

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

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The Honourable George Hickes
Speaker*

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Eighth Legislature

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, December 6, 2005

The House met at 10 a.m.

PRAYER

House Business

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I am wondering if you could canvass the House to see if there may be leave to deal with second readings before dealing with debate on second readings this morning?

Mr. Speaker: Is there agreement to deal with second readings before we go to resumed debate on second readings? Is there agreement?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Mr. Speaker: No. There is no agreement.

Introduction of Guests

Mr. Speaker: Prior to Orders of the Day, I would like to draw the attention of honourable members to the public gallery, where we have with us from the Red River College, Language Training Centre, 18 adult English as Second Language students, under the direction of Mrs. Loretta Martin. This group is located in the constituency of the honourable Minister of Health (Mr. Sale). On behalf of all honourable members, I welcome you here today.

ORDERS OF THE DAY

PRIVATE MEMBERS' BUSINESS

DEBATE ON SECOND READINGS— PUBLIC BILLS

Bill 202—The Good Samaritan Act

Mr. Speaker: Resume debate on second readings, public bills, Bill 202, The Good Samaritan Act, standing in the name of the honourable Member for Rossmere (Mr. Schellenberg). What is the will of the House? Is the will of the House for the bill to remain standing in the name of the honourable Member for Rossmere? [*Agreed*]

It will remain standing in the name of the honourable Member for Rossmere.

Mrs. Heather Stefanson (Tuxedo): I am pleased to actually put a few words on the record with respect to The Good Samaritan Act. I find it somewhat

interesting that the Government House Leader tried to change the rules this morning to allow their own Good Samaritan act to come forward when the Liberals have brought this Good Samaritan act. I do know that, certainly, we have our own Good Samaritan act, a draft, on my desk as well and I think it is something that, obviously, all parties are very concerned about, and they want to make sure that something is brought forward for the sake of people who could potentially die out there without this kind of an act coming forward and protecting people in the public.

So I say to my Liberal friends, thank you very much for bringing this forward. It is certainly something that we were going to bring forward, and obviously the government has seen fit to bring a Good Samaritan Act forward as well. I think that that is actually unfortunate, I think, Mr. Speaker, that the government cannot just see fit to support. If they have amendments to the Liberals' Good Samaritan Act, I think that they should bring those amendments forward rather than trying to take ownership of this themselves, and I think it is unfortunate that certainly they missed the boat on this and, you know, trying to take credit for this when I will give credit where credit is due. The Liberals beat us to the punch when it came to bringing this forward and so you know what? I do support them. I may have some amendments. We will see. We may bring some amendments forward because there are probably a couple of things I think that are missing with respect to this bill, but certainly the intent of this bill—as we are debating second reading here, it is usually the intent of the bill—we are very, very supportive.

I think it is very important that if people, if someone is, say for example, in the airport and they go into cardiac arrest and there is someone out there that can actually help them—you know, these defibrillator machines, I have seen one, and it is actually pretty foolproof in terms of what they can do. I think that certainly people, if they can come forward and actually use this machine and save somebody's life, they should not have to be put at risk in terms of their own livelihood and potentially be—but, Mr. Speaker, I would say that this law is applauded by St. John's Ambulance, who believe that

people should not be afraid to help and should not have to consider whether or not they are going to be sued should they decide to help another person in distress.

I guess that was the word I was looking for is "sued," Mr. Speaker, and I think at this point in time, if there is an opportunity for someone to come forward, to step up to the plate to save somebody's life, that they should be given that opportunity without potentially being sued while trying to help somebody.

So I will say that at this point I again applaud the Liberals for bringing this forward. I would encourage members opposite, the members of the government, to support this bill and move forward, and again, if they have problems with it, by all means I would say that they should bring amendments forward to this bill and not just try and take credit for it by introducing their own Good Samaritan act. So thank you very much, Mr. Speaker. I appreciate the opportunity to put a few words on the record with respect to this bill.

Mr. Peter Dyck (Pembina): Mr. Speaker, I too want to put a few comments on the record regarding Bill 202 where it provides legal protection to someone who helps the victim of an accident or other emergency. A person who voluntarily provides emergency assistance to an individual injured in an accident or emergency is not liable in damages for injury to or death of the individual caused by any act or omission in providing emergency assistance unless the person is grossly negligent.

Mr. Speaker, the reason I wanted to put a few comments on the record regarding this bill is, I guess, the simple fact that several times I have been one of the first people who has been at the scene of an accident. *[interjection]* I do have to indicate the Member for Brandon East (Mr. Caldwell), I think, asked me whether I was the cause of it, and the answer is no. No, I was not, but I did happen to be there first.

I guess what did not cross my mind was should I assist or should I not assist. It is not even a matter of entering your mind because there has been an accident, there are people in need and so consequently, the only thing we can do, the only thing I could do was to go out there and assist and do whatever was possible.

So I think that it makes good common sense that we put into legislation a bill which would protect

those people who are trying to help someone else. I know that The Good Samaritan Act, as it is called, is simply something again that comes from the biblical story of where the Good Samaritan is helping someone who is in need.

* (10:10)

So, Mr. Speaker, I believe that it is something that we need to look at and look at very seriously because, again, as I indicate, as you come upon the scene of an accident you do not stand around and wonder who around here is going to sue me or potentially down the road will I be in a lawsuit because I am going to be helping someone who is injured.

Again, I can just bring back the story of the case where I was driving down the highway, and in the distance I just saw this person flying through the air. What had happened was that a motorcycle had been hit by a semi driver. That is not a pretty scene, I want to assure you. It was not only a matter of the victim, the person who was driving the motorcycle, that you needed to assist him, but the driver, the semi truck driver was severely shaken. In fact, he was in no position to drive any further, so that was something that came into play in trying to assist him and just to counsel him at that point. Then, of course, it was a busy highway and motorists need to be—there need to be detours set up. So these are the kinds of things that happen as we are driving and, again, something like this happens in a flash. It is not something where you are driving down the road or whatever and you are preparing for something like this. This happens instantaneously.

So I believe that we need to put something like this in place. I want to applaud the Member for Tuxedo (Mrs. Stefanson). I know that she was looking at drafting a bill and putting it forward which basically mirrored The Good Samaritan Act as we have it put out by the Liberal Party. I just want to encourage us as an Assembly here to move forward with this. I realize now that the members opposite have come up with a bill as well, and they are trying to, whatever, move this one to the side so that they can put their own forward.

I would suggest that in the Chamber here that we should use this as an opportunity to work together, especially in something that is worded the Good Samaritan bill. Now, really, I think that in itself speaks for itself, that we should not be trying to have one-upmanship, one above the other here, like it did not come from my party so now I am going to

introduce a bill and consequently put this in place in order that I can say that it came from the NDP side rather than the Liberal Party or the Conservative Party.

We on this side here are indicating we are prepared to go with this bill, this act, so let us move forward on it. Let us not start quibbling on something like this, as important as this, because this, again, affects people's lives, the intentions that we have when we want to help one another.

So, Mr. Speaker, I would encourage all of us to move ahead with this bill. Rather than make this a political issue, let us move ahead. Let us accept it; let us adopt it and put it into legislation. Thank you very much.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I did want to take some time to be able to speak on this bill, and, unfortunately, what I find is that the government seems to be wanting to go out of its way to try to assume credit as opposed to sharing and accepting a good idea that is being brought forward to the Legislature.

In fact, Mr. Speaker, what I would suggest to the government is that here we have a wonderful opportunity before Christmas to actually pass a Good Samaritan bill, and even though it was the Leader of the Liberal Party that brought this bill before this Legislature, it is not that new of an idea in the sense that many other provinces across Canada already have it in place. There is absolutely no reason whatsoever, whatsoever period, for this bill not to pass today. If the will of the Chamber was there to support the idea of the Good Samaritan legislation, the government should do what is right, and what is right is to acknowledge that this is a good idea. It should be acted on and the government should allow this bill to go to committee.

I find it shameful and disgusting, Mr. Speaker, that the government saw fit to reintroduce another bill to try to duplicate what the Member for River Heights (Mr. Gerrard) has brought into this Chamber. I believe that it is the most inappropriate thing that a government backbencher can do, is to try to steal an idea that other members have been talking about and have actually taken the time, done the preparation and brought something to this Legislature.

Only when it appears on the Order Paper does someone on that side get a brain wave of an idea saying, "Oh, yes, we need something like that and we

will bring it in and try to assume full credit as opposed to trying to share credit with members of the opposition." You know, this is not the first time. I can remember the poppy on the licence plate idea, Mr. Speaker. That was another idea from the opposition benches. What we saw was a selfish government that did not think in terms of what is in the best interest of the public, and what they did is they brought in their own legislation.

