second reading Bill 203, and I also seek leave as well to have the member from Turtle Mountain speak briefly with respect to that bill.

* (18:30)

Madam Deputy Speaker: Is there agreement to move to Bill 203? *[Agreed]*

DEBATE ON SECOND READINGS— PUBLIC BILLS

Bill 203—The Coat of Arms, Emblems and the Manitoba Tartan Amendment Act (Provincial Soil Designated)

Madam Deputy Speaker: Is there agreement for the Member for Turtle Mountain to be able to speak? He has already spoken once to the bill but, with leave, he could speak again to the bill.

Is there agreement? *[Agreed]* Yes, I hear that there is agreement.

So we will now move to Bill 203, The Coat of Arms, Emblems and Manitoba Tartan Amendment Act.

Mr. Cliff Cullen (Turtle Mountain): Well, thank you very much, Madam Deputy Speaker, and I do want to thank the House for the leave and the opportunity for me to talk very briefly about this particular bill. We did discuss this bill briefly in private members' hour a couple of months ago. We did talk about it about a year ago as well. I do want to thank my House leader for bringing forward this bill for discussion and I want to thank the government for acknowledging this particular bill, and I look forward to working with the minister to hopefully get this bill through committee and bring it back for third reading and hopefully we can get it passed this session. So I do want to thank all members for this opportunity.

Just to refresh your memory, there's basically two issues I talked about in terms of introducing this bill. One is why do we have—should we have—a provincial soil designated here in the province of Manitoba? I think most members will recognize that agriculture plays a very important role in the

economy of Manitoba. It has had for many years. It does now and it will continue into the future, and I think we all recognize that all food production depends on having a valuable soil resource. You know, whether you're a vegetarian or whether you eat beef or pork or lamb or chicken we all rely on the soil resource for producing our food.

Back in my university days, when I took a soil science course, it was quite interesting when we went out on a field trip and we were able to see different types of soils across the province. We also had a chance to bring some of my colleagues at the time out to our particular farm where we had quite a range of soil classifications, right from a class 3, which is relatively productive, up to a class 7, which is on the poor end of soils. We have some quite sandy soils in our area, and it's quite interesting to see the different types of soils we do have across our province. We have a real wide variety, and, as members will know, this spring we're seeing the different water-holding capacities that the soil have and it's quite significant, and certainly rural members will have first-hand knowledge of the implications of different soils around the province of Manitoba and, as a result, their capability to produce either in wet seasons or in dry seasons. So, you know, farmers deal with these different soil types on a daily-day-to-day basis so they understand the importance of soils and the different types of soils that we have here in the province of Manitoba.

So that's why I think it's important to designate a provincial soil here in Manitoba. And why the Newdale soil? Why are we asking for the Newdale soil to be designated as the provincial soil? It's a good question. I'm glad the member asked that question. We seek advice from many Manitobans when we bring forward legislation, and this particular legislation was actually brought forward by the Manitoba Soil Science Society who, obviously, are quite interested in what soils we have across Canada and in Manitoba, and it was on their advice they suggested the Newdale soil become the provincial soil here in the province of Manitoba, and they felt the Newdale soil was a very productive type of soil. It provides a good representation of a productive soil here in Manitoba, and that's why we're asking the Newdale soil be designated.

But we also have support of the Newdale soil by the University of Manitoba, and the Soil Science department at the University of Manitoba also support the introduction and the designation of the Newdale soil as our provincial soil here in Manitoba.

Clearly, the experts within the Department of Soil Science at the university recognize the importance of soil and the significance that the Newdale soil plays here in the province of Manitoba. The Newdale soil is certainly a very productive soil. It can be found in a good portion of north—call it northwestern—north central Manitoba. Certainly, the member from Russell will be quite familiar with Newdale area and the Newdale soil in that area and it is a very productive soil on the west side of the province. And, obviously, a lot of producers have a good knowledge of that very productive soil.

