

**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. 64A - 10 a.m., Thursday, June 17, 2010**

ISSN 0542-5492

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Ninth Legislature**

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**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Thursday, June 17, 2010**

*The House met at 10 a.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.

**ORDERS OF THE DAY**

**PRIVATE MEMBERS' BUSINESS**

**House Business**

**Mr. Gerald Hawranik (Official Opposition House Leader):** I seek leave to resume debate on second reading of Bill 204.

**Madam Deputy Speaker:** Is there leave to resume debate on Bill 204? [*Agreed*]

**DEBATE ON SECOND READINGS—  
PUBLIC BILLS**

**Bill 204—The Child and Family Services  
Amendment Act**

**Madam Deputy Speaker:** The bill is currently standing in the name of the honourable member for Transcona and the honourable member for Selkirk (Mr. Dewar).

Is there agreement for the bill to remain standing in the—oh, the honourable member for Transcona.

**Mr. Daryl Reid (Transcona):** Madam Deputy Speaker, it's my pleasure to rise to continue to add my comments to Bill 204, The Child and Family Services Amendment Act, moved by the honourable member for River East (Mrs. Mitchelson).

I know there's been some discussion in this Chamber with respect to this particular bill, and I

want to share some of my thoughts and some of my life's experience working with and meeting with social workers in my community and, of course, talking with foster families in the community in which I represent. And there has been a significant amount of experience in Transcona with foster families, and I know foster families provide a very significant benefit and service to the community and provide care for the children that, unfortunately, come into their care as a result of, quite often, family disintegration or tragedies that would occur from time to time.

I do remember, during the 1990s, and I know members opposite don't let us—like to have members of government talk about the 1990s, but I can recall, quite clearly, in the 1990s during the—we won't have to refight the elections of the last 10 years. But I know the members opposite would like to refight those elections. But I do know that in the 1990s, and having met with and canvassing through my community, having met with many of the foster families in my community, they were quite distressed and quite concerned that the actions of the government of the day that actually took away benefits and supports from the foster families of my community.

And it was quite distressing to them. In fact, they would call my office, and I would go to their homes and have meetings. And so, obviously, that—the foster families in my community that were distressed and were sharing with me their thoughts about how the government of the day, the Filmon government, undermined the foster family organizations, they undermined the foster families themselves and, of course, they put the children at risk as a result of the decisions they made with respect to their budgetary considerations in taking away the supports for those particular foster families.

Now, foster families themselves, from my experience, were not wealthy, but they were doing a huge service to the community in taking care of the children that were in need and, of course, those foster families relied, to some degree, upon government to provide the care necessary to them as an organization and to make sure that they had the resources necessary to care for those foster children.

It was quite distressing to me, as an MLA, and as a representative of the community, to hear those stories and how the foster families were being undermined by the actions of the then-Filmon government. And I look around the opposition Conservative benches here and I see that there are a few members from those days. And I have to wonder why that they would have taken those decisions to undermine the responsibility and the care that the foster families were providing. And it's unfortunate that occurred but, nevertheless, that's the facts of the situation as they occurred during the 1990 and it put those foster families at risk.

So there is a record that the Conservative Party has in this province with respect to how they treat foster families and, of course, how they treat the foster children that are in the care of those foster families. *[interjection]* Well, I'm only relying—I know the member for Lakeside (Mr. Eichler), it's only my opinion, but these are the opinions of the people that I represent that are actually foster families within the community. These are their thoughts that they have shared with me over the years during the 1990s.

Now, of course, there have been some improvements that have made during the course of our government to assist foster families, and we have greatly increased the resources available to them, to allow for them to continue in foster family care. And, of course, there is a record that we have, as a government, with respect to the increase in the number of foster families available in our communities.

Now, this particular piece of legislation, and I know that there were comments made by the ministers here and by other of my colleagues with respect to the care that we have and if members want, we can recite some of the investments that we have. We've invested an additional allocation of \$48 million in new funding to implement the recommendations and to hire more front-line service and, of course, that is a significant investment increase in this province for foster families and will help the children that are in care with those particular foster families.

\* (10:10)

This particular Bill 204, from my understanding of it, will require that social workers create a written plan before they apprehend children or remove children from a home. Now, I've had the opportunity in my life to talk with social workers in my

community, that reside in my community. In fact, one of the social workers of my community is a very, very good friend, personal friend and she, obviously, is a member of our church, as well. And she has shared with me, not personal stories about families, but about particular circumstances of the type of job and the work that she provides on behalf of the people of Manitoba to the families that are in distress or in need within my community.

And this particular social worker, and I'm sure this goes on—goes and can be said for many of the social workers within all of our communities, social workers are very dedicated people and they have the best interests of the families at heart with respect to the care and the safety of the children being uppermost and foremost in the minds of those social workers.

Now, this particular legislation, if I understand it correctly, will require that those social workers take time from the duties of caring for and for the protection and safety of those children and require those social workers now to put a written plan in place before any apprehension can occur and before a child can be removed from an at-risk situation. That's my understanding of the bill.

Now, perhaps, if members opposite think that this is not the case, maybe they want to stand up after I'm finished my remarks and add their remarks to this particular bill and share with me their insight about how—their view of how their record as a government in the 1990s undermined, and why they chose to undermine the foster family organization and the foster families themselves in this province, and why it is in the best interests of the protection and safety of the children to require a written plan before you would take or remove a child from an unsafe situation.

To me, that doesn't make sense. It's always the protection and the safety of the child first and foremost before you require the written plan, the preparation of a written plan to be put in place and that the child safety is the primary focus of this particular government, and that's the way we want it to stay.

And I do know that social workers, themselves, have—are very dedicated individuals and that they provide the care necessary for these children. The social workers that I know, themselves, will give up most of their personal time, and they're on call, and they will go into these family homes and they will look at the situation and assess it very carefully, and

then, of course, make the decision on the spot whether or not the child needs to be removed from an unsafe situation.

So these social workers are very dedicated individuals, and I just wish that the Conservative Party in Manitoba would recognize the service that these social workers provide to our communities, and that the Conservative Party, I wish that they would recognize the care and the value that these—the foster families provide to our families in this community, because both of these groups provide the basic level of human services and protection of our children. But it is obvious to me that the Conservative Party in Manitoba does not recognize both the social workers and the foster families of Manitoba. Otherwise, they would have demonstrated that during the 1990s when they had their hands on the power of government and could have made those caring decisions to protect our children.

So, Madam Deputy Speaker, I recognize that my time is growing short with respect to this bill, and I only wish that this Conservative Party, when they had been in government, had chosen to protect children and that they would recognize that social workers need to act in the best interests of children first and foremost, and that they—the written plan can come after the child is secure and safe. And that after that, then a report can go in and then they can make a decision with respect to the future of the child and, of course, to make sure that the—that where possible, that family reunification will occur and that we will leave those important community decisions and family decisions to the social workers that are trained and know best in how to care for and protect the safety of our children.

So, I thank you, Madam Deputy Speaker, for the opportunity to add my comments to Bill 204, and I hope that the members of the Conservative caucus will stand up and back up the comments that they have made to me here during my time speaking here and—

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

The honourable member for Carman.

**Mr. Blaine Pedersen (Carman):** Yes, I will make a few comments on Bill 204, and first of all—

**Madam Deputy Speaker:** Order. I apologize for recognizing the honourable member for Carman.

The bill remains standing in the name of the honourable member for Selkirk who has—is there leave for the bill to remain standing in the name of the honourable member for Selkirk?

The honourable member for Selkirk.

**Mr. Gregory Dewar (Selkirk):** First of all, Madam Deputy Speaker, I want to begin my comments by just congratulating you on the job that you've done in this Chamber over the last while, filling in for our Speaker as he recovers from surgery. I know you've actually had some interesting times, but I do want to congratulate you for the job that you've done. Thank you.

This is a very important debate that we're having today dealing with our children here in Manitoba and we've—it's been, of course, an issue in the media recently. It's been an issue, of course, that's been highlighted within—in the Legislature and I think all of us take this issue very seriously and there's probably no more important job that we can do in this Chamber as legislators is to ensure the safety and the well-being of our children and that is why, you know, our government's been committed to this issue over the last number of years.

I remember, as someone said, the Children's Advocate—when the Children's Advocate used—under the Conservative years, reported directly to the minister, and now the Children's Advocate reports directly to this Chamber and, as we know, the debate happened where the Children's Advocate provided a report, or a submission to the Legislative Assembly Management Commission, which I was a member of for many years, and somebody decided to make that report public. And, you know, I'm no longer a member so you can't accuse me as the person who leaked it, but somebody did. It appeared on the front page of the paper completely, you know—so now I think all my colleagues who are members of the Legislative Assembly Management Commission, they have to be very wary of opposition members on that committee—on that commission, because you never know if one of them's going to say something that you say within confidence, you know, within the—on the commission, that someone may very well take that report—that submission, and make it a public document which is quite shameful because things that are said there are meant to be kept in that forum and that is why the forum exists and that's why the forum has been quite useful.

Now, I don't think it was the—I don't know if it was the Conservatives who leaked it. I don't know. I

like to think they're honourable. It could be another member who leaked it. We don't know. It could be the member who was trying to table it in the House here. He may have been the one who leaked it. We don't know for sure. I don't want to say anything negative about any member in this House but, you know, someone did leak it and, unfortunately, it became a public issue, but as I said, when the Tories were in power, the Children's Advocate reported directly to the minister and the minister was then able to, you know, have some influence on what the Children's Advocate said or—and whatever he or she reported.