There is absolutely nothing wrong with Bill 202. Bill 202, Mr. Speaker, if the government wants to make some minor change to it to say that, yes, they had some influence on it, by all means bring it in in the form of an amendment. The need for this government to bring in an additional piece of legislation in order to try to assume full credit for a good idea is shameful. I look to the members opposite and I challenge them to do what is right, and that is to acknowledge that the member from River Heights has brought in a good bill. If they want to do any service whatsoever, if they want to recognize the importance of the independent member's legislation, and when I say independent I mean it in the broader sense, all of us have a responsibility first and foremost to our constituents, then to our political parties. The member from River Heights has done this Chamber a favour, much like the member from Carman on the issue of public smoking to the issue that the member in opposition brought, I think from Lakeside, on the poppy bill. When an idea comes forward, we should be given credit for advancing the idea. It should not be banned because, oh, my goodness, it is not a government idea.

Yes, Mr. Speaker, they have 35 members inside this Chamber, and ultimately they will be able to prevail. But once again what we are going to see is a government that is not going to be doing the right thing. We can pass Bill 202 today. Today it could pass, and it could be going into committee. This could be the law of our province by the end of this week, and the only stumbling block is 35 MLAs who were elected. I believe that it is that attitude that is going to bring down this government. It is because Manitobans more and more are going to see the type of government that this party is actually offering.

I believe, and this is a good example, when I am knocking on doors in the next provincial election, and, hopefully, Mr. Speaker, I will be provided the opportunity to knock and talk about this in different venues, so whether it is on the radio, on TV, through newspapers, advertising, whatever it might be, this is

going to be the type of issue which I am going to bring up in the broader context of a government that is so, so egotistic that they will not even recognize an idea when it hits them in the face.

This is an excellent example of it. Here is Good Samaritan legislation. Who opposes it? There is no one inside this Chamber who opposes it. Even the one member who spoke—I believe there was one New Democrat who spoke on this bill, maybe one. *[interjection]* Two members who spoke to it. In fact, the Member for St. James (Ms. Korzeniowski) spoke to it, and I will bet you, not having read Hansard in terms of what she said, I will bet you that she supports Good Samaritan legislation. *[interjection]* She indicated that she supported it in principle.

Well, Mr. Speaker, why not? We will share the idea. The member from St. James can be the seconder of the motion if it means that much to the government. We do not have to have 100 percent full credit for it. What I take objection to is when the opposition brings forward a bill, that that bill be given some sort of a due process of debate and discussion, and when the government wants to allow a bill to pass, that it be allowed to go to committee stage so that public input can be brought in.

* (10:20)

You know, the other day we had the member from River East had a private member's bill, and you will recall that, in fact, what we saw there is the government allowed for a vote on the bill. What upset me about that particular vote is the fact that I believe only one New Democrat spoke on that bill, only one New Democrat. I find that that is inexcusable. I do not understand how a government can claim to be democratic when it refuses to even allow for legitimate debate inside this Chamber. I believe the communists in Russia provided more debate on legislation. Really and truly, I have yet to see an administration that is so disrespectful of this Chamber. They do not like to sit inside this Chamber. We saw that in the first couple of years. They always want to be able to recess early. They cannot even bring enough business to debate that we are out of here before five o'clock.

Mr. Speaker, when there are ideas that come here, they steal them or they kill them. If they do not want to steal it, they will just leave them. When we see one bill—and, sadly, there are only a couple of more minutes before my time runs out. I am wondering if there would be leave of the Chamber so that I can continue on. *[interjection]* Well, it was

probably a wise thing because I probably would have gone on for a while on this.

But the bottom line is that Good Samaritan legislation, this is a wonderful bill. A vast majority, if not all Manitobans, recognize the need for it. Other provincial jurisdictions have done that, Mr. Speaker, and they have passed similar legislation. I applaud the efforts of my leader and those that were involved in putting this legislation together. Let there be no doubt that this is, in fact, a bill worthy of passing, and all we have seen from the other side is a little bit of twitching with some words in order to give legitimacy.

Mr. Speaker, I would argue that there is no need for amendments. But, having said that, if the government really feels that it does need to be amended, well then, move the amendment. We are open to amendments, and I ask the government to do something that is really important, and that is to do what is right. They have an opportunity here. We could pass this thing before Christmas if the government saw fit to recognize the idea as being a good idea and then we acted on it. There is absolutely no reason why we could not have this bill law in the province of Manitoba before we adjourn, and we will likely be adjourning this week. That could happen. The only thing that can prevent it is 35 New Democrat MLAs, and the reason why they would prevent it from happening is because the member from St. James has done the cowardly thing of bringing—

Mr. Speaker: Order.

Mr. Lamoureux: Yes, Mr. Speaker, I withdraw the comment "cowardly."

Mr. Speaker: I thank the honourable member for that. That should take care of the matter.

The honourable member's time has expired.

Mr. Leonard Derkach (Russell): I do want to put a few comments on the record on this legislation, Mr. Speaker, but what concerns us on this side of the House is that, although we believe that this is good legislation and legislation that perhaps should even be dealt with before the Christmas season because during this time of year, as has been noted by those who have been sponsoring this kind of legislation, this is probably a time of the year when people do the kinds of deeds in cases of emergencies and accidents where there should be an application of this kind of legislation and recognition that people do help each other out in times of need.

Mr. Speaker, I just harken back to last week when I was driving down Main Street in Winnipeg and an individual was hit by a passing vehicle. Before I got to the scene another car had stopped, and the driver of that car had jumped out, a woman, who in fact was a nurse, and went to the care of the individual who had been hurt in the accident. I know that we as people have the tendency to help one another in times of need and in times of disaster and in times of accidents and those sorts of things, but what concerns me, Mr. Speaker, is that we have two pieces of legislation being proposed here.

We have Bill 202, which is The Good Samaritan Act, proposed by the member from River Heights, and then we have for second reading today a proposed bill by the member from St. James and, basically, the title of those two bills is very similar, and I would anticipate that they both deal with the same type of issue. Now, Mr. Speaker, I think our party, and I think I speak for our caucus when I say the principle of the bill is one that we endorse, but I have to say that we do not want to choose between one and the other until we have really had an opportunity to examine both pieces of legislation. The only way to do that is to allow for the member from St. James to be able to table her legislation in the House so that then we can examine it.

Now, Mr. Speaker, I do not have anything against the member from River Heights and his legislation, but I think it is important that the two parties get together and decide how it is that we are going to deal in this Assembly with these two pieces of legislation so that indeed we could pass a Good Samaritan act before we break for the year. So that is the only way that we are going to help Manitobans, if we can somehow resolve our differences in this House, look at how we can better address the needs of Manitobans and adopt the legislation that is going to be reflective of what this assembly really wants to do for the citizens of this province. So I guess I would encourage that the two independent members together with the member from St. James somehow have a meeting between now and Thursday because, on Thursday, we will have one more opportunity to deal with this legislation if we do not deal with it today, and then the House will adjourn until March.

I think that, given the circumstances that we are facing here with the holidays coming up, it would be a goodwill from the Legislature here to pass this type of legislation. Without looking at a partisanship issue here, Mr. Speaker, let us get together, and I am asking the member from St. James, the member from

River Heights, to get together to decide what is good in both pieces of legislation, have one of those pieces of legislation withdrawn and then let us deal with one that we can all support, all endorse. I have no difficulty in supporting the member from River Heights in his legislation. I have not seen the member from St. James's legislation, so I cannot even speak to it, but I think that when we do things like this, we look foolish to the public if we cannot get our house in order here and at least address an issue with one common piece of legislation that addresses the true needs of Manitobans.

I know in talking to the member from St. James that she has been working on this for more than just a week or two, she has been actually dealing with people who have expressed to her the need for this kind of legislation. I have seen the member from St. James before come to the House with resolutions that make sense, where they express an interest in the needs of people in Manitoba, so I am assuming that this legislation is no different. So I am asking that, between the two parties, they get together and decide on how we can deal with this legislation so that we address the needs of Manitobans, Mr. Speaker, and that is really what I wanted to say about this legislation at this point.

Mr. Speaker: Any other speakers?

**Bill 201—The Child and Family Services
Amendment Act (Grandparent Access)**

Mr. Speaker: Okay, we will move on to Bill 201, The Child and Family Services Amendment Act (Grandparent Access), standing in the name of the honourable Member for Rossmere (Mr. Schellenberg). What is the will of the House? Is it the will of the House for the bill to remain standing in the name of the honourable Member for Rossmere? *[Agreed]*

Mr. Doug Martindale (Burrows): Mr. Speaker, I am pleased to speak for a second time on this bill and I would like to begin by sharing some of my personal experiences with people who had difficulty with access because I think it may be instructive to the sponsor of this bill and also to people who are having difficulty with access.

* (10:30)

Way back in 1974, which would be possibly before some people here were born, I was employed as an assistant chaplain, no one in this caucus, we are all a little bit older than that, I was assistant chaplain at family court in Toronto and my supervisor had set

up a program whereby he arranged for estranged individuals to have access to children. It was a very interesting program, and, when he was on holidays, basically I was in charge of it. It was usually men who had been denied access to their children, and so they came to the chaplain's office either on their own or because they were referred by social workers or other people in the building and asked for assistance, and so we would explain that we were using about 50 churches and synagogues in metropolitan Toronto as neutral visiting places.