We also have support from Keystone Agricultural Producers. Obviously, the farm communities and the farmers that they represent recognize Newdale soil is an important soil and also want to have a soil designated as a provincial soil.

So those are the reasons. I'm hoping that we can take this bill to committee, and we'll hear what the public has to say and, hopefully, with the minister's assistance, we can move this particular legislation through. Thank you very much for allowing me this opportunity.

Hon. Stan Struthers (Minister of Agriculture, Food and Rural Initiatives): Certainly, we support the legislation that's come forward, and I look forward to working with the member for Turtle Mountain to move this discussion forward. Thank you very much.

Madam Deputy Speaker: Is the House ready for the question?

An Honourable Member: Question.

Madam Deputy Speaker: The question before the House is second reading of Bill 203, The Coat of Arms, Emblems and Manitoba Tartan Amendment Act (Provincial Soil Designation).

Is it the pleasure of the House to adopt the motion? *[Agreed]*

House Business

Madam Deputy Speaker: The honourable Minister for Innovation, Energy and Mines, on House business.

Hon. Dave Chomiak (Deputy Government House Leader): Yes, House business—

Madam Deputy Speaker: On House business.

Mr. Chomiak: Madam Deputy Speaker, I wonder if you could call Bill 225, The Public Health

Amendment Act (Regulating Use of Tanning Equipment).

Madam Deputy Speaker: Is it agreed that we will call Bill 225, The Public Health Amendment Act (Regulating Use of Tanning Equipment)? *[Agreed]*

**Bill 225—The Public Health Amendment Act
(Regulating Use of Tanning Equipment)**

Madam Deputy Speaker: This bill is standing in the name of the honourable member for Inkster (Mr. Lamoureux).

Is there unanimous consent for the bill to stand in the name of the honourable member for Inkster?

An Honourable Member: No.

Madam Deputy Speaker: No. Unanimous consent has not been given for the matter to stand.

Hon. Dave Chomiak (Minister of Innovation, Energy and Mines): I have the honour of speaking very briefly to this amendment that was brought forward by a very dedicated and honourable member with respect to this matter, and I understand that we will have the support and co-operation of all members of the House in moving this matter quite quickly through the House into committee to deal with this public health matter. And it will also include in the development of the regulations, industries and other officials and other individuals involved in the process to ensure that it's—the regulations can reflect interests as well as protect the public.

So, with those few words, Madam Deputy Speaker, I look forward to any further comment and any comment at committee with respect to this bill.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House is second reading of Bill 225, The Public Health Amendment Act (Regulating Use of Tanning Equipment).

Is it the pleasure of the House to adopt the motion? *[Agreed]*

* (18:40)

SECOND READINGS

Bill 23—The Public Schools Amendment Act

Madam Deputy Speaker: We will now move on to Bill 23, The Public Schools Amendment Act.

Hon. Nancy Allan (Minister of Education): I move, seconded by the Minister of Health (Ms. Oswald), that Bill 23, The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques, be now read a second time and referred to a committee of this House.

Motion presented.

Ms. Allan: I'm pleased to put a few words on the record in regards to the second reading of Bill 23, The Public Schools Amendment Act.

Bill 23 sets out a number of minor changes of an administrative nature to The Public Schools Act. These changes were necessary to ensure clarity, and to update certain provisions which had not been modified for several years.

A minor change is being proposed to section 9(5.1)(b) with respect to the matters which the board of reference must take into account in considering a land transfer request from a private property owner. The board of reference was established in 1960 and, for several decades, has provided a mechanism through which individual property owners could petition to have their own land transferred from one school division to another. The proposed revision to this section is to clarify that so long as a land transfer request does not result in rights, property, debts, obligations, liability or employees of a school division being transferred to another division, the consent of the school division is not needed. In other words, the board of reference cannot transfer a school division's rights and property without its consent, but there is no intention to have a private citizen's request to transfer their private property to another school division made subject to consent from the school division.