And I believe there was an individual who left his job because he felt that there was too much political interference from the members of the Conservative government at the time, the minister at that time. *[interjection]* Oh, because the members say he didn't do his job the way they felt he should be doing his job. Well, you know, so now we have the Children's Advocate reporting to the Legislature, to all of us and to the Speaker, and so he or she is able to say whatever they want, and that's a positive thing, rather than using political interference, like the Conservatives did when the Children's Advocate reported directly to the minister.

That's just one idea that—you know, we have I think a very positive record. We have invested over \$48 million in new funding and we've hired more front-line staff and we've hired close to—we've added over 150 new relief positions. We've overhauled our child welfare system and, you know, the Conservatives have said, well, we don't like the way you did it but, you know. Well, do they actually agree with the idea of the process that we've undertaken so far in moving the system towards allowing, you know, Aboriginal people to look after Aboriginal children? Is that really the issue behind their real opposition to what we've done?

I think that needs to be questioned because we know that they did nothing. The Aboriginal Justice Inquiry was conducted by the Pawley government in the mid-'80s and the Conservatives, in their nine or 10 years in power, 11 years in power, did absolutely nothing with it, absolutely nothing with it. Let it sit on the shelves in Jim McCrae's office down in the first floor when he was the Attorney General. Then Rosemary Vodrey came in. She did nothing with it. Then Vic Toews—Vic Toews—we know all about Vic Toews, Mr. Law and Order. He did absolutely nothing with it. It sat on the shelves there and gathered dust for years and years.

\* (10:20)

So we as a government moved forward on the Aboriginal Justice Inquiry. We decided—we realized that Aboriginal people need to be more involved in looking after their children. And, yes, there's been some issues, but we're prepared to still continue with that. We're prepared to work with Aboriginal people to ensure that their needs are met, which is what the Filmon government did not do. They completely neglected the issue, the Aboriginal Justice Inquiry.

And we know that their record on other things is not exactly stellar, as well, Madam Deputy Speaker. When the Conservatives were in power, as my friend from Transcona said, they had a hack-and-slash policy to just about anything and that included how they responded to issues like that.

They did not act on any of the independent public inquiries at the time. They did nothing over the nine years. The toughest years for foster families were between 1991 and 1999. The foster rates were frozen or cut during that period of time. In fact, over that nine-year period of government, the foster rates were cut by 20 percent. That meant fewer shoes, winter coats and healthy food on the tables for foster children.

That is their legacy despite what they say now, and they may be able to fool some of their backbenchers, you know, they may be able to try to fool some of their backbenchers over there by what they say. But we know, when they're in government, what they do and that is—I mean, they could go out there and they can fool their supporters. They can fool their—as I said, they can fool some of their new members who don't remember their legacy when they were in government, but they can't fool us. They can't fool members that have a memory of what they did.

So, Madam Deputy Speaker, I—as I said, we've increased support for foster families by over 36 percent. We've done our best to reverse the damage done by members. We reinstated funding to the foster family network. We doubled its funding in 2004, you know, after the Tories completely abandoned it. You know, and again, the members, as I said, I really think it's—you know, they've neglected the Aboriginal Justice Inquiry recommendations to do what we are doing, you know, and we realize—*[interjection]* The member for Ste. Rose (Mr. Briese) is heckling over here.

But the reality is that they've ignored the Aboriginal people. They've ignored the Aboriginal Justice Inquiry. They used to have the Children's Advocate report directly to the minister. Now the Children's Advocate reports directly to the Legislature, allows all of us to hear what she has to see or she would—good and bad, you know, what he or she has to say about the care of our children, which I said before is paramount to all of us in this House, you know.

So, Madam Deputy Speaker, I see that my time has expired, and I could go on and on and on about how, you know, the Tories were hacking and slashing foster families in the '90s, but I'll leave it to some of my other colleagues to continue. Thank you.

**Mr. Blaine Pedersen (Carman):** It is now my turn to put a few comments on the record about Bill 204, The Child and Family Services Amendment.

I guess the reason that the NDP don't support this is because it's based on common sense, and the member from Transcona, I—apparently hasn't read the bill, because what this bill does is it requires Child and Family Services agencies to provide a written decision to foster families whenever a decision is made to move a child from a foster home and there is no child protection concerns.

This is common sense. A child is in a stable foster home; the decision is made by Child and Family Services to remove this child—all this bill does is ask for written reasons for doing this. It gives the foster family who has put all the love and attention into this child—it gives them some security, some sense of security, that this child will be looked after and is going to a safe home.

And the member for Selkirk (Mr. Dewar) is speaking against this bill, and this bill is simply a recommendation, No. 47, of the Gage Guimond section for review. And Gage Guimond was in his very own constituency, and he's speaking against this bill which would have protected this child and could, potentially, have saved this child's life.

Madam Deputy Speaker, the—this government wants to go back in history and talk about past governments, but the fact is they've been in government for 11 years. Many of the children, not all, but many of the children in care today weren't even born in this era that they're talking about, and yet their legacy will be more dollars spent with less

results, more children in care, more children at risk and yet they have no explanation as to why they wouldn't support a common-sense bill that comes out and puts the children first and that's all this bill does: It puts children first. It gives the foster families some security in knowing that these children will be looked after, will be given the love and affection that the foster families have done, and yet this government is not prepared to do that.

And it really begs the question. It was from their own review that this recommendation comes through and it—and the—and this Bill 204. And it says right in the section 4 review, it states that any decision to move a child when there is no child protection concerns contain a written reason for this decision, including reference to the impact on the child, the appropriateness of the move in accordance with the child's stage of development and the degree of attachment to the caregiver.

You are not talking about children that are being taken into Family Services. This is being—this is talking about children that are already in foster care, that are in a stable home being looked after by loving and caring foster parents, and all this bill does is ask for a written decision, a reason for—when a reason is given to move that child, and there could be very legitimate reasons; that is not to say that they shouldn't be moved. There could be very legitimate reasons. But there is nothing wrong with giving a written decision to the foster family as to why the child is being moved.

And, Madam Deputy Speaker, that's—it's a sad day when this government is so political that they won't put children first, in—the child's safety, children's safety. The foster parents are playing a vital role in the Child and Family Services. We need to encourage these foster families to remain involved in there and this is one small measure, just one small measure, that we can use for foster families to remain in the system to help us with these children who are in need. And it's certainly a sad day when this government puts politics ahead of children, and that's what they're doing by not supporting this bill. Thank you.

### Introduction of Guests

**Madam Deputy Speaker:** Order. Prior to recognizing the honourable next member, I would like to introduce some children we have with us in the gallery. We have 50 grade 4 students from Dalhousie School who are under the direction of

Ms. Marla Armstrong, and they are the guests of the honourable member for St. Norbert (Ms. Brick).

\* \* \*

**Hon. Kerri Irvin-Ross (Minister of Housing and Community Development):** Madam Deputy Speaker, when I was asked to have this opportunity to speak to Bill 204, I jumped at this occasion. This is an interesting time for me, as I stand here in the House as a social worker that I've worked—that's worked for, well, 15 years in the community and has worked as a child protection worker, I certainly have some opinions about Bill 204 and the impact that it would have on our existing system and, more importantly, the impact that it would have on children and their families.

Bill 204 raises some concerns for me. I know that we need to evaluate it but my first instinct is to say, no way. What we need to do is we need to keep supporting families and children. The process—what happens when you are a child protection worker, you get a call and you need to respond immediately. You need to go and you need to meet with that child and you need to meet with other individuals, witnesses that can provide you with the information.

The most important piece of that information, or the most important part of that process, is ensuring the protection of that child. What if you had to stop and have a conversation with the family and write a plan and what would happen to that child? Would you be able to get that child the medical attention that it may need, to find it into a safe place?

\*(10:30)

#### Point of Order

**Madam Deputy Speaker:** The member for River East, on a point of order.

**Mrs. Bonnie Mitchelson (River East):** On a point of order, Madam Deputy Speaker, and, obviously, it's clear that members on the government side of the House aren't speaking to the bill, because this bill isn't about when children are being apprehended from an unsafe situation.

This bill is all about a child that has been in long-term foster placement and that child is going to be removed from the foster family and taken and placed with—in a situation like Gage Guimond was placed, and that's when they're taken from a stable foster family and moved to an unsafe situation and, as a result, Madam Deputy Speaker, Gage Guimond died.

And this recommendation is right in the report—Gage Guimond's report—a recommendation that this government said they were going to implement and, Madam Deputy Speaker, this recommendation is not being implemented and other foster children are being placed in that circumstance.

So, Madam Deputy Speaker, I would ask you to call members of the government to order and speak to the bill as it is intended.

**Madam Deputy Speaker:** Order. I just want to remind all honourable members that a point of order is to remind the Speaker about a breach of the rules and should not be used to debate the issue.

The honourable member does not have a point of order.

\* \* \*

**Ms. Irvin-Ross:** I'm setting the context of what it's like on the front lines and what it's like for those families that find themselves in crisis, and when they reach out to find that support from the Child and Family Services system and the importance of the role of the social worker in providing that support. We have a system in which we protect our children and that is vitally important to our society and to our province.