We would also have an opportunity to talk to them about why they were being denied access, and we would always ask them, "Are you paying your maintenance?" and frequently they were not paying their maintenance. We would point out to the men that not only did they have a legal obligation but they had a moral obligation to pay maintenance, and we would say, "You know, if you were to pay your maintenance that would take away the excuse that your ex-partner is using to deny access." Similarly, when women came to us or when we phoned the ex-spouse, we would encourage them to allow for access because the ex-spouse had a legal right to it and also that that was a good way to encourage someone to pay maintenance.

And probably the most interesting part of this process was talking to their lawyers, because what we would do is we would negotiate with individuals, and we would say, "How many hours a week of access do you want?" and then we would phone the other person and say, "How many hours a week of access would you agree to?" and we would arrive at a compromise. Then I would phone the lawyer for each partner, and the lawyer would say, "My client agreed to what?" and they were always shocked that I had already worked out a deal, or that my supervisor had already worked out an agreement. However, family law is not the easiest practice to be in, and anyone here who is a lawyer, like the Member for Minto (Mr. Swan), can attest to that, and so usually the lawyers were quite happy that I had worked out an agreement or my supervisor worked out an agreement because then it meant they were not going to get phoned on Saturday at two o'clock because somebody did not show up for an arranged visit. So this agreement was written up by me and copied to the lawyers and the individuals and we went into family court and the judge would make it a legally binding agreement, and to the best of my recollection, not one word was ever changed on the agreements that I negotiated.

What happened after that was very interesting, because people would go to a church or a synagogue where we had lined up a responsible adult to supervise the visits, and at first people were apprehensive because they were afraid their children were going to be kidnapped or they had all kinds of fears about what might happen, and so the parent with the child, the custodial parent, would bring the child to the church or the synagogue, and they would wait in another room, and the person coming to visit would sit in the nursery or a suitable location with the children and have their visit, and at the end the other parent would pick up the child or children and take them home. Well, after that went on for a few weeks, people decided that that was kind of a waste of time, and so they would just drop the kids off and they would leave. They would go shopping or something and come back and pick up the children, and then after a while they started to trust each other. It was very interesting, because it was working so well, an element of trust crept in, and then they would drop the children off on the steps. They would not even go into the building, and then they would say, "Well, why are we coming to this neutral place, this church or synagogue? We do not need to do that. You could just come to my house and pick up the kids," and so there was no need for supervised access anymore.

When I was the Family Services critic in the 1990s, some people might remember this from Estimates, and Mr. Gilleshammer was the Minister of Family Services, I suggested that we set up a similar program in Manitoba, and he accused me of wanting to increase government expenses, and he was totally opposed to the idea. However, a program did get set up, and it is very successful as far as I know. It is called the Winnipeg Child Access Agency, and what do they have? They have neutral places for children to visit.

Now, I would also like to point out that I believe the access for grandparents issue was resolved in 1997, and it was resolved by the very party, when they were in government, that is now sponsoring this private member's bill, which is very ironic in my view. It was the Member for River East (Mrs. Mitchelson), who was the Minister of Family Services at the time, who brought in an amendment, and what did the amendment say? Well, I would like to read to members opposite part of the record from Hansard from Thursday, June 26, 1997, and the Member for Burrows, I, said, "If we could go on to Clause 78(1), I guess, we could dub this the

grandparents' clause. I know that the minister took some time to explain this during the presentations at committee stage, but I wonder if, again, just for the record, the minister could verify that this new wording does what the GRAND Society was requesting from the minister."

I know that members opposite have been meeting with the GRAND Society. I met with members of the GRAND Society when I was the Family Services critic and I heard many painful stories. It was very touching to hear these poignant stories of people who have been denied access. I sympathize with their plight.

What was the reply from the Minister of Family Services, the Member for River East? She said, "Yes, this does address the issue of the GRAND Society, plus it extends the opportunity for additional family to apply for access. If you look at the definition of family in the definitions at the front of the bill, it means the child's parent, step-parent, siblings, grandparent, aunt, uncle, cousin, guardian, person in loco parentis to a child and a spouse of any of those persons. So it is expanding it considerably so that extended family indeed can apply for access. That is the definition in the act."

Those are the words of the Member for River East when she was the Minister of Family Services. We believe that there was a problem and the minister took care of it at that time, 1997. We also have a program called For the Sake of the Children, a supportive information program for parents experiencing separation and divorce. It is also open to other interested individuals which would include grandparents.

In conclusion, I believe that there are resources available to help grandparents and other people. First of all, we have legislation. We have this amendment that the Member for River East brought forward so that people could go to court. But, you know, it is not always advisable to go to court. We know that the court system is adversarial, that it is very expensive that people have to hire lawyers—[interjection] As the Member for Transcona (Mr. Reid) says, it sometimes creates winners and losers. So there are alternatives to going to court. There is the access through the Winnipeg Children's Access Agency and the program For the Sake of the Children. We believe that it is better to use mediation and counselling, wherever possible, so that these issues can be resolved and people can visit their grandchildren without going to court. But if it is

necessary for people to go to court, the legislation is there.

Not only that, but it was the Conservative Party in government that brought in the legislation that allowed access, not just by grandparents, but to many other relatives and other people who have contact with a child or children. Thank you, Mr. Speaker.

Mrs. Myrna Driedger (Charleswood): I am pleased to make some comments on Bill 201, The Child and Family Services Amendment Act (Grandparent Access), brought forward by the member from Minnedosa. I would indicate that this is the second time that she has brought forward this private member's bill.

I think what it does, it demonstrates the compassion and understanding she has of this issue and her determination that the rights of grandparents need to be dealt with in this situation. I give her a lot of credit for the perseverance she is showing in bringing this forward and the compassion with which she is doing it.

I would urge the NDP government to support this private member's bill because this is the right type of action that needs to be taken on legislation that had been passed back in 1997. It is time to look at amending it because that was eight years ago. It is time that we take a further look at this issue and move forward on it and do something that does need to be done for grandparents.

Mr. Speaker, the member from River East, back in 1997, introduced changes to The Child and Family Services Act at that time which did allow for applications for access to children by extended family, defined as including grandparents, where it is in the best interest of the child. These amendments were proclaimed in 1997 and continue in law today. But, from time to time, we do need to look at legislation and change it. We do need to evolve with the changing definition of the family. When we see nowadays, you know, divorce rates past the 50 percent mark, we do have kids that do get caught up in conflicting situations between parents, and then grandparents are being left out of this. This really is terribly, terribly unfair to the children, never mind unfair to the grandparents on top of it. Both sets of grandparents, are feeling a need to be part of those grandchildren's lives. They are being denied that and they are being torn apart from their grandchildren due to nothing that they have done. It is something that kids get caught up in when you have parents that

are in the middle of a situation where they are having their own conflicts and divorce and separation.

*(10:40)

When I was with Child Find, we saw this situation on a number of occasions, and it really is quite heart wrenching, because the circumstances we certainly saw in Child Find were sort of the extreme end of it all, where parents could not get along and the animosity built and built and built to the point where parental abductions occurred. It just ripped families apart. It ripped hearts out of people. It was the most extreme situation, but it comes about because these kinds of conflicts cannot be resolved in a way that they really do need to be resolved.

I think what this legislation does, it evolves with the times. It evolves with these kinds of situations and circumstances that do occur. It does evolve with the changing definition of family. I certainly would encourage the members opposite to, really, put their heart and soul into this one and do what is right for grandparents because children do deserve to know their grandparents.

When the member from Minnedosa introduced this private member's bill, there were grandparents sitting in the gallery. I watched their faces as comments were being put on the record about this and you can see the pain and anguish there. I saw the pain and anguish many times when I was in Child Find. I think we as legislators have a responsibility here to do our best to try to resolve this and, for the life of me, I cannot understand how this government would not accept this type of an amendment to this legislation. This really does not make any logical sense. I would think the only reason they are hesitating to go forward is they do not want to give anybody credit other than themselves for addressing this gap in this legislation. You know, I mean, if any of them have ever been involved in working in situations or working with families where these kinds of families are ripped apart, I would think that they would rise to this occasion, put aside any partisan issue and say, "You know what, this is good legislation. We should pass it. It is in the best interest of the child."

It is pretty disconcerting, Mr. Speaker, that we see a government that is not prepared to move forward on that. I do find it disturbing, considering the number of times I have been involved in dealing with issues similar to this. I can recall a number of years ago when I was the legislative assistant to the Minister of Family Services, and I had an

opportunity to go to Thompson to attend the grand opening of an access centre. The access centre was put in place because it was the only place where it was deemed to be safe and appropriate for a child to meet with a parent. It was quite an emotional experience to attend there and to know how these children's lives were just so changed for them, and changed not because they had anything to do with it, or they had no cause attributed to it, but it was the circumstances around them and the volatility that can arise because their parents were not able to resolve their own situations.