The bill also addresses two matters of a financial nature: clarification of reporting requirements as may pertain to the operating of—the operating fund of school divisions resulting from the implementation of the Public Sector Accounting Board—PSAB—standards, and updating of the tender threshold for

school division purchasing. With respect to the first matter, when school divisions were required to adopt the PSAB standards as part of the Province's move to summary budgeting and reporting in 2006-2007, it became necessary for school divisions to prepare consolidated financial statements which include a consolidated, accumulated surplus. This consolidated amount includes the accumulated surplus and/or deficit in each of three funds: operating, capital and special purchase. Prior to the introduction of PSAB standards, the phrase "accumulated deficit" was understood to refer to the operating fund only. Now that the term "accumulated deficit" is applicable to the consolidated financial statement, as well as the three individual funds, it is necessary to qualify the term in the act as the financial position of the operating fund of a school division.

The second matter relates to purchasing procedures in school divisions whereby, except in emergency situations, all personal property or services in excess of \$20,000 must go to tender. This amount was set in the act in 1966—oh, sorry, 1996. The FRAME committee, which is comprised of school divisions' secretary-treasurers and other stakeholders, has long recommended that this amount should be increased to reflect the increase in prices for goods and services since that time. The proposed amendment would have the tender limit removed from the act and managed by regulation to permit more timely adjustments. It is contemplated that the revised amount will be set at \$50,000 and, therefore, be monitored regularly relative to price changes. The \$50,000 threshold is consistent with the government's own requirement that untendered or sole-supplier contracts first receive Treasury Board approval.

Finally, it is proposed that section 259 of the act be amended to include reference to the provincial certificate of completion.

Three years ago, the department included—introduced this certificate. It is a counterpart document to the high school diploma and is awarded to those students on an individualized education plan for finishing their high school experience. It is an official document from the Province which school principals can award to students on IEPs. It allows these students to be able to cross the graduation stage with their peers when they have completed programming from grades nine to 12 and have reached the age of 21, receive an official provincial document and signals the formal completion of their high school experience.

This concludes my remarks on Bill 23, and I recommend adoption of this bill to the House, Madam Deputy Speaker.

Mr. Cliff Cullen (Turtle Mountain): Madam Deputy Speaker, I just want to put a few comments on the record here very briefly this evening.

We, on this side of the House, are in support of this bill. After we taken—had taken the time to canvass our stakeholders and, actually, when we talk about Education, we do have quite a number of stakeholders involved. So I just wanted to make a couple comments on some of the responses we've had from those stakeholders.

First and foremost, the Manitoba Teachers' Society have had an opportunity to review this particular legislation, and they agree with the legislation in principle. And I will talk in a minute or two further about the certificates of completion which they noted in their correspondence. We've also had discussions with the Manitoba Association of Parent Councils. They, too, are in favour of the legislation as long as the, you know, the intent of this certificate of completion is as we do understand it and, hopefully, that will be the case when we see the regulation associated with that. But they are in support of the legislation, as well.

The Manitoba Federation of Independent Schools, we've heard back from them. That organization and the members they represent also support the bill, and they understand the principles of the certificates that are being in use at the present time. We've also heard from the Manitoba School Boards Association. They, too, are speaking in favour of the amendments in this particular legislation. Of course, they're quite interested in the passage of Bill 6, which we've seen move to committee, as well.

So there is some issues in this particular legislation, particularly relevant to the school boards. And those are certainly the important stakeholders that we're working with on the department of—with Education. And it's a very important group, and a group that's very important to the education of our students.

And I don't think I want to get into too much detail in terms of the certificate of completion program. But it's—the guidelines that are there are fairly clear. We certainly hope the minister will

follow the guidelines that are laid out there, understanding that the certificate of completions are for those with cognitive disabilities and that those individuals are not able to acquire the credits normally associated with graduation.

So, with that, I just want to mention, as well, the board of reference and the changes to that particular legislation. That, hopefully, will be fairly straightforward and work to everyone's best interest. Obviously, the tender process, which, I think, the boards, the school boards, are interested in, will now be—the limit will be set by Cabinet. It will be an Order-in-Council now set by Cabinet. It would appear that most stakeholders are okay with that particular amendment. We will be watching for that particular regulation coming forward in the near future.