But as we're doing that, we need to work with families. We need to ensure that we provide the necessary resources to the families so children don't end up getting apprehended, so children can remain in their home communities with the necessary supports.

That's why we've invested money and made huge investments as far as Healthy Child, ensuring that we can provide those prevention services, whether it's through the education system, whether it's through recreational programs, whether it's through our well-renowned Triple P parenting program where we're working with families and doing that.

Yes, there's children that, because of the safety issues, need to end up in the environment of a—in our social—or in our Child and Family Services system with the support of a foster family. But when we do that, we work with all of our partners and always ensure the best interests of that child. We have made investments in supporting foster families. We've increased the number of foster families within our system. We've improved the resources and the



supports that we provide to them to ensure that they can provide that quality service.

But as we move forward, we need not forget about the importance of working with the safety of the children, ensuring that we're working with all of the partners. And we need to always ensure that, as we go forward, I mean, make plans for children that includes all partners, that includes what's in the best interests of that child.

We cannot, as politicians on either side, say what should happen to a family. We have to believe within the social workers who have been hired to do that work, who've been trusted by the system to make those evaluations and what is in the best need of the children.

There are no quick decisions that need to—we cannot make these decisions quickly. They need to be based on facts and not emotions, not personalities, not politics. They need to be based on what is in the best interests of the child.

We need to make sure that as we go forward that we acknowledge the record of our government and the work that we've done to move the system forward and as we move the system forward, we are able to continue to provide those necessary supports.

Yes, there are children that are being apprehended and placed into care. But, also, there are children and families that are getting the necessary support so their families can stay together.

One of the pieces that we continue to work on is how we reunify these families. How do we provide those supports for the families so the children can go home? And that's very important. But when they go home, they need to go home into a safe environment. They need to be sure that they can thrive and grow and participate in our society.

We know that our Changes for Children has provided direction and support to our child-family and child services authorities. And with this direction, we're able to focus on prevention, intervention, and treatment initiatives that help support them and support the children, and by doing that, we're going to ensure that they can continue to contribute to our society, that we can ensure that they remain in a safe environment. This is not an easy role that professions have in our community.

As a parent, I know it's not an easy role to parent. It's one of the most difficult roles that I have in my life. But when you have the necessary

supports, you are able to make those decisions and we need to ensure that we do not ignore the abilities and the capacities of families, that we work together. And, once again, I'd like to say that we need to ensure that as we make decisions for families, that we look at the whole context, but the No. 1 goal is the safety of the child.

These decisions are not to be made lightly. They're not to be made by politicians that sit in this House. They're to be made by professionals in co-operation with families. You cannot pass legislation that says that this will happen. There needs to be flexibility. Families are diverse and unique as the situations for those children and how you develop those treatment plans for the child. You need to work with all of your partners. You need to ensure that as you move forward that you develop a plan with the child as the No. 1 goal and that their ability to grow and to contribute is important.

I've talked about, you know, our prevention and early intervention programs, and we cannot underestimate the importance of them. By providing families with necessary supports, from prenatal to adulthood, for their families that will make a difference and that's why we've invested money in the parent-child coalitions across this province. Parent-child coalitions are the groups of community members, professions that get together—professionals that get together and develop a plan for their community, and as they develop that plan for the community they're providing those necessary supports. They wrap around those supports around the family, and as they do that, that continues to make important enhancements to children.

Those supports come in different ways such as parenting, nutrition, and literacy. And by building strong communities that supports families, and by building strong communities we have strong families that help nurture and grow children to be contributing to our society. That's the goal. But as they go through that process, we need to ensure that they are safe.

The roles of social workers within our community and within our society, they have a lot of responsibility. We need to believe in them. We need to ensure that as they move forward to make the decisions, that they have the tools that they need, but they do not need to be cumbersome tools. They need to be tools of assessment, of intervention and

implementation. And by having those three—those three items to work with, they can help support families and children, and we can be proud of the work that they do. Thank you very much.

\* (10:40)

**Ms. Sharon Blady (Kirkfield Park):** It's interesting to see that another speaker has not followed on their side to support, but I, like the previous member, want to put a few words on the record because I do think this is important. Like my colleague, the previous member that just spoke, I, too, have a familiarity with social work and see the alarm bells going off when I look at this piece of legislation, that I see that a certain amount of this, despite the chirping coming from the other side, the fact that they can chirp but not get up and speak is a really clear indication of the level of their support for their colleague's bill.

But what's interesting here is that, again, I come from this—come to put a few words on this from the experience of having had the privilege of working within the Inner City Social Work Program, within the Aboriginal Child Welfare Initiative, and working with the next generation, educating the next generation of social workers.

And that next generation of social workers that I trained and that I taught were products, in many cases, of the old style of governance where it was under a general body—and that I know a certain amount of the origins of this legislation comes from members opposite having an issue with devolution. And so this is really just a cloaked method of dealing with their own issues with devolution, and that's unfortunate because devolution is something that so many people in the Aboriginal community wanted, especially those students that I trained, those students that I worked with who were a product of the old system. These were young Aboriginal people who had seen what the previous system was like because they were products of it, and they wanted to make sure that what happened under that older system did not occur.

They wanted to be a part of devolution and be part of a new Aboriginally led system of dealing with children in crisis situations. And so, again, this really comes down to what has been done for that demographic, and I can tell you that the track record on this side of the House clearly outshines that of members opposite and that in trying to put forth something like this, there's really a lack of faith in

social workers, feeling that social workers need to be policed.

And I, after having had the privilege of working with so many and training so many social workers, I'm really disheartened by that because what they do and the level of commitment that they have is phenomenal and should not be held to question and micromanaged. It should not be micromanaged. These are the folks that are in the trenches. These are the folks that deal directly with the families and have to be able to assess and approach things in a holistic way, and they already have so many supports and structures in there to help them do that and do that sufficiently.

When—anytime when a child is removed where protection concerns exist or not, foster parents are provided with instruction and information as to what their options are. Safeguards are already in place which includes section 51 of The CFS Act, the foster parent appeal regulation and the provincial standard 1.1–1.5.6 removing foster children.

So section 51 of Child and Family Services Act already provides the steps or mechanisms for foster parents to address these kinds of placement changes for the children they are caring for, and it allows foster parents to challenge a decision about the removal of a foster child and gives them the possibility of appeal. It sets out steps that ensure that due process for the foster parent is in place, and it keeps the best interests of the child in the forefront.

So knowing that, I look at the intent of this bill and say, so all you want to do is add an extra level of bureaucracy, a few more hoops, a little bit more paperwork for a social worker to have to do—get them out of that house, get them out of that situation; let's have them fill out a few more forms and hold up the process.

I don't think so. I don't think so. They're the trained professionals. I'm not going to throw extra paperwork in their way so that members opposite can run them through a few more hoops and undermine their authority, their direct involvement, their ability to assess the situation. These kids' lives mean far too much.

We need to trust those professionals that we have put in place and give them the autonomy and the respect that they deserve. And, again, having trained that next generation of social workers and seeing the passion with which these young people come to the table, see the passion that they have,

based on their experiences in the child welfare system, and knowing how much they want to change it, the last thing we need to be doing is throwing a paperwork system in front of them and especially a paperwork system that's grounded on undermining their authority.

Part of this whole process with devolution is to give back to Aboriginal peoples what we as white government so wrongfully took away from them, the responsibility and the authority to raise their own children. Part of the colonization process was the dismantling of Aboriginal communities and Aboriginal families. The '60s scoop and other things are tragedies that we all wear.

During this week of the Truth and Reconciliation Committee, it is a shame to be standing here and having to debate Legislature that says, let's take a few steps back; oh, heck, let's walk a mile backwards in terms of progress and throw a few more roadblocks between Aboriginal people and self-governance, because that's what this is about.

Self-governance and self-determination is seen in many forms and that includes the ability to control one's own future, the ability to determine one's own future and that future rests with the children, those children that are, unfortunately, in crisis circumstances where they need to be cared for. We need to give them everything that we can and that first thing that we can give them are trained, respected professionals whose autonomy we respect. And this bill undermines that respect, undermines that autonomy and is a slap in the face to those that have worked so hard for devolution.

It's not to say that there haven't been things that have gone awry because, you know what? You spend a century or so breaking down cultures and digging a massive hole for them, you can't fix it in a few weeks. You can't fix it in 11 years.

And I think that's one thing that members opposite—it always—it's always a sore spot for them when we point the damage they did and they throw out a little, well, you've been at this 11 years. Well, guess what? When you dig a hole that deep, it always takes longer to fix than it did to dig the original hole. It always takes longer to pick up the mess. So members opposite created some messes pretty darn fast, but the consequences of those messes have taken us one heck of a long time to pick up.

So I—and, again, the consequences of colonization are more than any one government can

deal with in 11 years. We're talking about centuries of work to dismantle and undermine Aboriginal cultures. So, you know what? We're busting our hump on this side, and you can chirp all you want, but the point is, when I was in those classrooms, my students told me we were doing the right thing, and they look back on the days when you folks were in power as a really sad, frightening time.

So before the member puts up this kind of thing in front of the House, claiming that she's advocating for children, she should maybe talk to the folks that were in the system under her time, find out what they really think and, I can tell you right now, they do not support this. That next generation of social workers does not want to contend with this. This generation of social workers do not want to contend with it.