So, Mr. Speaker, I really do think that this is important for us to look at and all people in this Chamber to accept this private member's bill. This bill provides the court the opportunity and means to recognize that special relationship that exists between grandparents and their grandchildren, and I think it is a very important amendment to the existing legislation. It does require the court to consider the love, affection and similar ties that exist between the child and the grandparent on an application by a grandparent for access to a child.

It is a sad day really, Mr. Speaker, when we see children caught in this struggle and when we see them sometimes used as pawns in this struggle. When they are used as pawns, they can be denied access to either a parent or a grandparent, and it is not right.

As legislators, we have an opportunity here to do something that I think would benefit children because there is a very special relationship between grandparents and grandchildren. I see that in my own family. I see the really, really strong connections that grandparents in my family have with their grandchildren and the love, affection, the teaching, the nurturing and that unconditional love is so prevalent in these types of situations between grandchildren and their grandparents.

So it really begs the question: What harm is there to allow this type of legislation to be accepted in this Chamber? It is Christmas time. This would be a perfect time for all of us to put aside any partisan issue that we have with this and to move this legislation forward and for the government to accept this legislation. It would be the greatest Christmas gift that could be given in a situation like this. I really encourage the government to do that and to present probably one of the greatest gifts that we can give as legislators to families and to pass this legislation, Mr. Speaker. Thank you.

Mr. Gerald Hawranik (Lac du Bonnet): I welcome the opportunity to put a few words on the record with respect to Bill 201, The Child and Family Services Amendment Act, on behalf of all constituents in Lac du Bonnet. I would like to thank, first of all, the member from Minnedosa for introducing this bill. It is an important bill, one that should be supported by all members of this House. I note that I had spoken on this bill last spring, during the spring session, Mr. Speaker, because the member from Minnedosa thought it was important at that time to first introduce the bill and, because the government did not support the bill at the time, she was passionate about this issue, she thought it was necessary to reintroduce the bill this fall, hoping that the government would change their mind and support it.

It is a good idea. The bill is absolutely a good idea, and I think members opposite recognize that it is a good idea and that it is worthy of support. I am really surprised that they did not support the bill this last spring and have not supported the bill to date in this House.

But I note, Mr. Speaker, that there is a history in this House of members of the opposition bringing forward private members' bills and members of the government, whether they are backbenchers or ministers, taking those very ideas and introducing bills that are almost identical. I note that the Good Samaritan legislation introduced by the member from River Heights was a good idea. What happened? The member from St. James looked at that idea and started by introducing a bill almost in identical terms in this House to try to take that idea away from the member from River Heights. I note that last spring, in the spring session, the member from Lakeside introduced the veterans licence plate bill and that, again, was a very good idea, and someone on the other side, of course, thought that, too, was a good idea and introduced almost identical legislation, doing exactly what the member from Lakeside did as well.

* (10:50)

So this is a good idea as well. I think members opposite are surprised at the ideas that come forward from members of the opposition, and I am surprised that they, too, did not try to take this idea away from members of the opposition. But I note, as well, that the two bills that I spoke of before, the Good Samaritan legislation which was taken away from the member from River Heights, and the veterans licence

plates which were taken away from the member from Lakeside, there seems to be a pattern that they try to take away one piece of good legislation proposed by members of the opposition every session.

I fully suspect, and I encourage the member from Minnedosa to introduce this bill again, perhaps this spring, because likely what will happen is that it will get passed because members opposite will have had time to reflect on their debate that we have heard in the spring and what we have heard this fall, and they will probably try to duplicate that legislation all over again and try to get credit for it. But, of course, the credit really should go to the member from Minnedosa who has tried valiantly to have members opposite, members of the government to support that.

I am not a grandparent, Mr. Speaker. I do not speak from the experience of a grandparent. I have two daughters. They do not have children. But, some day I hope that they will. Some day, I hope that, as a grandparent, if it were to happen that my children would separate from their spouses, that I, too, would have a say in terms of the access to those children.

My grandparents have had a tremendous influence on my life. Of course, they have made an important contribution to the way I live my life. I would hope that members opposite would reflect upon their own lives in terms of the effect that their grandparents have had on their life and the fact that, if their parents had split, they would want, certainly, access to their grandchildren.

I know the member from Burrows has pointed to 1997 amendments to the legislation that were brought by, again, from the member from River East. I congratulate her for those amendments. It allowed grandparents to apply for access to grandchildren. It was an important first step because it acknowledged the contribution of grandparents in the lives of their grandchildren. But those amendments required grandparents to hire a lawyer to enforce those rights. It was an important first step. It acknowledged the fact that grandparents did have an influence on their grandchildren.

But this bill, this private member's bill, I believe, is an important second step. It has the potential to decrease legal costs, not increase them. I know the member from Burrows had indicated that, in fact, he had perhaps even saved litigation, had saved costs, legal costs for people who wanted to have access to their grandchildren. I support that and I agree with that. I think this bill has the potential to further decrease legal costs, Mr. Speaker.

That is why I would expect the member from Burrows to, perhaps even next spring maybe, to introduce a bill of his own, identical to the bill that is now before us. He knows it is a good idea. It is just that members opposite know that what they have to do is try to take those ideas, those good ideas of the opposition, and try to take credit for them.

But I hope that when he introduces the bill next spring, if he does so, which I fully expect him to do, that he gives credit, full credit to the member from Minnedosa for coming up with the idea in the first place because that is where we are going to go as an opposition. We will support the member from Burrows bringing forward identical legislation. We will vote for that legislation because we know it came from this side of the House, Mr. Speaker.

I speak not as a grandparent, as I mentioned before, because I am not a grandparent. I speak from my experience as a lawyer. I have 26 years of general practice experience. In the first 10 years of my practice, I had a great deal of experience in family law, although my associate in my practice still practises in that area.

I noticed the comments from the member from Minto. He, in fact, spoke against this bill. I noticed the anguish on the faces of all those grandparents who were in the audience as he was speaking and, certainly, noticed, as well, that when the member from Minto went in the hallway, that the grandparents confronted him and asked him why, why he could possibly speak against a bill that increased grandparents' rights of access to their grandchildren.

The only logical reason I could think of as to why the member from Minto spoke against the bill in the first place, Mr. Speaker, is because, well, he speaks from the experience of a family lawyer, and, of course, anything that would decrease costs to family members who are splitting may not be in the best interests of family lawyers because it may decrease their costs and, of course, decrease the income of family lawyers. That is the only reason I could see why he was speaking against the bill.

In any family issue, it is an emotional issue, and sometimes parents use their children as pawns to get back at the other parent in a split. One of the ways they can do it, they will do it at times, is to deny access of parents or of grandparents to their grandchildren or their children. There is a gap in the law, Mr. Speaker. Grandparents have a substantial influence on the lives of their grandchildren. This bill

requires—it is not discretionary—a court to consider the love, affection and similar ties that exist between a child and the grandparent on an application by the grandparent. So it is a requirement. It is not discretionary. It is a requirement by the judge to consider the natural love and affection between a grandparent and a grandchild.

So what harm can be done in passing this bill? The harm that can be done is we are taking away not only the grandparents' rights of access to their grandchildren, we are also taking away the rights of grandchildren of access to their grandparents. We have to consider as legislators, just as a court has to consider, the rights of children because they cannot speak for themselves. Certainly, what harm would come in supporting a bill that gives grandchildren rights to the natural love and affection of a grandparent, Mr. Speaker?

I ask members opposite to consider those arguments and perhaps to come back this spring, in the next session. Since they always take one bill from the members of the opposition and call it their own, the next opportunity will be the spring session, Mr. Speaker, and I urge them to perhaps either support this bill when the member from Minnedosa perhaps introduces it again, and I would urge her to do that, but if she does not do that, perhaps they can take the idea from us and duplicate the bill and ask for our support. Thank you.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to make some comments on the grandparents bill. Clearly, grandparents are very important people. They play an important role in the early lives and in the raising and the upbringing of children and make a significant contribution to the well-being of all children in Manitoba and indeed around the world.

It is important that to the extent that we possibly can, we encourage grandparents to stay in touch with their children and to continue to be involved with their children as much as they can. Certainly, we would in the Liberal Party support this bill as a step in trying to ensure and help grandparents and children in whatever circumstances to keep in touch with each other.

This is clearly an important social objective, and this law is a pretty good start. It can go to committee. We can hear and if people want to suggest or make amendments, they can be looked at. But let us move this forward in the interest both of children and of grandparents to take this forward and see if we cannot take it the next step into committee and get

the discussion moving and see if we can pass this legislation. Indeed—

Mr. Speaker: Order. When this matter is again before the House, the honourable Member for River Heights will have eight minutes remaining. It will also remain standing in the name of the honourable Member for Rossmere (Mr. Schellenberg).

* (11:00)

The hour being 11 a.m., we will now move on to resolutions, and we will deal with the resolution concerning wind energy.