So, with that, we certainly look forward to having this bill pass into committee, and we'll hear what Manitobans have to say about this particular legislation. Thank you very much, Madam Deputy Speaker.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

* (18:50)

Madam Deputy Speaker: The question before the House is second reading of Bill 23, The Public Schools Amendment Act.

Is it the pleasure of the House to adopt the motion? [*Agreed*]

Bill 26—The Addictions Foundation Amendment Act

Madam Deputy Speaker: We will now move on to Bill 26, The Addictions Foundation Amendment Act.

Hon. Dave Chomiak (Deputy Government House Leader): I move, seconded by the Minister of Health (Ms. Oswald), that Bill 26, The Addictions Foundation Amendment Act; Loi modifiant la Loi sur la Fondation manitobaine de lutte contre les dépendances, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Chomiak: Bill 26 will amend The Addictions Foundation Act to provide the health-care system with better clarity and consistency in relation to the role and expectations of the Addictions Foundation

of Manitoba that will strengthen the accountability and the operating structure and make it consistent within the framework of regional health authorities and CancerCare Manitoba.

Thank you, Madam Deputy Speaker.

Madam Deputy Speaker: The honourable member from Morris.

An Honourable Member: No.

An Honourable Member: Minnedosa.

An Honourable Member: Starts with an M.

Madam Deputy Speaker: I'm sorry. The honourable member from Minnedosa.

Mrs. Leanne Rowat (Minnedosa): I'm pleased to rise today and put a few words on the record with regard to Bill 26, The Addictions Foundation Amendment Act. The bill amends The Addictions Foundation Act in several ways, and in most ways it's simply a housekeeping amendment. However, there are a couple of changes that are quite substantive, and I think it's important that we discuss the implications of this bill, which are particularly important when you consider how important the issue of addictions is in Manitoba and the importance and value of the service provided by the Addictions Foundation.

I'd like to start with the youth addictions issue within our province. This is a particularly troubling issue and problem, and one that the current government appears to have done relatively little to address.

According to a report recently issued by the Addictions Foundation, approximately 27 percent of high school students meet the criteria for alcohol dependency and, in fact, according to the same report, more than 12 percent of youth who have had a drink in the last year report using alcohol to cope with their problems.

Alcohol isn't the only problem. By their final year of high school, 10 percent of all students are smoking marijuana at least twice a week and, of course, many students report using crystal meth, ecstasy, stimulants and other people's prescriptions to get high. Addictions to opiate painkillers is another serious problem and one that appears to be on the rise. Many Manitobans, including youth, are becoming addicted to prescription painkillers like OxyContin.

Recently, I was contacted by an individual whose niece is 17 years old and became addicted to opiate painkillers just through a local party that she had attended and became so addicted to the drug that she quit school, was on social assistance, found a doctor that was willing to prescribe those medications to her and was able then to claim her prescription through Pharmacare, and a vicious cycle continued to happen.

And I just see that as a terrible waste, not only of this young person's future, but a terrible situation which the Province is trying to address. But, through doing a fragmented approach to addiction issues, they are actually seeing more crime occur in our city through pharmacies being robbed and people put—more people being put at risk because of this government's inability to deal with something that is becoming more and more of an issue.

Last summer, the Addictions Foundation reported that more than 75 percent of people on wait lists for treatment at the Addictions Foundation of Manitoba were between the ages of 18 and 25 years of age. In recent weeks we learned that in the last two years at least 25 people have died in an accidental overdose of opiate painkillers and at least half of these people were on a wait list for treatment. It's very troubling, Madam Deputy Speaker, that we have Manitobans actually dying on a wait list to be treated and, unfortunately, the current government has done nothing to solve this problem and wait times are getting worse not better.