And I look forward to more comments on this bill. Thank you, Madam Deputy Speaker.

**Hon. Bill Blaikie (Minister of Conservation):** There's been discussions, and I think if you canvass the House, you'd find that there was leave to adjourn the debate on Bill 204, so that we could proceed—*[interjection]* Pardon? *[interjection]* Oh, I just adjourn it? Okay. I don't have to ask for leave? Then I just adjourn the debate on Bill 204. *[interjection]* Okay.

I move, seconded by the honourable Minister of Agriculture (Mr. Struthers), that the bill be—debate on the bill be adjourned.

**Madam Deputy Speaker:** Order. It has been moved by the honourable Minister of Conservation, and seconded by the honourable Minister of Agriculture, that the debate be now adjourned. Agreed? *[Agreed]*

### House Business

**Madam Deputy Speaker:** The honourable Opposition House Leader, on House business.

**Mr. Gerald Hawranik (Official Opposition House Leader):** Yes, on House business, I'd like to resume debate on—or have third reading debate, sorry, on Bill 223 and, if there is time, to have third reading debate on Bill 227.

**Madam Deputy Speaker:** It has been announced that we will be going to third reading on—is there agreement to move to third reading of Bill 223, The Jon Sigurdsson Day Act? Is there agreement? *[Agreed]*

Also, by leave, we have—if there is time, is there agreement to move, by leave, to Bill 227, The Employment Standards Code Amendment Act? Agreed? *[Agreed]*

\* (10:50)

### CONCURRENCE AND THIRD READINGS— PUBLIC BILLS

#### Bill 223—The Jon Sigurdsson Day Act

**Hon. Bill Blaikie (Government House Leader):** I move, seconded by the honourable Minister of—actually, by the honourable Minister of Entrepreneurship, Training and Trade (Mr. Bjornson), that Bill 223, The Jon Sigurdsson Day Act, be reported from the Standing Committee on Private—or reported from the Standing Committee on Private Bills, be concurred in and be now read for a third time and passed.

**Madam Deputy Speaker:** It has been moved by the honourable Government House Leader and seconded by the honourable Minister of Entrepreneurship, Training and Trade, that Bill 223, The Jon Sigurdsson Day Act, reported from the Standing Committee on Private Bills, be concurred in and be now read a third time and passed.

**Hon. Peter Bjornson (Minister of Entrepreneurship, Training and Trade):** I'm very pleased to rise in the House and put just a few words on third reading of The Jon Sigurdsson Day Act.

As a western Icelander or a Canadian of Icelandic descent, it is certainly appropriate that we have this debate on June 17th, because June 17th was the birthday of Jon Sigurdsson.

And the significance of this particular act, of course, recognizes his contribution to the struggle for independence in Iceland, but also it's appropriate to recognize the contributions of people of Icelandic descent in Canada and the very unique relationship that Manitoba has with the government of Iceland and the historic and ethnic and cultural connections that continue to persist today.

Madam Deputy Speaker, 2011 will mark the 200th anniversary of Jon Sigurdsson's birth, and I know that there are significant celebrations planned in Iceland around this particular anniversary. And 2011 will also mark 90 years since the statue of Jon Sigurdsson was erected here on the Legislative grounds. So it's a couple of very significant milestones, one year from today.

And I think it's appropriate that we move forward with this legislation for that recognition of this individual who's very important to the people of Iceland and people of Icelandic descent living in western Canada.

And, certainly, I was thrilled to have the opposition support this motion and pass it unanimously onto committee.

So, with those few words and in anticipation of royal assent, I would be pleased to say, happy Jon Sigurdsson Day to everyone here in the Chamber. Thank you very much.

**Mrs. Myrna Driedger (Charleswood):** Certainly, on this side of the House, we're very supportive of this legislation, and I'm pleased to put a few comments on the record, on third reading, to establish The Jon Sigurdsson Day Act. And, as I indicated, we on this House are very supportive of doing that.

I note that, I believe, tonight there's a wreath laying at the monument on the grounds of the Legislature. And it's a monument that I have noticed every day that I have been a member in this Legislature, and I'm becoming more and more familiar now with the significance of what it means.

And we know that, you know, certainly, he played a huge role in fighting for independence in Iceland and, I think, there are so many Icelandic—people of Icelandic heritage here in Manitoba that have really paid a lot of attention to what this man has done in Iceland and the significance of what he has done. And many of them here in Manitoba, whether they've come from Iceland or are of Icelandic descent, still recognize that this man has a huge impact on the Icelandic culture here in this province. And we're very pleased to see that his work, his history, his heritage, his legacy is being acknowledged.

And, also, I'd like to comment and thank the people of Icelandic descent that are here in Manitoba right now that actually contribute so much to that culture here in this province, and I think they enrich this province so greatly.

Many of us spend a lot of time in the Gimli area, whether we're visiting or a lot of people have cottages there, and it's a wonderful area, the Interlake area, to visit and to participate in and to celebrate the Icelandic culture. And I think we owe a lot of gratitude to the people that have worked very hard to

maintain all of that here in Manitoba, because they really enrich the heritage of this province too.

So with those few words, we're very, very pleased to see this legislation move forward.

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

**Some Honourable Members:** Question.

**Madam Deputy Speaker:** The question before the House is concurrence and third reading of Bill 223, The Jon Sigurdsson Day Act.

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

**Bill 227—The Employment Standards Code Amendment Act (Unpaid Leave Related to Donating an Organ)**

**Madam Deputy Speaker:** By leave, we will now move on to Bill 227, The Employment Standards Code Amendment Act (Unpaid Leave Related to Donating an Organ).

**Hon. Bill Blaikie (Government House Leader):** The things you have to do when you're the Government House Leader, Madam Deputy Speaker.

But, I move, seconded by the honourable Minister of Education (Ms. Allan), that Bill 227, The Employment Standards Code Amendment Act (Unpaid Leave Related to Donating an Organ), as amended and reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

***Motion presented.***

**Hon. Nancy Allan (Minister of Education):** Bill 227 was brought forward by the MLA for Inkster (Mr. Lamoureux), and the Minister of Labour (Ms. Howard) referred the decision around employment leave, unpaid leave in accordance with the Employment Standards Code relating to organ donation, to the Labour Management Review Committee, and we'd like to congratulate them on the quick turnaround that they gave us in regards to their recommendations in how to move this legislation forward. We made amendments to that proposed legislation, Bill 227, in committee the other night in co-operation with the MLA for Inkster, and we'd like to thank the LMRC once again for their quick turnaround.

And we are very pleased now with this legislation and look forward to this legislation encouraging more individuals to donate organs, because we know that that's very, very important and a worthwhile decision that can be a lifesaver for very many people. Thank you.

**Mrs. Myrna Driedger (Charleswood):** I am pleased to put a few comments on the record on this legislation. And I do commend the member for Inkster for bringing this forward, but also do acknowledge the government's support for this.

I think it is an important piece of legislation. There has been a lot of struggle, you know, over many years right across the country in terms of encouraging people to donate organs. I still think we have a ways to go in terms of reaching the reality of what we need to ensure that we have enough people coming forward to donate organs. I think this is going to be one of those areas that will assist in this. It won't be the panacea that anybody would expect, but it at least will be a step forward, so that people will feel more encouraged that they can indeed take time off work after recover from doing this, and it will maybe encourage more people to come forward and have a willingness to donate organs.

We know that there are many people waiting on lists for an organ transplant. I think they would be very happy to see legislation like this in Manitoba because it is such a struggle for them. Every day a lot of them are waiting, you know, a long time for a phone call, and I can't imagine spending the, you know, minute after minute of every day praying for a phone call to come in that there will be an organ for them so that they, in fact, can have a life that is extended and—

\* (11:00)

**Madam Deputy Speaker:** Order. The honourable member will have eight minutes remaining.

**Mr. Blaikie:** I wonder if I could ask for leave, Madam Deputy Speaker, for the honourable member to conclude her remarks, and then we would move to the question.

**Madam Deputy Speaker:** Is there leave for the honourable member for Charleswood to conclude her remarks and then we will move to the—to putting the question to the House. Is there leave? [*Agreed*]

**Mrs. Driedger:** Thank you. I would just indicate that we are supportive of this legislation and look forward to it passing.

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

**Some Honourable Members:** Question.

**Madam Deputy Speaker:** The question before the House is concurrence and third reading of Bill 227, The Employment Standards Code Amendment Act (Unpaid Leave Related to Donating an Organ).

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

The time now being 11 o'clock, we will move to private members' resolutions.

## RESOLUTIONS

### Res. 18—Improving the Standing Committee on Public Accounts

**Mr. Leonard Derkach (Russell):** Madam Deputy Speaker, first of all, I would like to ask the House for leave to replace the resolution that has been printed in the Order Paper with a revised edition.

**Madam Deputy Speaker:** Is there leave from the House to replace the private member's resolution that has been printed in the Order Paper with a revised resolution? *[Agreed]*

**Mr. Derkach:** Madam Deputy Speaker, I'm wondering whether I should proceed before the distribution of the resolution or whether I should just wait until it's distributed.

**Madam Deputy Speaker:** The honourable member for Russell, we will just give the pages an opportunity to distribute the private member's resolution.