RESOLUTIONS

Res. 5—Wind Energy

Mr. Drew Caldwell (Brandon East): I move, seconded by the honourable Member for Transcona (Mr. Reid) that

WHEREAS promoting and facilitating the orderly development of energy resources, ensuring a reliable and low-cost supply of energy to Manitobans and promoting conservation and clean and efficient energy use in accordance with the government's commitment to address climate change and the Kyoto Protocol have been and are the objectives of the Province of Manitoba; and

WHEREAS the investment in the diversification of energy production ensures the strength of the Manitoba economy; and

WHEREAS wind energy is an important part of this program of diversification as it complements the already existing hydroelectric energy production in Manitoba; and

WHEREAS the production of wind energy is a clean, renewable and affordable energy source which is uniquely suited to certain rural regions of Manitoba and was up until 2001 an underutilized source of energy in this province; and

WHEREAS the development of this new resource will require new technologies, products and services and would have beneficial consequences for Manitoba companies and would provide new high-technology jobs as well as an additional and stable source of revenue for rural farmers, landholders and municipalities; and

WHEREAS the first wind farm has already been established in St. Leon, Manitoba, through partnerships with all levels of government and the private sector, a site established to be a world-class

wind regime centre, which will ensure its commercial viability; and

WHEREAS the first turbines have already been built and tested in St. Leon and have provided an important example of the feasibility of wind energy for Manitoba;

WHEREAS upon completion the St. Leon wind farm will be one of the largest in Canada, producing 99 megawatts of energy a year; and

WHEREAS the St. Leon wind farm is one example of several programs and services designed to help rural and northern Manitobans reach their economic potential by building on traditional strengths and focusing on new opportunities.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to consider continuing supporting the wind farm at St. Leon and other such rural economic development initiatives that are in accordance with the principles of sustainable development; and

BE IT FURTHER RESOLVED that this Assembly urge the provincial government to consider continuing to develop wind energy with the goal of attaining 1000 megawatts of production over the next 10 years.

Mr. Speaker: Before reading the motion, I have to, for clarification, when the member was reading the resolution, he added some words into it, and, if there are any words changed or added, we have to have unanimous consent of the House to include those words, so I would encourage all members, in the future, when reading a resolution or a document—
[interject]

Order. That the members follow the script word for word. Otherwise we have to have unanimous consent to make these changes.

What I have to ask the honourable Member for Brandon East is the fourth WHEREAS, at the end, it says, "source of energy," and included "in this province." Would you want those included or not?

Mr. Caldwell: Mr. Speaker, I can withdraw those. It does not really matter that much to me.

Mr. Speaker: Okay, so we will deal with the resolution as printed.

Motion presented.

Mr. Caldwell: Mr. Speaker, I am sorry for adding "the province" in that script, but it is what it is.

Mr. Speaker, you know it is a pleasure to introduce this resolution into the House. We have seen in the province of Manitoba over the last three or four years a considerable focus placed upon sustainable technologies in the energy sector, particularly in relation to the Kyoto Protocol. The wind farm at St. Leon, the ethanol expansion in Minnedosa, the focus on biodiesel, the expansion of Manitoba's hydro-electric capacity, all speak to the high priority that this provincial government places upon renewable energy sources and renewable energy technology in the development of that for this province.

I should add, Mr. Speaker, that the Member for Carman (Mr. Rocan), who represents the village of St. Leon and in whose constituency the wind farm is being developed, is also a very strong supporter of this sort of initiative by the government. I would like to thank him for that.

Mr. Speaker, last week, internationally, the Province of Manitoba was recognized as the largest regional innovator on the planet Earth, where it comes to sustainable energy sources. I would note that the Premier (Mr. Doer) of the province of Manitoba is the only Canadian that has been recognized in *BusinessWeek*, the U.S. magazine's top 20 list on international leaders dedicated to combating climate change. The Premier is 12 out of those 20 international leaders in terms of focussing on taking advantage of both the opportunities of Kyoto and also responding to the very real need for action on climate change on the planet Earth. I am very proud, as is the Premier, that the Province of Manitoba has been recognized for the very good work that it has undertaken to respond to Kyoto and the challenges of climate change.

Mr. Speaker, it is not just internationally that the Province is being recognized as a leader in sustainable energy development, but it is also locally. I know that, as the *Brandon Sun* reported on November 22 of this year, "Western Manitoba has become a hot spot for wind turbines." There is interest in Manitoba from many international companies to develop wind energy over the next decade. The wind farm in St. Leon, I have had the privilege of being able to spend some time marvelling at the great silent giant turbines that are in St. Leon. They really are quite a striking landscape

feature, a very high-tech landscape feature, but more than being a landscape feature in the area of St. Leon, they are generators of economic sustainability for the landowners on whose property those turbines reside. As well they are an economic generator for the municipalities who benefit from the tax revenue generated by the turbines. Then again, more broadly speaking, they are a benefit and an economic generator for every single person in the province of Manitoba as the energy generated by the turbines goes into our grid and helps maintain Manitoba's enviable position as having the most affordable hydro-electric power, the most affordable electricity power in North America, and I dare say the world.

This is, Mr. Speaker, Manitoba's opportunity in the future. Electric energy is, as some of my colleagues have said before, what oil is to Alberta today and hydro-electricity will be for Manitobans in the years and decades ahead, the one advantage being that once the oil is pumped out of the ground in Alberta, that is it. With hydro-electric power, Manitoba forever, unless a future government, God forbid, decides to sell off the hydro resources to the Charleswood/Tuxedo family compact, Manitobans will benefit from hydro resources and hydro-electricity resources for many, many generations.

* (11:10)

So this resolution on wind energy, Mr. Speaker, speaks to our commitment as a government to focus our energies and focus increasing energies on sustainable energy resources. It complements our rural economic development strategy. It complements the work that we have undertaken on biodiesel, the work that we have undertaken on ethanol, which, in Minnedosa constituency, will see over \$100 million invested on ethanol production in the years ahead. It complements our strategy on developing our hydro-electric resources, both for our domestic market here in Manitoba, for the international market and the national market, for other Canadian provinces and the United States to the south of us. It supports rural Manitoba in a very, very real sense, as does the ethanol production facility in Minnedosa and biodiesel facilities as they get developed around the province.

I am also heartened to note that the Keystone Agricultural Producers have praised our recent Throne Speech and praised our government's initiative in providing opportunities in rural Manitoba for such things as the wind farms. They

also are praising our ethanol production initiative, Mr. Speaker, which I think speaks very well of our government.

Mr. Speaker, just in wrapping up these brief remarks, I would urge all colleagues in the House to support this resolution, to continue to give impetus to renewable energy development and sustainable energy development in the province of Manitoba and, not least, to continue to support my good friend the member from Carman in developing, in his region of the province, a world class wind farm that, indeed, is becoming rapidly an envy of every other jurisdiction in North America. So, with those few words, I would like to thank you for this chance to speak.

Mr. Conrad Santos, Deputy Speaker, in the Chair

Mrs. Bonnie Mitchelson (River East): I am pleased to stand today and put a few words on the record about the private member's resolution that has been brought in for the Member for Brandon East, and at the outset I want to indicate that we certainly do support the development of wind energy in our province of Manitoba. There are communities that have certainly come to the table with community support, with private sector support and support from Manitoba Hydro to develop wind energy. I think that is very positive, but we have a government that very often talks about privatization and the word "privatization" being a very bad word. Well, we know that there is a significant amount of private investment in the development of wind energy. Quite frankly, we see a government that really, in many other areas throughout government, does not support privatization. So I am hoping some members on the government side will stand up and say that privatization and partial privatization of Manitoba Hydro through wind energy and wind development is something that they endorse and they support because we have heard many times that it is not a word that they can use with any ease.

Mr. Deputy Speaker, I would just like to, while we are on the whole issue of sustainable development and trying to ensure that we have clean energy and clean power in the province of Manitoba, express my dismay, I guess, at the introduction of Bill 11, which does absolutely nothing to sustain in the way of sustainable development in the province of Manitoba, when we have a party, a government, an NDP government that indicates through Bill 11 that they want to cross-subsidize natural gas, which is a non-renewable resource and goes completely

against everything that the Premier (Mr. Doer) has talked about, that the Premier brags about and that this government indicates that it endorses.

They are taking dollars out of revenues from Manitoba Hydro and clean electricity to cross-subsidize a non-renewable not-so-clean source of energy, Mr. Deputy Speaker, and it is something that I think this government needs to take a sober, second thought on and look at withdrawing Bill 11 and moving forward on the initiatives that are being undertaken in hydro development, development of clean energy and wind power development in our province, both clean energy sources that—
[interjection]

Well, Mr. Deputy Speaker, I hear the member from Elmwood speaking from his seat, and the Member for Elmwood (Mr. Maloway) was part of a New Democratic Party when they were in government in the mid-eighties that could not keep their hands off the Crown corporations in this province of Manitoba. We saw what they did to Manitoba Public Insurance. We saw what they did when they set the rates for public insurance around the Cabinet table without any independent scrutiny, and they kept those rates artificially low before an election and then raised them sky-high after an election. That was the reason that the NDP government was defeated. One of their own members voted against their party and caused an election in 1988, and what we are seeing today in this Legislature is exactly the kind of tactics that they used in the mid-1980s, where they brought in legislation to take dollars from Manitoba Hydro and set up a slush fund that Cabinet will have the ability to manage. That was exactly why we, when we came into government, ensured that all of our Crown corporations went before an independent process through the Public Utilities Board where experts, under oath, could come forward and talk about what the impact of rate changes would have to our Crown corporations.