So what we wanted to see out of Bill 26 was some more leadership from this government, support of agencies such as AFM and others to ensure that the strategies are being supported and encouraged by this government. Other organizations, such as the Behavioural Health Foundation, the Salvation Army, the Main Street Project, Tamarack rehabilitation centre, the St. Raphael Wellness Centre, TWO TEN Recovery, Native Addictions Council of Manitoba, Whispering Pines treatment facility, to name a few, are all looking for this government to provide some leadership and support, and, to date, these organizations have not been made aware of their budgets for this year. So, again, they are—they're looking at an issue of just trying to plan for their future and plan their programming to assist Manitobans.

So I think that this bill, Bill 26, which looks at limiting board member terms and other things has to be closely looked at. The government is looking at

taking a substantial part of the budget to employ a person under the AFM umbrella but actually working for the provincial government, which is a concern. I believe that's close to \$90,000 out of the AFM budget. This individual will be working in policy for the government, and other organizations other than AFM have been concerned that this may cause a conflict-of-interest concern for those other organizations.

So I encourage the minister to discuss these types of situations with the organizations to assure them that he is working with them and wanting to address the short—or the wait lists to make sure that there is a continuum of care that is going to be offered to individuals who need support. We're finding that wait times for residential treatment in communities throughout the province are growing. In Thompson, wait times for residential treatment have gone from 31 days to 77 days. The wait times for women's residential treatment is 105 days, plus another 28 days for treatment.

So the wait time for individuals—the wait times for individuals who are looking for treatment are continuing to grow, Madam Deputy Speaker. The wait times for individuals within the city of Winnipeg have gone from 14 days to 300 days, and that, you know, is just something that is not to be tolerated. We have individuals who are going to treatment facilities for help, and when they are being turned away and told to come back in almost a year, that is just not acceptable. Wait times growing by more than 21 times is not a positive commitment by this government to address the needs of individuals. It's actually working in contradiction of its support towards addictions and addicts.

Addictions have severe consequences for an addict and his or her loved ones. So when we're looking at the issue of addictions and how it affects an individual who is looking for support and assistance and health support, we're also looking at family and the issues that this has on the families in the province, and I believe that it leads to unemployment, family breakdowns, poverty, homelessness and involvement within the criminal system. So it's a vicious cycle that is very hard to break.

So I believe Bill 26 needs to have further debate. I believe that there are so many issues with regard to addictions this government is failing to address, and I look forward to third reading and committee to further the discussion. Thank you.

Some Honourable Members: Question.

Madam Deputy Speaker: Question. The question before the House is second reading of Bill 26, The Addictions Foundation Amendment Act.

Is it the pleasure of the House to adopt the motion? *[Agreed]*

House Business

Madam Deputy Speaker: The honourable Minister for Innovation, Energy and Mines, on House business.

Hon. Dave Chomiak (Deputy Government House Leader): Yes, Madam Deputy Speaker, I wonder if I might have leave of the House to not see the clock till 7:01.

Madam Deputy Speaker: Is there leave of the House to not see the clock till 7:01? *[Agreed]*

Mr. Chomiak: Yes, thank you, Madam Deputy Speaker, and I thank the House for their generosity and engagement.

Madam Deputy Speaker, I'd like to announce, in addition to the bills previously referred, that the following bills will be also considered at the June 15th, 2010, meeting of the Standing Committee on Legislative Affairs: Bill 20, The University College of the North Act; Bill 23, The Public Schools Amendment Act; Bill 26, The Addictions Foundation Amendment Act; Bill 29, The Advanced Education Administration Act and Amendments to The Council on Post-Secondary Education Act and The Education Administration Act.

* (19:00)

And I'd also like to announce, Madam Deputy Speaker, in addition to bills previously announced, that bills be considered on Wednesday, June 16th, at the meeting of the Standing Committee on Social and Economic Development that those bills consisting of: Bill 203, The Coat of Arms, Emblems and the Manitoba Tartan Amendment Act, and Bill 225, The Public Health Amendment Act, (Regulating Use of Tanning Equipment).