**Mr. Derkach:** I move, seconded by the member from Brandon,

WHEREAS the Standing Committee on Public Accounts—

**Madam Deputy Speaker:** Order. The honourable member for Brandon West.

**Mr. Derkach:** West, I'm sorry.

I'll begin again, Madam Deputy Speaker. I move, seconded by the member from Brandon West,

WHEREAS the Standing Committee on Public Accounts (Public Accounts Committee) is responsible for examining the financial administration of public assets and the spending of public funds; and

WHEREAS the Public Accounts Committee plays a very important role protecting Manitoba taxpayers, ratepayers and citizens; and

WHEREAS there is merit in allowing the Chair and Vice-Chair of the Public Accounts Committee to set its agenda and call its own meetings independent of the government House leaders; and

WHEREAS there are other processes—process changes that could improve the effectiveness of the committee, such as following the Public Accounts Committee to call expert witnesses to testify; and

WHEREAS the oversight and scrutiny function provided by the Public Accounts Committee could be improved for the benefit of all Manitobans if the protocols and processes associated with the committee are updated.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the Government House Leader to convene with the Opposition House Leader and the Chair and Vice-Chair of the Public Accounts Committee to establish a working group to consider rule changes, with the goal of implementing appropriate protocols to improve the calling of meetings and the processes surrounding the Standing Committee on Public Accounts.

**Madam Deputy Speaker:** It has been moved by the honourable member for Russell, and seconded—dispense?

**An Honourable Member:** Dispense.

**Madam Deputy Speaker:** Dispense.

**Mr. Derkach:** Madam Deputy Speaker, I'm bringing this resolution forward this morning in the hope that members of the House would look at it in a positive fashion and continue the work that was started some time ago at improving the protocols and processes of the Public Accounts Committee of the Province of Manitoba.

Madam Deputy Speaker, when I became the Chairperson of the Public Accounts Committee, I had the opportunity to attend a national conference where public accounts chairpersons and vice-chairpersons from all across the nation gathered to report on the types of protocols and processes that were established within their jurisdiction.

And, Madam Deputy Speaker, I would have to say that not only I, but, indeed, the Vice-Chair were somewhat embarrassed at the position that Manitoba

was in with regard to examining the expenditures and the financial accounts of departments within—and agencies within the Province of Manitoba.

And I think it was a conscious decision made by both the Vice-Chair and myself that we would try to move the process along to where we would get closer to where other jurisdictions were, and I have to say, quite happily, that there was good co-operation from, you know, both sides of the House. I think the House leaders gave us a lot of support through that period of time and gave us latitude, Madam Deputy Speaker, to be able to modernize, if you wish, or to change the approaches, the protocols, the—some of the rules surrounding the calling of Public Accounts meetings, and we moved from having, perhaps, one or no—or few meetings on Public Accounts to where, for the first time, last year we called 12 Public Accounts meetings throughout the year.

And this was a significant step, Madam Deputy Speaker, and we changed some other issues, things like a steering committee was established to allow for planning of the agendas for the Public Accounts meetings. We established a premeeting agenda, an in camera premeeting agenda, to allow for members of the Public Accounts Committee to be able to come and get briefed on the issues that were outstanding in an Auditor's report, and all of this was led by the Auditor General, of course, who guided us through the proper steps to take with regard to recommendations that are being made to a department.

And, then, Madam Deputy Speaker, we were also happy that, through the Auditor General's office, we were able to engage some expertise from Ottawa, from the CCAF office, to assist us to move our processes along.

And so we have come a significant way, Madam Deputy Speaker and, today, this resolution is calling for us to go to the next step, and that is to take some of the issues of managing the Public Accounts Committee out of the hands of the House leaders—and Lord knows they have enough to do anyway, but to allow for some latitude to the Public Accounts Committee to be able to not only set its own agenda but, indeed, to perhaps call the appropriate witnesses before the Public Accounts Committee, so that instead of us dealing with asking, if you like, for example, a deputy minister of a department questions that he or she may not be able to give us answers to because they are not the appropriate person to be called as a witness, but because we have no choice,

those questions have to be directed in that channel, we don't ever do a proper examination and a proper reporting back, if you like, on recommendations made by the Auditor General.

\* (11:10)

So, Madam Deputy Speaker, what this is asking is for the two House leaders to convene a meeting together with the Vice-Chair and myself, so that we would establish, perhaps, a working group to move ahead, if you like, and to then to recommend—to come back and report back to the House leaders on the types of rule changes that might be appropriate for Manitoba, given our political climate, given our situation, and we would draw on what has happened in other jurisdictions and try to come up with the best set of best practices that are followed in the country for our province that are appropriate.

Now, we, perhaps, would have to approach this on an interim basis where, for a period of time, we would have to work under interim rules to make sure that we get it right so that if, in fact, something is not working, we are not stuck with it for years to come.

The other thing I wanted to say is, this should not be linked to rule changes for the House or any other function of government. Now, there is a differing of opinions on that, but, Madam Deputy Speaker, we have tried to establish the Public Accounts Committee in such a way that it is not a political committee. We try to ensure that members of the Public Accounts Committee park their politics at the door and then we try to approach the issues in an administrative way. Questions are channelled in an administrative fashion and political questions are dissuaded, if you like, from being asked, and if policy questions are asked, then those questions are directed to the minister whose department is before the Public Accounts Committee.

And so, Madam Deputy Speaker, we have moved a significant way. Have we arrived? I would say that there's still a long way to go and a lot of work to do, but I would have to say that the signs have been encouraging. And I have to give credit to the Auditor General, who has been encouraging this House and us, as members of PAC, and the House leaders, to modernize our practices to ensure that we do the job right because, in order to be able to conclude any of the recommendations that are made by the Auditor General, in order for that circle, if you like, to be concluded, and for us to put conclusion to a report, the PAC committee has to be able to make either certain recommendations, to call the

appropriate witnesses and then to close that report and move on.

And we have done that in many cases, Madam Deputy Speaker. We don't have reports dating back from 2007. I think we're as current as we can be. I am encouraged by the fact that we have, I think, a total of 13 or 14 meetings that have been called for this year and that, in the course of time, we are going to be moving in the right direction.

Now, Madam Deputy Speaker, I'm hoping that this resolution is not reviewed as a negative resolution, but, indeed, it's viewed as a positive resolution that moves us to the next step. And I think that, together, both sides of this House, can, by adopting this resolution, can do this province a tremendous amount of good. And I think that we can be viewed as putting aside, if you like, the political rhetoric that sometimes occurs in a committee and moving forward on an administrative function that should be done properly without the baggage of politics being associated with the questions that are asked at this committee and with the attitudes that come to the committee.

And, Madam Deputy Speaker, the other part that I would have to speak to, and I don't know how much time I've got left, but I need to just mention one other thing, and that is that the participation of members is becoming better as we go along, as well. We are seeing questions being asked now from the government's side of the House, and that was never done before, but we are seeing that happening and, although it's not happening to the full extent—we are not yet at the point where questions are alternated between the opposition and the government. This is something else that needs to be looked at as a protocol for conducting the Public Accounts meetings themselves.

So there are many things that we can still do, and I'm calling for the House today, to all members of this House today, to look at this resolution as one that gives us the ability to move forward and to include a proper committee that could be structured to recommend to the House leaders and to this House on processes, protocols and, perhaps, even some rule changes that can be implemented for the betterment of the committee.

Thank you very much, Madam Deputy Speaker.

**Hon. Bill Blaikie (Government House Leader):** I'm pleased to be able to respond to the remarks of the honourable member for Russell, on behalf of the

government, in this regard because, certainly, the motion is not so much a matter of public policy, but a matter of how we conduct our business here in the House and in committee and, particularly, with respect to the Public Accounts Committee.

And, Madam Deputy Speaker, before I speak directly to the motion, I thought it might just be helpful to put the debate in some kind of historical context. As members know, I only arrived in this Chamber in March of last year, and the situation that I was confronted with in terms of how the Public Accounts Committee met and how frequently it met, I just assumed that it was sort of the way it had always been. But when I—or when I did a little digging as to what the history of the Public Accounts Committee was, I found out that it wasn't always so. And so I think, just for the record, perhaps, we need to put a few things down in case honourable members, either those that are relatively new or don't know or have chosen to forget or whatever.

In any event, Madam Deputy Speaker, let the record show that in 2009 the Public Accounts Committee met 12 times, the most in any previous year and more than occurred in the entire last term of the Conservative government of Premier Gary Filmon. There was seven meetings of the Public Accounts Committee between 1995 and 1999, and yet we had 12 meetings last year.

In 2010, we're on track to meet at least 11 times in one year. In fact, the honourable member suggested that we might even meet more often than that and, of course, as often the committee wants and is able to meet. Certainly, as Government House Leader I'm prepared to facilitate that. As the honourable member will know, sometimes we had called meetings and had to cancel them for legitimate reasons, so it's not always easy to get those meetings up and running exactly as they've been planned. Between 2009 and 2010 we will have had 23 Public Accounts meetings. In two years we will have had more meetings than were held in the entire time in office of the party of the honourable member moving the motion.

So, you know, in the—in 10 years in office, when the Conservatives were in power, the Public Accounts only met 21 times, regularly sometimes only meeting once a year. So I think the record will show that there's a lot more activity of the Public Accounts Committee under this government than existed in the previous regime, shall we say.