We have seen in the past what the greedy socialists do when they have the ability to get their hands on money from our Crown corporations. We have nothing more than the same kind of legislation before us that was brought in in 2002 by this socialist government that took, raided, over \$200 million from Manitoba Hydro to put into general revenue because they could not manage to live within the increased resources that they had in the budget in the year 2002.

So they raided Manitoba Hydro and what happened as a result, Mr. Deputy Speaker? Well, we saw hydro rates go up by 7.25 percent as a result of the raid, money that Manitoba Hydro had to borrow to turn over to this government. We saw that in 2002 and what we are seeing again today in Bill 11 is exactly the same thing.

* (11:20)

Mr. Deputy Speaker, they do not need legislation to bring in Power Smart programming. That—

Mr. Deputy Speaker: Order.

Point of Order

Mr. Caldwell: Just getting up to make a point of order on relevance, Mr. Speaker. We are re-debating Bill 11 here. The issue on the table is a resolution on wind energy. I understand that the member likes to talk about the 1980s and make all sorts of outlandish partisan remarks. But this was a motion in support of wind energy in this Legislature, in fact, supporting her colleague in Carman, in whose constituency the St. Leon wind farm is benefiting rural Manitobans and benefiting our province.

So perhaps the member could be drawn to order to focus her attention on wind energy and the relevance of this particular resolution, Mr. Speaker.

Mr. Deputy Speaker: The honourable Opposition House Leader, on the same point of order.

Mr. Leonard Derkach (Official Opposition House Leader): Thank you, Mr. Speaker. On the same point of order, the member from Brandon East may be striving to become the new Government House Leader, but he has got a long way to go.

I listened carefully to the member from River East and her remarks on this particular resolution and, on several occasions, she mentioned wind energy, but perhaps the member from Brandon East should be paying a little more attention to what the member from River East is saying, and in that way he could not only educate himself but he could pass that to the rest of his caucus, Mr. Speaker.

Mr. Deputy Speaker: On the point of order raised, the Chair feels that every member of this House has some flexibility in meandering around as long as they focus on the topic at hand.

* * *

Mrs. Mitchelson: Mr. Speaker, we hear the member from Brandon East talk about support for rural

Manitoba, and, yes, wind energy does do something for rural Manitoba. But what does Bill 11 do for rural Manitoba? It takes all of the Hydro ratepayers in rural Manitoba that do not have access to natural gas and it is asking them to subsidize natural gas rates. So let not the Member for Brandon East (Mr. Caldwell) talk about support for rural Manitoba when Bill 11 does absolutely nothing to support rural Manitoba.

I just look around the room to members who are sitting here in the Chamber today: the Member for Selkirk (Mr. Dewar), the Member for Interlake (Mr. Nevakshonoff), the Member for Swan River (Ms. Wowchuk), the Member for Thompson (Mr. Ashton). All of those individuals are asking their constituents, their constituents to pay additional Hydro rates, increase their Hydro rates in order to cross-subsidize the natural gas rates in the constituencies of River Heights and Tuxedo. That is exactly what they are asking their constituents to do.

Mr. Speaker, so let not the Member for Brandon East stand in his place and brag about what this government does for rural Manitoba. We have seen, time and time again, a government that just wants to dip their hands into the resources of our Crown corporations to feed their spending addiction. They have had more revenue than any other government has had in the history of this province, and they should be—

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

Mr. Daryl Reid (Transcona): Mr. Deputy Speaker, it is my pleasure to rise to speak to this resolution. I am honoured to be the seconder for this resolution as well, and I thank the Member for Brandon East (Mr. Caldwell) for that opportunity.

Our government has embarked on a course of action that will and has, obviously, as we have seen recently, put Manitoba in the position of being a leader with respect to renewable energy sources in the province of Manitoba. In fact, for members of the Chamber, Mr. Deputy Speaker, who may not be aware, I mean the Premier (Mr. Doer) and the Minister of Energy, Science and Technology (Mr. Chomiak) were just away this week addressing the Climate Change Conference in Montréal. Manitoba has played a prominent role in addressing the issues with respect to climate change, and our actions as a provincial government speak very loudly about our leadership role in the implementation of the Kyoto Protocol.

In fact, we were quite proud as a government when the David Suzuki Foundation of Canada named Manitoba as the province that is doing the most to address climate change. We are quite proud of that, and Manitoba is the best of all provincial and territorial governments in Canada with respect to addressing the climate change issue and working towards the full implementation of the Kyoto Protocol.

Now, Mr. Speaker, I listened very closely to the comments from River East when she spoke here just a few moments ago. One of the things that caught my attention very early in her comments was the fact that she wanted to talk about the privatization of Manitoba Hydro. That spoke volumes about the goal of the Conservative Party of Manitoba with respect to future energy in the province of Manitoba. It is very clear that the goal of the Conservative Party of Manitoba is to privatize Manitoba Hydro just as they did with the Manitoba Telephone System in the late 1990s. We saw the results of the privatization of Manitoba Telephone System and the rates for Manitoba telephone users now have gone up 68 percent in the time that Manitoba Telephone System has been privatized. So it is very clear that the goal of the Tory Party of Manitoba is to privatize Manitoba Hydro judging by the comments by the member from River East.

Now, Mr. Speaker, I want to start with congratulating the Member for Carman (Mr. Rocan) for his efforts on behalf of his constituents to bring wind energy development to the province of Manitoba, and in particular, to the community of St. Leon. I thank the Member for Carman for his initiative in that and for supporting our provincial government as we work to bring wind energy to the province of Manitoba. I had the opportunity last year to attend the community of St. Leon and to talk with the residents of that community. They were quite proud of the fact that they have come together in a co-operative fashion, in fact, in a co-op, to develop wind energy and to make sure that all of the residents of that area were benefactors of wind energy, and that everyone would benefit financially and, no doubt, economically as a result of that investment in that area of Manitoba.

Now in Manitoba, we are quite proud of the fact that as a provincial government, we have taken steps to develop our hydro-electric generation capacity in the province of Manitoba. No doubt there will be some very important announcements in the coming days and weeks ahead as we move towards the

development of the river waters and power generation in northern Manitoba. We have already taken steps as we have announced recently to complete and sign an agreement with the province of Ontario for the further sale of some 500 megawatts of energy transfer to the province of Ontario, and there will be no doubt, further announcements in the weeks to come.

It is very clear that Manitoba has the ability to generate wind energy in the province of Manitoba. Now, wind energy combined with the fact that we have hydro-electric generation capacity has the unique ability in the province of Manitoba when the wind is blowing, we do not have to spill as much water through the hydraulic generators in northern Manitoba. We can store that water energy in the water reservoirs that we have around the province of Manitoba so, while the wind is blowing, it is generating electricity that we can use to support our communities and for export, we will use that form of energy generation.

* (11:30)

Now, Mr. Speaker, because sometimes the wind does not blow in the province of Manitoba, we can then use the water generation capacity that we have to generate electricity for our domestic needs and also for our export needs, and we can generate revenue that supports the many programs that Manitobans hold very near and dear.

Now, one of the things, Mr. Speaker, that I often found interesting was the fact that having had the opportunity in my years as a member of this Legislature to travel around the province of Manitoba, we have seen a number of sites, and one that comes to mind is along the Hudson Bay near the community of Churchill and into many of the northern First Nations communities. There may be opportunities there in the future with respect to wind generation as well, because when we have been into those communities many times, the wind has been blowing very strong. Of course, it seems to me that there would be some capacity to generate wind energy for those communities to supplement the hydro-electric power that is currently supplying those communities.

So there are many opportunities that we have with respect to that. I am also supportive of this resolution, Mr. Speaker, because it calls upon our provincial government to move forward with the further development, the study of further wind energy generation in the province of Manitoba. I

think that is the right step, the right course of action to take with respect to the future energy generation capacity in the province of Manitoba.

Now, St. Leon, Mr. Speaker, the interesting part that I found through that process was the partnership arrangement that had been struck with the local community residents, the partnership with those residents and the provincial government, the local municipal governments, private business and the federal government. It is very, very important for those pieces to come together to make sure that we can all work together for one common goal which is the building of our province of Manitoba and creating economic opportunities for the province of Manitoba.

We have through that process, Mr. Speaker, in that St. Leon project, having just seen some pictures of that development as recently as yesterday, it is quite impressive the number of wind generators that are now up and functioning in the St. Leon region that will generate almost 100 megawatts of emission-free electricity to supply Manitoba's base.