Madam Deputy Speaker: It has been announced that, in addition to bills previously referred, that the following bills will also be considered at the June 15, 2010, meeting of the Standing Committee on Legislative Affairs: Bill 20, The University College of the North Amendment Act; Bill 23, The Public Schools Amendment Act; Bill 26, The Addictions Foundation Amendment Act; Bill 29, The Advanced Education Administration Act and Amendments to the Council on Post-Secondary Education Act and The Education Administration Act.

It has also been announced that, in addition to bills previously announced, that the following bills will also be considered at the Wednesday, June 16, 2010, meeting of the Standing Committee on Social and Economic Development: Bill 20–203, The Coat of Arms and Emblems and the Manitoba Tartan Amendment Act (Provincial Soil Designation); Bill 225, The Public Health Amendment Act (Regulating Use of Tanning Equipment).

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

I thank everybody for their hard work today.

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 14, 2010

CONTENTS

ROUTINE PROCEEDINGS		Members' Statements	
Introduction of Bills		Save Our Seine—20th Anniversary	
Bill 236—The Police Services Amendment Act		Allan	2941
(Police Boards for Smaller Municipalities)		Patricia G. Everett	
Goertzen	2931	Stefanson	2942
Bill 233—The Family Physicians for All		Run With Porter	
Manitobans Act		Braun	2942
Lamoureux	2931	Royal Canadian Legion Conference	
		Eichler	2943
Petitions		Brit Café	
Multiple Myeloma Treatments		Blady	2943
Driedger	2931		
Bipole III		Grievances	
Derkach	2932	Briese	2944
Blumenort Christian Preschool			
Goertzen	2932	ORDERS OF THE DAY	
		GOVERNMENT BUSINESS	
PTH 15—Twinning		Debate on Second Readings	
Schuler	2932	Bill 17—The Biofuels Amendment Act	
		Cullen	2945
Tabling of Reports		Bill 12—The Pimachiowin Aki World Heritage	
Auditor General's Report—Winnipeg		Fund Act	
Regional Health Authority—Administration		Stefanson	2949
of the Value-Added Policy, May 2010		Faurschou	2951
Brick	2933		
Oral Questions		Bill 6—The Manitoba Association of School	
Foster Care		Trustees Amendment Act	
McFadyen; Selinger	2933	Stefanson	2954
Mitchelson; Mackintosh	2935, 2938	Dyck	2955
Taillieu; Mackintosh	2936	Schuler	2956
Child and Family Services Agencies		Derkach	2957
Driedger; Mackintosh	2937	Faurschou	2958
Mitchelson; Mackintosh	2938		
McFadyen; Selinger	2939	Bill 15—The Franchises Act	
Gerrard; Mackintosh	2940	Borotsik	2961
Minister of Family Services		Stefanson	2966
Gerrard; Selinger	2941	Pedersen	2967

Bill 24–The Aboriginal Languages
Recognition Act
Hawranik 2968

Bill 34–The Consumer Protection Amendment
Act (Negative Option Marketing and
Enhanced Remedies)
Fauschou 2971

Second Readings

Bill 20–The University College of the North
Amendment Act
McGifford 2974
Cullen 2974
Gerrard 2975
Taillieu 2975

Bill 29–The Advanced Education
Administration Act and Amendments to
The Council on Post-Secondary Education Act
and The Education Administration Act
McGifford 2977
Taillieu 2977

Bill 23–The Public Schools Amendment Act
Allan 2984
Cullen 2985

Bill 26–The Addictions Foundation
Amendment Act
Chomiak 2986
Rowat 2986

Debate on Second Readings–Public Bills

Bill 203–The Coat of Arms, Emblems and the
Manitoba Tartan Amendment Act
(Provincial Soil Designated)
Cullen 2982
Struthers 2983

Bill 225–The Public Health Amendment Act
(Regulating Use of Tanning Equipment)
Chomiak 2984

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

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