In her most recent Operations of the Office Report, the Auditor General praised the success of Public Accounts in 2009. She said, of note this year is the significant progress that has been made by the Public Accounts Committee, a standing committee of the Legislature to which all of our reports are referred. The progress in clearing the backlog of our reports to be passed by the Public Accounts Committee is noteworthy. We commend all who have been involved in making this happen.

Now, other improvements that have been made, Madam Deputy Speaker—again, just for the record, under the Conservatives, only the Minister of Finance was questioned. We have changed the rules to allow the minister responsible for the report to appear as a witness. And, of course, the opposition agreed to these rules, and rightly so. We, you know, we do want to expand and improve and deepen the role of the Public Accounts Committee. Under the Conservatives there were no departmental officials available for questioning as witnesses, and we've opened that up. For the first time in the history of Manitoba, we've changed the rules so that deputy ministers can also be witnesses. And we've also made changes to give the Chair, the Vice-Chair, the authority to set meeting agendas—not to call the meetings, which I know what the honourable member has suggested there's merit in, in his motion. There may, indeed, be merit in it in the context of a larger change to the rules, which is something that we're open to considering.

But one of the things I want to say, Madam Deputy Speaker, is I do welcome what I understand is a sort of change of heart on the part of the Conservatives with respect to the Public Accounts Committee and, perhaps, even, in particular with respect to the member for Russell (Mr. Derkach), because I wasn't here so I have to go on what other people report. But the record does show that in October 2007, the then Government House Leader, the member for Kildonan (Mr. Chomiak), introduced The Public Accounts Committee Meeting Dates Act, a bill that would have legislated a minimum of six regularly scheduled Public Accounts meeting dates to be held on the third Wednesday of every month, and this was opposed by the official opposition.

So I'm not sure what they were thinking at that time. Now, they're—you know, they're bragging about the fact that we've got 12 meetings. At that time we wanted to have six regular meetings, and this was objectionable for some reason or another. And that this resulted, Madam Deputy Speaker, on November

the 8th, 2007, the member for Kildonan withdrew Bill 5 from the Legislature.

\* (11:20)

You go back a little further—again, this is all stuff that I didn't know, Madam Deputy Speaker. I just assumed that, you know, the—

**An Honourable Member:** A lot of stuff you don't know.

**Mr. Blaikie:** That's true.

The Government House Leader proposed increasing the number of meeting dates in 2005. The member for Russell (Mr. Derkach), who was the Opposition House Leader at the time, opposed the increase in meetings. And here—so, here's what he said in the rules committee on December the 7th, 2005: Up until this time, we've been able to do our business with four meetings per year, so I don't know what we'd accomplish by changing it from four meetings to six. This is the first I hear of six meetings, I get a little troubled by it.

So—now, he has obviously had a change of heart, and it just goes to show that the, you know, that the—*[interjection]* Just goes to show that the future's always open, even for Conservatives, Madam Deputy Speaker. And so now the member for Russell has a different and improved version of what he thinks the Public Accounts Committee should be like.

Now, the role of the Chairperson, as articulated in the rules of the House, says the Chairperson is supposed to ensure that political partisanship is minimal, rule 108(f). And this is where I think, you know, the timing of this particular motion and the context in which it comes forward is unfortunate in the sense that I understand, although I know there was—there's been some consultation after the introduction of the motion, that this was not something that came forward collectively from the Chair and the Vice-Chair. This is something that the member has put forward, the member for Russell.

And, you know, if we're going to create the kind of non-partisan environment, the non-partisan culture around the Public Accounts Committee—which I agree with the honourable member should be created and is being created—then I think we have to be very careful not to, perhaps with the best of intentions, inadvertently politicize the process by bringing forth a motion in this context and not giving the government and even other members of the

committee time to create a context in which this could be the proposal of all the members of the Public Accounts Committee.

Having said that, I mean, the conclusion of the motion, you know, that—wanting the Government House Leader to meet with the Opposition House Leader and with the Chair and with the Vice-Chair to consider rule changes, of course, I'm not only willing to do that, we have done that to some extent. But the point I want to make—and here's where there is a kind of a difference of opinion between the member and I, even in his most recent, you know, post-Damascus self—is that I think that this has to be done.

There are some things we can do without inserting them into the larger debate or discussion about rule changes in general. Not everything has to hinge on that. And even when it does, it's not a partisanizing of the rules of the—or of the Public Accounts Committee; it's just a question of the rules of how we operate here and how—and I would like to see, and I think other members might also like to see, an opportunity for us to consider the rules in total.

I don't want to be judgmental, but I have had feedback from members on both sides of the Houses that there's some things here that we could do better. I've spent a lot of time in another House, and I can say that there are some things here in the Manitoba Legislature that are done much better than in the House of Commons. There are things that are done better here, but there are also things—and it's not a question of comparing the two, but there are some things that I think we could learn from other chambers. The member himself has said, you know, we need to get on board, get up to date with what other Houses are doing, and—but I would just say there are a number of things that people have mentioned to me.

Just the other—just yesterday I was talking with a Conservative MLA, who shall go unnamed because I wouldn't want him to be accused of collaboration or something like that—but, you know, how we arrange petitions and statements. I mean, why do we have the petitions at the beginning? Why can't we have them after? If people are coming in to question period, why do they have to sit through the petitions? The petitions could come after. Members' statements could come at the beginning, so if we have guests in the gallery who are coming to hear a particular statement they don't have to sit through question period and suffer through question period. Surely, only we who create—

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

**Mr. Rick Borotsik (Brandon West):** I have a lot of respect for the Government House Leader. He and I go back some time. And I know that the Government House Leader does have experience in another place and recognize that there are improvements that could be made in a number of areas of rules in this House but particularly in the administration and the rules that comply—or that apply to PAC.

I have to admit I'm a bit disappointed in the Government House Leader with the tack that he's taking because, quite frankly, the resolution is, in my opinion, a non-partisan resolution. If the Government House Leader and members of the government would look logically at the resolution, they would recognize that it was put forward, not as a political debate, but a debate simply to try to improve upon a committee of this House, which, in my opinion, is the most important committee that's been structured and struck by this House, a committee that, in fact, should and could be non-partisan, could and should have—could have involvement from all parties in this House, all three parties.

*Ms. Erin Selby, Acting Speaker, in the Chair*

And, basically, that's what this resolution talks to is some ability for the PAC committee to be the masters of their own destiny, which it should be, and shouldn't be controlled by the two House leaders, the House Leader of the Official Opposition and the Government House Leader. So I am a little disappointed that the Government House Leader didn't see the advantage to this and he did talk about the past. It seems the government members have a tendency of always getting wrapped up in the past, but what we should be looking forward to is improvements and the future of how this committee can operate.

I would, first of all, like to congratulate the member from Selkirk who's the Vice-Chair of the PAC committee and I would like to congratulate the member from Russell who is the Chair—the only committee, by the way, that's chaired by an opposition member—I congratulate them both on putting aside their partisanship and coming together and trying to work together to try to improve the organization of PAC.

Now, the member from Russell—the Government House Leader had suggested that the chairman of PAC should've discussed this particular resolution

prior to its tabling in the House and, quite frankly, the resolution was changed. There were changes made to the resolution based on conversations with the Vice-Chair and the Chair and that's good. That's positive. That's a step in the right direction.

The Government House Leader (Mr. Blaikie), dredged up the operations of PAC under another administration and, quite frankly, he's right. PAC was dysfunctional, absolutely, totally, 100 percent dysfunctional. And I don't place the blame on any one administration because this goes back through a number of administrations and how PAC was operated, and it was just a continuation of the inability of government and opposition to work together.

So it wasn't working. We recognize that it was dysfunctional and we have—as the Auditor General has admitted—had significant progress. And I applaud everyone in this House for allowing that progress to not only happen but to continue. There has been significant progress but that doesn't mean that there still isn't room for improvement, an awful lot of room for improvement.

Now, we've gone to some great lengths in PAC to look at the PAC operations from other jurisdictions. And the member from Russell said—and I was there at the last PAC convention when we compared our operations to the operations of other provinces. And I agree with the member from Russell, that I was embarrassed to sit on a committee that, in fact, was—and I'll say it—the worst in the country, the absolute worst in the country.

And I take some pride in the fact that we in Manitoba should, in fact, be leaders in certain areas and this is one of the areas that I think we can come to some arrangement and some agreement, that we should, in fact, put our position together with PAC so that we're at least on a same level playing field as other jurisdictions.

It's pretty obvious what PAC is supposed to be. In fact, in rules 96 and 97, it says quite specifically that PAC is to examine the financial administration of public assets and spending of public funds, including Crowns, agencies, recipients of public money. That's what PAC is all about, not policy of the government, because governments, as elected, has the right to set policy. Whether we agree or disagree with that is a moot point. That's the government's decision and they set the policy.

\* (11:30)

But what PAC is supposed to do is to look at the operations and administrations of the department based on that policy and how they expend public funds. It's a watchdog, if you will, and PAC in the past has not operated in that fashion. And the Government House Leader (Mr. Blaikie) actually read into the record the numbers of PAC meetings that were held in the past, and it was deplorable, absolutely deplorable, that the Auditor General would spend the time that he or she does, tables the report with PAC and they were never dealt. We had a backlog of dozens and dozens of Auditor Generals' reports that should have been passed.