Of course, there will be base energy needs, Mr. Deputy Speaker, but that will bring some \$210 million in new capital investment and will generate for the people of St. Leon, for the landholders and for the communities in Manitoba, some \$9 million in opportunities for the people in that area.

So we are quite proud that we have taken the first steps as a provincial government with respect to the development of wind energy in Manitoba. I am proud, Mr. Deputy Speaker, to second this resolution, and I hope that other members of the Chamber will have the opportunity to talk a bit about our energy development in the province of Manitoba and that they will support this resolution because I think this resolution is an important step towards further energy development in the province of Manitoba and in creating those economic opportunities that we want for all Manitobans.

Thank you, Mr. Deputy Speaker, for the opportunity to add my comments here today.

Mr. Denis Rocan (Carman): Mr. Deputy Speaker, as the member of this House representing the great constituency of Carman, home of the St. Leon wind farm, I am proud to rise today and speak to this resolution. *[interjection]* The Member for Rossmere (Mr. Schellenberg) wants to know if we are going to pass it today. Well, I will say that I am definitely supporting this particular resolution.

This resolution, Mr. Deputy Speaker, we talk about the wind farm, and I know time is extremely important. I believe we have 10 minutes to speak on this issue? Okay. I happened to take a quote off the Internet this morning. "Wind farm," it says, this quote, "is also known as wind power. Wind energy results from the process of a turbine converting the wind's kinetic energy into mechanical power that is later channelled into generating electricity. Wind ultimately is solar power because wind is created by the sun heating the surfaces at uneven rates."

Mr. Deputy Speaker, this is basically what we want to talk about this morning, but prior to getting into the nuts and bolts, if you will, let me just take a few moments, Sir, to congratulate the former Minister of Energy and now the Minister of Health (Mr. Sale) and indeed the new Minister of Energy (Mr. Chomiak), the former Minister of Health, because these individuals and their department have been extremely beneficial to the community of St. Leon and the surrounding area.

Very pleased this morning that the Member for Brandon East (Mr. Caldwell) would have taken the time to bring forward such a particular resolution because this resolution will go down through our history as a momentous time in our history. Indeed, the Member for Transcona (Mr. Reid) in his comments also, which are extremely beneficial to this same argument. But the two members, the mover and the seconder, I thank them both for taking the time to congratulate not only the residents and indeed GreenWing-Algonquin, the individuals who are running this facility, because we as Manitobans, I believe, are the individuals who will benefit from this entire project.

St. Leon is the first wind farm established in Manitoba and will be one of the largest in Canada, and I have no doubt that it will continue to grow and prosper. I would like to acknowledge the co-operative efforts of businesses, land owners, the St. Leon community and the surrounding areas. I would like to thank all of the individuals involved in developing this innovative project. Bison Wind Inc. was the first to develop the St. Leon wind energy project and was later acquired by its current owners GreenWing-Algonquin Power Development Inc.

St. Leon has welcomed new skilled workers to our region to work on construction of these turbines. These turbines basically are these massive towers, stand 80 metres tall, the blades, Mr. Deputy Speaker, are something like 40 metres long and what they

basically have is, other than the blades, a huge shaft and a generator all computer controlled that run through a particular, if you will, a main frame of a computer which kind of turns them on and off and helps us take in all this energy.

Many families have opened their homes to these workers, and currently there are about 80 individuals that are on the job. By the middle of this month, it is expected to increase to over 100 workers. We presently have, as of Sunday, 28 turbines up and running, but what we do have, out of the 63 that are committed to our area, all the bases are all done and the first section of the tower is in place. The reason they had done this was because they knew of the climate in Manitoba, and they wanted to make sure that during the rest of the winter they would have that opportunity to put the remaining parts of the tower and then indeed the generators and the blades on top.

We have, I think—and I am trying to recall this weekend if there is—there are two for sure and possibly a third of the tallest cranes on the North American continent working in our area. This project has created both direct and indirect jobs in my constituency, and I am truly proud of how the community has welcomed this project but also how impressed our new friends are with everything we have to offer. I have heard from senior management and technicians who have built other wind farms in places such as United States that Manitoba's weather might not be co-operative, but, as far as the people are concerned, I have heard nothing but compliments from my home town of Somerset.

This project worked with Boulet Brothers Concrete Ltd., and when I spoke with the management of GreenWing I heard that this supplier was described as absolutely fantastic to work with. With quality control being so very important to the foundations and safety of turbines, they were impressed with how the Boulet Brothers consistently supplied quantity and quality, even laying 500 yards of cement in one day.

The other important aspect to this is again with the jobs. The Evergreen Hutterite Colony, who even fabricate parts of the bases of the turbines, the benefits that they saw to their advantage—they have one of the best or the nicest fabricating shops in the area. Mack Waldner, the shop foreman, if you will, and Paul, who is the secretary of the colony, were able to find a plasma cutter, and they needed to cut, I believe it is about an inch thick. The terminology

that we would like to use is a washer. They needed a washer between the cement and the base of the tower. This washer was going to be an inch thick, but they had to cut out all the holes for all the bolts. When you look at about 30 or 40 bolts and they are all about a big two-inch bolt, they were able to go down to, I believe it was South Carolina or somewhere, and they secured this plasma cutter, brought it up and installed it in their shop. Now today, not only have they cut all these big rings, but they do numerous other jobs for the GreenWing-Algonquin corporation.

* (11:40)

The individuals who work in the shop, Mack is the shop foreman, then we have Raymond, then we have Jacob, and then we have Ernie, but these individuals, young boys that they are, are working and very proud to have this opportunity to work on these particular towers. These contractors are greatly appreciated for their hard work and assistance. I have also heard how friendly and co-operative the land owners have been. This project is mutually beneficial, generating additional sources of income for land owners.

Mr. Deputy Speaker, I believe income potential will continue to grow from this wind farm project. In fact, Sir, this Thursday, Mr. Dan Allard, who is the chairman and chief executive officer of GreenWing Energy, will be welcomed in St. Leon to present land owners with cheques for the income generated power of the wind farm for the first three quarters of 2005.

Mr. Speaker in the Chair

Harnessing a natural resource is an innovative way to ensure that Manitoba has sustainable energy in the future. Diversifying our energy resources is a smart thing to do. The majority of Manitoba's energy is generated by water. Wind energy contributes to the rich energy resources we already possess. Energy in the form of water can be held in reservoirs while the winds are favourable and, whereas, water can be released to generate electricity when the winds are still. Wind energy does complement hydro, and I hope to see smaller community-based projects developed in Manitoba. There is a potential for agribusiness to explore a new source of energy.

Mr. Speaker, this is only the start for Manitoba. GreenWing Energy Inc. is working to develop another wind farm in the Swan Lake area. The first project that we had basically was a political decision, and, again, I congratulate this government and the

ministers responsible for working with the land owners and the individuals and GreenWing, well, not GreenWing, Bison, at the time, for putting together this project.

Now what we find with the 99 kilowatts that was originally started out to be a political decision now should become a business decision. When you have the 99 kilowatts and now GreenWing are the owners, if you will, let us use a switch. The switch is to move the power up onto the lines that generate it back to the Province, but they have the potential to not only double, put up another 100 kilowatts, they need another 150 kilowatts because the infrastructure is now in place. They have their offices, they have their shops, they have the technology and they basically have the lands. Now, they are working more on the Swan Lake side of it to try and get more land so that they can funnel that energy up and through their switch back into for the Province of Manitoba.

Such projects are significant to our rural economic development and sustainable development. Wind energy is the fastest growing energy source in the world.

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

Does the honourable member have leave?

Some Honourable Members: Leave.

Mr. Speaker: Leave has been granted.

Mr. Rocan: I thank the members. Wind energy, again, as I will say, is the fastest growing energy source in the world and we have the potential to seize an opportunity. I call on all my honourable colleagues to seize the promise contained in this resolution because, Mr. Speaker, when you have an opportunity to develop \$200 million worth of capital investment in a particular constituency, and, indeed, I would hope every other member in this Chamber has that luxury as I have had, to work with this government and the people of the province and, indeed, GreenWing-Algonquin. I thank you very much for giving me the time for putting my few remarks on the record. Thank you very much.

Mr. Jim Maloway (Elmwood): Mr. Speaker, I am very pleased to speak to the resolution today brought forward by the honourable Member for Brandon East (Mr. Caldwell) and seconded by my colleague for

Transcona, and I must say that I really enjoyed the speech of the Member for Carman. There is a member there who understands the industry and what it is doing for his constituency and his constituents and recognizes how good this is. It is too bad we could not build another 20 sites in all of the other members' constituencies and see how quickly they convert to the idea of how good this is. I listen to the Member for River East (Mrs. Mitchelson) and I get a totally different view coming out of that caucus. She is totally negative and very sour about the whole idea of wind energy.

Now, you know, Mr. Speaker, wind energy has been around a long, long time. I remember driving through Yuka Valley in California back in the early nineties and there were wind farms, wind turbines in use at that time. As a matter of fact, in Canada, in Alberta, the Dutch Valley Produce Wind Farm in Pincher Creek, Alberta, began operating with three wind turbines in May of 1992. In fact, Alberta had recently 172 megawatts of wind power or about 50 percent of the installed capacity in Canada.

So the question is what has happened in Manitoba since that time if the Albertans were developing the wind energy back in 1992? We know who was in government in 1992 do we not: the Gary Filmon government. Alberta was developing it then; Yuka Valley was developing wind turbines. As a matter of fact, I have a list here of a number of other sites in North Dakota just south of us. We had 1997, 1997, '97 and '97, four wind developments in North Dakota. We had in Minnesota, 1987, 1998 and 1998. So we were having wind power developments in North Dakota, South Dakota, Minnesota, Alberta, all around us.

What was the Member for River East doing at the time in the Gary Filmon government? She—*[interjection]* The Member for Inkster (Mr. Lamoureux) says, "I see where you are going with this." The point is that the Filmon government was asleep at the switch. There were developments going on all around them, and they did not recognize what was staring them in the face: wind power development. So it took the change of government in 1999 and the NDP taking over the government to actually see some production in that area.

As a matter of fact, we have in St. Leon a 99-megawatt development, 63 turbines, 1.5-megawatt machines. I believe they are built by Vestus. But

there are other competitors. General Electric is in the business and there are a number of others.

But, I guess, if you look back to Alberta and the Pincher Creek area when they first started, they were dealing with very small turbines. As a matter of fact, if you go out there now, you will still see some of the old ones around and they are fairly small, as a matter of fact they are gradually being replaced. What we see in St. Leon and what is the norm right now are the 1.5-megawatt machines which are, as people have described, very large machines, as tall as the Richardson Building with the big wings.

But the members should recognize that there is another bigger model that is out right now which is 3 megawatts, double the size. Right now, what we are seeing is economies of scale here. These things sell, these turbines sell for roughly a million dollars apiece.

For us to go with the 3-megawatt turbines, of course, I think the economics would dictate that perhaps that is a little too pricey at this point. But this is what you are going to see. The Member for Inkster should take note that if you think these turbines are big right now, the ones that are being established in St. Leon, the next ones, the ones that we are going to be building out in Inkster in the future, those are going to be 3-megawatt power.

Now, you know, the Member for Carman did a very good job of discussing all the construction jobs that are going on in his constituency now. He says there are 28 of the 63 turbines up and running. There are 100 people working, big cranes out there. I had previous notes that indicated that we are looking at \$190 million involved in this development. There are 280 construction jobs, 25 long-term operational jobs. Local farmers will be earning \$10 million in exchange for having turbines on their land.

* (11:50)

So I would suggest to you that we may have Tory MLAs standing up here in the House, one after another, criticizing the program, but behind the scenes, they will be going caps in hands demanding, asking, pleading, begging, whatever it takes, to have one of these developments in their area. I note that one of the three best sites—this St. Leon project was in the top three sites, but I believe there is one in Steinbach, and I have yet to hear the Member for Steinbach (Mr. Goertzen), and I am sure we will, talking about how happy he is that there are wind

turbines being developed in the constituency of Steinbach.

My only regret so far is that so far the wind patterns that have been identified and tested would indicate that the good sites are in southern Manitoba, which is an advantageous situation for early development because it is close to the power lines to connect and to transform the power, because it does cost you \$1 million a mile to run the transmission lines over to your site. So that is an advantage there.

But I think what we would really hope is that these sites would be available up North, in some of the northern areas, up in the reserves where they are using diesel power and so on. On the surface of it, it sounds like a great idea. The Member for Transcona (Mr. Reid) alluded to it, but what I am told is that, while there are strong winds up North, in fact they are not the right type of winds. In other words, the wind people tell me that they get numerous calls from people saying, "Set one up in my front yard because I am on a windy corner." When they check it out, when they do the wind testing and the patterns, the wind-pattern testing, they find out that, in fact, it is not a good area. They find there are a lot of false positives here, people phoning in saying, "I think I have got a good site on my farm," and when they test it out, it does not work. Even when they construct the wind site, there is no guarantee that it is going to perform up to standards.

So we are looking at new technology here. We are looking at a new business. The bugs are still being worked out of the whole wind industry. So, in some ways, it is a very advantageous situation for us to be involved with the federal government and the local communities and private industry, developing these plants.

I can tell you another issue deals with the power rates. In Alberta, the wind farm or one of the turbines that I actually toured in Pincher Creek, just within sight of the Rocky Mountains, the farmer who owns it is planning to pay the \$1-million turbine off in eight years. So I would suggest to you this man is going to be making more money on wind power than he is going to be on farming in the next little while. But that is because, for the Member for Carman (Mr. Rocan), the energy rates in Alberta in the deregulated environment were as high at that time as \$72 a kilowatt-hour, whereas the equivalent capacity would be generated in Manitoba for only \$5 and \$6 in Saskatchewan.

So, obviously, if you can generate power for \$5 and \$6 in Manitoba and if you could sell it in Alberta for \$72, there is a huge profit there, right? So we on this side of the House are very eager to have an east-west grid developed, something which should have been looked at years and years ago. Had it been, we could have had it developed by now. But the sooner we get this grid built and we are able to export power into Alberta and into Ontario, then we will see the economics of the country, in fact the economics particularly of western Canada change because, in fact, we will see that industries will be interested in locating in Manitoba where they can either get power more cheaply here or they can access power from Manitoba into Alberta. So this is a win-win situation for us to develop these areas.

Now, I know that we are short of time so I am going to conclude early today, but I did have a lot more to say about this topic. But, anyway, thank you very much, Mr. Speaker.

Mr. Ron Schuler (Springfield): I, too, want to put a few comments on the record in regard to the St. Leon wind farm. I, first of all, want to take the opportunity to thank the member from Carman. He gave myself and the honourable member from Morris a tour of the St. Leon wind farm. He was very gracious. First of all, I thought we were going to be befallen on by some biker gang, and then I realized it was the member from Carman. He pulled up next to us and he gave us—

An Honourable Member: Denis' Angels.

Mr. Schuler: Yes, it was Denis' Angels came and gave us a tour and we had just an amazing tour. I appreciated very much being able to see the project right up close, the magnitude of the project, the size of the blades.

I would like to thank Larry Hogan, who is the project manager, the individual who is a great Manitoban and actually working in incredible circumstances. He was explaining to us that the asset of the region is the drawback of the region because when you put up the blades you cannot have wind, yet the whole reason for putting the wind farm there is because of the wind.

He said in the summer, at least, when you get the sun starting to set, there is that time period where the wind actually settles, and that is when they had that ability to put the blades up. He said, however, in winter, with the shorter hours and they cannot do it

in the dark, it makes it a lot more difficult. He said they certainly were not looking forward to putting them up in minus 30 weather. He said the construction workers were not looking forward to it because up high, of course, it is much colder and the wind is a lot sharper up there. So, once again, thank you to Larry Hogan and his team for doing just an amazing job.

We then had the opportunity to look at some of the cranes and some of the equipment. Of course, nothing was working that day because it was far too windy and I can attest to that. We had some great opportunity to ask any and every question that we might have had.

I have to say that the member from Carman, who pushed this project through on behalf of Manitobans, did a remarkable job. They even gave him credit there, saying that this was a test of his fortitude. There were often times when it looked like the project would not proceed, and it was Denis' Angels that came to the rescue and in no time had the project back on track.

I listened with great interest to the member from Elmwood, who was mentioning about putting some of these wind towers up north. Of course, one of the difficulties with that is, again, the transmission lines. That is always a difficulty. In fact, North Dakota has far more sites that they could be using to put up wind farms. However, it is the movement of the electricity to market because they do not have the hydro grid that we have here in Manitoba, and that is why it just does not make sense right now.

In fact, I am on the Energy Task Force of the Midwestern Legislative Conference. One of the things that they are talking about in North Dakota is, perhaps, a state-funded hydro line that then they would allow these wind farms to tie into and buy a certain amount of time to transmit electricity to market because to put up the hydro line then relegates the project non-viable.

As we know, wind basically is a renewable resource for as long as the earth will stand. There will be wind, and we know that the wind stream which comes down under the lakes, which gets that southern part of Manitoba and into the Dakotas is a great place to be setting up these wind farms. We know that there are now proposals being called for for even more wind towers to be going up.

I look with great interest at the development of the wind towers that keep becoming more and more

efficient. The output is a lot more efficient, bigger in respect. But, also, the technology which is coming, by and large from Europe, the technology is moving ahead far quicker than it has in the past. That has a lot to do with the cost of petrochemicals, the cost of oil, which we know that the cost has come—

Mr. Speaker: Order. When this matter is again before the House, the honourable Member for Springfield will have five minutes remaining.

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, December 6, 2005

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