Now, the operations is pretty simple. The Auditor General, whether it be the Public Accounts that come to the PAC committee or whether it be the Auditor General's reports, they come to the committee and the department, then, has to look at that report, look at the recommendations, come to the PAC committee and tell the PAC whether, in fact, the recommendations are reasonable and if they are reasonable what it is that the department is going to do to rectify some of the deficiencies. Now, these deficiencies aren't political, they're operational and administrative deficiencies in a department, and no department is perfect. I can assure you of that. No department is perfect. There's always room for improvement. So the report comes to PAC and what was happening, Madam Acting Speaker, what was happening was is that the minister sat at the table and justified the operations of the department.

Now, if you look at the spreadsheet we received from other jurisdictions, all of those jurisdictions to a province does not have the minister responding to the Auditor General's report. In fact, that's the absolute wrong thing to do is to have the minister justify it because the minister is political. That politicizes the whole process and it's wrong. So what we've done—and I give a number of people full credit for making the changes—we now have the ability to call the deputy minister as the witness, to have the deputy minister, he or she, justify their own operations of the department. That is a huge step, an absolutely huge step that we've accomplished.

Now, we have to go one step further, and I know the members of PAC, when we sit there and we see the deputy minister, the deputy minister is a very important cog to the department but doesn't understand the nuances of all of the departments and how they operate. So now what we would like to do is add to the witness list the assistant or associate deputy ministers, which makes so much sense

because they're the ones who are responsible for the operations of certain areas of that department. Rather than have an ADM whisper in the ear of the DM and have that regurgitated to PAC just doesn't make any sense, any more sense than what it was having the DM whisper in the ear of the minister to answer questions on the report.

Now, the reason I mention that is because that's what this resolution talks to specifically, is get the House leaders together with the Chair and the Vice-Chair of PAC and sit down and talk about how the rules could be changed to allow a better operation of the Public Accounts Committee. That's all that this resolution is asking for, a simple request, and to have a government House leader refuse this request effectively is taking PAC and moving it backwards, not forwards.

And we talk about witnesses. That's one area of the rules change. One of the things that PAC should be doing is after the department appears before PAC and deals with an Auditor General's report, the PAC and the committees that I have had experience with have the ability to ask the department to come back and have a status update report on recommendations. That's a simple request but it's not been allowed by PAC because, and I quote: We've never done it this way before. Well, because we haven't done it this way before doesn't mean it's right. It means we have to change the system, and I really do ask the Government House Leader (Mr. Blaikie) to logically consider supporting this simple resolution, that they just simply take the next step, sit together and try to make an operation better. That's all that's being asked. There's no demanding of recommendations. There's no demanding of witnesses.

**The Acting Speaker (Ms. Selby):** The honourable member's time has expired.

**Mr. Doug Martindale (Burrows):** Madam Acting Speaker, I'd like to begin by saying that we do support changing the rules to the Public Accounts Committee. However, today, I think we're talking mainly about the process, and, having been here for a number of years, I do know a little bit about the process.

And, as the member for Russell (Mr. Derkach) also knows, we change rules at Rules Committee. In fact, he was reminding me that he and I were on the same ad hoc Rules Committee in the 1990s, although our recollection of the ultimate result of that was quite different, which either reflects on the fact that

my memory isn't very good or his isn't very good, in that particular instance.

However, we did meet for five years talking about rules changes and, at the end of the five years, my recollection was that we didn't do anything because Premier Filmon didn't want to do anything, and the member for Russell, his recollection was that we actually did make some rules changes. So, we'll have to ask the member for Thompson (Mr. Ashton) or someone, or maybe the Clerk's office, and find out what actually did happen.

However, that ad hoc committee would have reported to the more formal Standing Committee on Rules to make changes, and that is the normal process here; that only the Rules Committee can change the rules in the Public Accounts Committee, and other committees of the Chamber, and the way we do things here.

So that has happened in the past and that will happen in the future. And I think that because there is some goodwill and co-operation here, we will see that will happen with the Public Accounts Committee, notwithstanding the remarks that the member for Brandon West put on the record, there is goodwill and a willingness to change things and we will do that.

We support changes to the Public Accounts Committee that will improve transparency and accountability and I think we have done that. We have worked with the Auditor General and the members opposite on changes that have resulted in significant improvements to the Public Accounts Committee, including the frequency of meetings, and this was mentioned by the Government House Leader (Mr. Blaikie), so, that now, I believe, we have an agreement to meet 12 times a year.

And one of my colleagues is going to speak to this and I see that she actually has a printout of the number of times that the committee met in the past. And, certainly, in the 1990s, it was pretty dismal but I'll let other people put more detailed information on the record about that.

But certainly there has been a huge improvement in the frequency of meetings, and, I would say, in the co-operation of the way the committee has been functioning. We have called meetings well in advance to provide adequate notice to committee members and witnesses and we have increased the number of witnesses that can be called to Public Accounts. In fact, at one time, as has already been

put on the record, only the Minister of Finance came to the Public Accounts Committee and the Minister of Finance defended all the government departments and all the spending of the government. And now, as we know, all ministers can come to committees and deputy ministers. So that is a big improvement.

And, I think—I'm listening to the comments of the member for Brandon West, and, I think, there are pros and cons to that. I think there are pros and cons to having ministers. I think, in terms of parliamentary tradition and ministerial responsibility, it does make sense to have ministers defend the spending of their department and their government. *[interjection]* And the member for Brandon West says that politicizes it. And I think that what happens when there aren't ministers there and there are only other witnesses, is that it probably does take the partisanship out and probably the media don't even attend anymore because of that.

And so, I think we need to look at that and see if that makes sense in the Manitoba context, but, once again, we'll have to wait and see what the House leaders agree to, not just for Public Accounts, but changes to rules of the Chamber and other committees.

So, regarding transparency, under the previous government, only minister—only the Minister of Finance was questioned and we have changed the rules to allow the minister responsible for the report to appear as a witness. And, I'm happy to say, the opposition agreed to those rule changes.

\* (11:40)

Under the previous government, under the Conservative government, there was no departmental officials available for questioning as witnesses. We have opened it up for the first time in the history of Manitoba. We changed the rules so that deputy ministers can also be witnesses. The process has changed and now deputy ministers come and answer questions, and we've also made changes to give the Chair and the Vice-Chair the authority to set meeting agendas.

And one of the changes that we've made that I'm the most pleased about because I participated in this is, in general, we have tried to include all committee members and give the opportunity for all committee members to develop expertise in Public Accounts and encouraged all committee members to ask questions. So that, in the past, government members

did not ask questions. Now, government members are asking questions, and the member for Russell (Mr. Derkach) acknowledged that. And I must say that I feel much more a part of the process. I feel much more engaged and useful because I'm encouraged to ask questions, and I take advantage of that and I have asked questions at almost every committee meeting that I've attended, and I think that's a good thing.

You know, our system here is quite different than Ottawa where ministers don't control committees, where, in fact, a committee summons ministers to come as witnesses to committees, whereas here, the government controls everything, as we all know. And sometimes that means not talking so that things get passed and not asking questions so that bills, you know, go through the House or through committees. However, it means that you're here to vote but don't have as meaningful a role as you might have, but that has changed in Public Accounts, and I think that's a good thing because I enjoy asking questions there.

In fact, there was an auditor's report that allowed me the opportunity to ask questions about an institution in my constituency, and I was getting pressure from this institution to change a certain policy and I wanted to be on the record, so I asked, in this case, I believe it was the Minister of Finance or the Minister of Health, I'm not sure which, questions, and so, certainly, there was a record of me participating in the debate and asking questions, and that's a good thing.

People always want to be on debate—or on record when it comes to local issues, because you want to be able to tell people that you're trying to change things. And if you can't, you at least want a clear explanation of the government, and I already had an explanation from the government. However, it was an oral explanation, and it's always better to have the explanation on the record so that if they say, well, what did you do about this or did you ask this question or did you try and change it, you can say, yes, and here's *Hansard* and these are the questions that I asked and this is the date that I asked it and this is the answer.

And they may not agree with the answer. In this case, they didn't agree with the answer. They would still like the policy changed. It's not going to change under this government. It's not going to change under a future government regardless of what party that is, but I did ask the questions and I think that's

appreciated. People want to know that you're at least trying. In fact, those of us who are backbenchers or private members like myself do get a lot of credit when people say, well, you didn't solve the problem but at least you tried. At least you asked the minister's office or the minister or somebody in government to make an exception or to change a policy. Sometimes we can; sometimes we can't; sometimes we make exceptions; but at least if you try, you get credit for trying.

Now, there are differences between our record and the opposition's record, especially when it comes to budgetary policy and priorities. So, for example, the Conservatives have rejected the priorities of Manitobans and they're throwing Manitobans' priorities under the bus because they don't believe that it will win them an election. So, for example, the member for Carman (Mr. Pedersen) said, and this was recorded in the *Carman Valley Leader* in February 11th, 2010, and I quote: The Tories will put less focus on other issues such as health care, roads, social services, agriculture, rural depopulation, and First Nations. He said, we're not going to win an election based on those issues, he explained. Whereas our budget in 2010 reduces spending in half of government departments in order to target more than 90 percent of all new spending to health care, education and training, family services and justice; 60 percent of new spending is targeted for health care.

So there are some clear differences between us and them. I look forward to other people taking part in this debate.

**Mrs. Heather Stefanson (Tuxedo):** Madam Acting Speaker, I am pleased to rise in support of this resolution today and I would hope the members opposite would actually support this and I'm surprised that they're not supporting it. After all, all it's really calling for is urging the Government House Leader to convene, which is sort of meeting with the Opposition House Leader and the Chair and the Vice-Chair of the Public Accounts Committee, to establish a working group—well, what's wrong with that?—to consider rule changes.

I don't understand what's wrong with this, and what's so controversial about this, and with the goal of implementing appropriate protocols to improve the calling of meetings and the processes surrounding the Public Accounts Committee.

So I guess by not supporting this, members opposite are saying that they have no desire to improve how Public Accounts works. And I would suggest that—you know what? I think that there's nothing that members opposite should be afraid of. I think it's in all of our best interests to be able to call witnesses before this committee, to be able to get to the root of issues, to hold the government—and it's not—and it's really both sides of the House that need to hold the bureaucracy to account, and various arm's-length organizations to account, in order to make sure the government is accountable to the people of Manitoba.

After all, Madam Acting Speaker, that's why we are here. We are here to ensure that we are serving in the best interests of all Manitobans.

And so I think members opposite shouldn't have a problem, really, with supporting this resolution because, really, it is something that we shouldn't be afraid of, and that is sitting down together and making sure that we're finding ways to better manage the processes within the Public Accounts Committee.

And so, I know, Madam Acting Speaker, when I was first elected to the Legislature, the only witness that could be called at that time, I believe, was the minister of Finance to this committee. We've come a long way as a committee over the years, and so now we're able to call ministers, other ministers. But, more importantly, we were able to call deputy ministers as witnesses before the committee.

*Ms. Marilyn Brick, Deputy Speaker, in the Chair*

But there are still some issues and some concerns that, when an Auditor General brings a report forward that we are discussing within the Public Accounts Committee, where we cannot call witnesses, wherein—where within an Auditor General's report it has a recommendation within the report to say a specific municipality and people within that municipality to change the ways of governing within that municipality, we should be able to have the ability to question those people directly about what happened and what transpired and why the recommendation came about.

Unfortunately, right now we don't have that, and so we're forced to be able to ask the minister or the deputy minister of that particular department and, of course, they can't answer those questions because they weren't there and they don't know what happened and what transpired and why those recommendations came about.

So the only thing that we can ask, really, in Public Accounts and get to the bottom of is the recommendations that were made directly to the department in question; in this case, the department of—responsible for municipalities. And I think what's unfortunate is that when we're trying to, as legislators, and I mean members from both sides of this House—again, we are trying to be accountable to the public. We need to be able to ask, and have some mechanism to be able to ask, for those witnesses to come forward at a committee to be able to ask the direct questions of those individuals, because it's unfair to be asking those questions of other people, like the deputy minister or the minister who were not involved in that.

And so I don't think that anyone should really have a problem with that. It happens in all, you know, most other jurisdictions across Canada. Many public accounts committees across Canada can ask for recommendations to be made, and we're not asking for anything that's sort of out the scope of what public accounts committees are here to do, and that is to hold the government to account or to make sure that the government is accountable to the people.

\* (11:50)

And sometimes, within those government departments, things take place, and this is really within the accounting parts of a government, sometimes things will take place where the minister is not aware and, really, it is more appropriate to ask the deputy minister, but sometimes it's even more appropriate to ask an assistant deputy minister or a director who's directly involved with that specific area and—rather than then have to ask the deputy minister who maybe wasn't necessarily there at the time where a specific recommendation came about.

So I think for all of these reasons—I know that we've come a long way as a public accounts committee, and I commend, you know, I commend our Chair and Vice-Chair of that committee and their working group right now, but I think we need to extend that group—which is exactly what this resolution's asking for—to extend that group to include the House leaders, so that we really can establish what could be one of the best Public Accounts committees in all of Canada or at least bring us up to par with some of the other jurisdictions across Canada. We're far behind, and I think it's incumbent upon all of us to ensure that we come up with some sort of a solution to this issue.

And so that's why I would, Madam Deputy Speaker, really call on the government to think twice about this. I think this is a good resolution. It's not asking for much—much more than what we're already doing and that it's really just asking the House leaders to come together, be a part of this working group, so that we can make some changes to the rules to make the Public Accounts Committee much more effective and representative of what it should be.

I thank you very much, Madam Deputy Speaker.

**Hon. Dave Chomiak (Minister of Innovation, Energy and Mines):** And I appreciate the opportunity to talk about this issue as it has been something that's been a barnacle on the ship of state for some time, and I think it is—it's quite evident that we have come very far. I can remember Public Accounts meetings maybe two years ago where cameras were brought in and memos to the participants had been leaked to the media ahead of time, and it was a veritable media zoo and a circus. It was beyond the pale. It was, quite frankly, very difficult to participate in that.

But, Madam Deputy Speaker, I give credit to members of the committee, the Chair, the Vice-Chairs, for the significant, almost expedient developments that have occurred, and that has occurred because I think of the commitment by members to make the committee a more functional committee and a committee that's more reflective of what the role of a public accounts committee is and to remove as much as possible from the agenda the partisan nature that the committee previously reflected.

Madam Deputy Speaker, I played a small part, as did many members of the House, in attempting to do that, and I commend all members for the progress that's been made.

We have crossed a significant threshold, and I think we're on a trajectory to move the committee process forward and to improve it. But sometimes in the nature and proceedings of this Legislature, which is an adversarial process, for the most part, there are triggers and there are developments that result in miscommunication and provide—and setbacks occur, and even today in the comments of members opposite, that has occurred. If members reflected on the comments of our House leader, he indicated he was fully supportive of getting together and dealing with these matters in a—in the fashion as envisioned by the member for Russell (Mr. Derkach).

And so even the choice of words that we make sometimes in this adversarial setting can cause difficulties, such as the comments of the—of my—of the honourable member for Tuxedo (Mrs. Stefanson), who preceded me, indicating opposition. In fact, the Government House Leader (Mr. Blaikie) was very open to suggestions of changes or amelioration in terms of the process. So that's a very positive step forward.

I'm often—I'm fond of often quoting the fact that behaviour ought to be reflected in subsequent rewards, in the subsequent actions. And I think that we've demonstrated in this House that the change in tone and the change of behaviour of all of us in the committee has resulted in a significant progress in the proceedings of that committee.

Having said that, and having looked at the significant changes that have taken place, Madam Deputy Speaker, this particular resolution that has come forward is part of the process, it's part of the suggestion that I think ought to be considered. It does formulate a significant structural change—a significant structural change in terms of the committee by suggesting that the House leader's not involved in the process. And I can tell you, as a House leader personally, over my experience, I would rather have done anything than be involved in the process. Because it was near impossible to schedule a meeting, which is what—which is which—what induced us to introduce legislation to at least put some certainty into the meetings. And at the insistence of the opposition, I withdrew that legislation, because the opposition were insistent that we ought to discuss and have the flexibility to arrive at the scheduling of meetings and at these issues through discussion.

Now, we've seen a bit of a subtle change in that very approach by a resolution that comes forward that's suggesting some of these changes and asking us to, on the record, vote in favour or against those particular changes. That's contrary to the very spirit that's been developed on the committee, which has been one of co-operation, consensus and consensus building. So the very nature of this particular adversarial process that we're engaged in right now, has made—and the comments that have come about, I don't think, have been, have come forward as a means of necessarily becoming partisan. But by their very nature have made difficulty in the process of us considering whether it's yes or no, black or white.

I suggest that we proceed on the basis that, as suggested by the Government House Leader, that we do sit down and look at this in the context of a number of rule changes. And we've seen significant changes in this Chamber, Madam Deputy Speaker. The member for Russell (Mr. Derkach) will agree with me, the 3 a.m. committee meetings, followed by meetings starting at 9 a.m. the next day on the same subject have been replaced by a schedule that is both conducive to proper debate and discussion and helpful to the public, if the public wishes to make presentations. We've come a significant way in terms of scheduling the session, and that's been done co-operatively. We've come in and out of this House in the last several years on an agreed basis—if memory serves me correctly—100 percent of the time. It's long past the system where the opposition, whoever they were, were pounding their desks and saying, we're sitting here all summer. And the government would be pounding their desk and saying, here, we're sitting here all summer.

We've now, in the last several years, come upon a process where it's agreed upon ending of session and agreed upon session commencement date. And we're very—I think we're very close to a fixed scheduling of the session and, by virtue of that, the committee structure that follows out of this government, the committee structure that's now worked in place through co-operation between the government and the opposition is a—eons ahead of the process that occurred in the past. As recently as 18 months ago, as recently, actually, as two years ago, I remember sitting in the summer, through long summer days, and hearing members of the opposition complaining that even though we were sitting at their request during the summer, we shouldn't be sitting in the summer. You know, we haven't done that, and I, and that's genuinely been based on a feeling of trust and a basis of co-operation between the opposition and the government. And that is a significant step forward and a quantum leap from where we were a mere four years ago.

Well, it's a significant leap—

**Madam Deputy Speaker:** Order. When this matter is again before the House, the honourable minister will have one minute remaining.

The hour being 12 noon, this House is recessed until 1:30 p.m. today.



**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Thursday, June 17, 2010**

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