

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

**Official Report**  
**(Hansard)**

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

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BLADY, Sharon	Kirkfield Park	N.D.P.
BLAIKIE, Bill, Hon.	Elmwood	N.D.P.
BOROTSIK, Rick	Brandon West	P.C.
BRAUN, Erna	Rossmere	N.D.P.
BRICK, Marilyn	St. Norbert	N.D.P.
BRIESE, Stuart	Ste. Rose	P.C.
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CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CULLEN, Cliff	Turtle Mountain	P.C.
DERKACH, Leonard	Russell	P.C.
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GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin	Steinbach	P.C.
GRAYDON, Cliff	Emerson	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HICKES, George, Hon.	Point Douglas	N.D.P.
HOWARD, Jennifer, Hon.	Fort Rouge	N.D.P.
IRVIN-ROSS, Kerri, Hon.	Fort Garry	N.D.P.
JENNISSON, Gerard	Flin Flon	N.D.P.
JHA, Bidhu	Radisson	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LAMOUREUX, Kevin	Inkster	Lib.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
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WOWCHUK, Rosann, Hon.	Swan River	N.D.P.
<i>Vacant</i>	Concordia	

## LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, December 4, 2009

*The House met at 10 a.m.*

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

### MATTER OF PRIVILEGE

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I rise on a matter of privilege.

**Mr. Speaker:** On a—[interjection] Order, please. The honourable member for Inkster, on a matter of privilege.

**Mr. Lamoureux:** Mr. Speaker, I know in the—in the past, you've afforded members the opportunity to be able to talk about issues related to privilege and they've been treated in a very serious fashion and justifiably so. I think, at times, the Legislature takes actions which are important for all Manitobans to be—to be aware of, and when a member's rights are, in fact, being infringed upon, that there is a responsibility for all members of this Chamber to recognize that and to attempt to take some sort of corrective action.

Mr. Speaker, it wasn't that long ago, a couple of years ago, when the Premier, Gary Doer, actually passed a—or brought forward a resolution and built up a huge expectation in terms of the public in regards to Senate reform, and, in fact, we passed legislation, and in the legislation it talks about an all-party committee. And when you talk about an all-party committee, we like to believe that that means that all parties represented inside this Legislature would be afforded the opportunity to participate in discussions that would ultimately lead to a report.

In fact, Mr. Speaker, I wanna go to the actual piece of legislation that we passed two years ago inside this Legislature and I—and I quote right from it that the Assembly must establish a committee: "Within three months after this Act comes into force,

the Assembly must establish a committee of its members that"—and I'll go right to (b)—"includes at least one representative from every political party that is represented in the Assembly when the committee is established."

It goes on to explain what the committee's mandate is, Mr. Speaker, and that was that the mandate of the committee is to consider matters relating to the election of senators for Manitoba, including the manner in which an election of senators should be conducted, including whether senators should be elected using proportional representation or by any other form of voting, and how to ensure that the election of senators will result in better representation for all regions in Manitoba.

We had taken—we had taken the Premier at his—at his word, and the government, Mr. Speaker, in terms of, they were wanting to do what was right in terms of election reform in the province of Manitoba regarding the Senate. They gave me and others the impression that we had the real opportunity to take a step forward in terms of the whole issue of Senate reform, and Manitoba needs genuine Senate reform, I would ultimately argue, more than most provinces in Canada.

If you take a look at a growing reliance, for example, on transfer payments or equalization payments and the role of a future elected Senate could play in terms of guarding and safeguarding those vital programs for the citizens of our province, I believed—and I believe many Manitobans saw the merit to moving towards it.

Manitoba, unlike other provinces, I believe, has established a great deal of capital in being able to deal with Senate reform. You'll recall, Mr. Speaker, the Meech Lake Accord. You'll recall the Charlottetown Accord and the leading role Manitoba and many Manitobans played in regards to the whole issue of Senate reform.

Well, Mr. Speaker, you, just the other day, tabled a report from the Senate committee known as the Report of the Special Committee on Senate Reform. And in that report, you can go to page 4 and it states, and I quote: "If the federal government moves forward on its commitment to elect senators,

it should respect the view of all parties in the Legislative Assembly of Manitoba."

And this is where we get to the—to the privilege issue, I believe, Mr. Speaker. In this report, it is saying that it should respect the view of everyone, all political parties inside this Chamber. I'm going to suggest to you that this Senate report needs to go back to the drawing board. This Senate report does not do its very first—the preamble going into the recommendations. This report does not reflect what all three political parties were saying.

In fact, Mr. Speaker, I'm gonna suggest that the whole Senate process based on the last month was nothing more than a charade that this government tried—or put on. They had no intentions in coming up with a report that was built on a consensus. We wasted thousands of tax dollars because this Premier (Mr. Selinger) did not want to follow through on what Gary Doer brought to us two years ago. That I was denied the opportunity to legitimately participate in a process that would have seen a report that would have refracted what Manitobans wanted.

Like other members, Mr. Speaker, I, too, travelled the province of Manitoba. I listened to what Manitobans had to say. I listened to not only the formal parts of the—of those meetings, but also the informal parts of those public meetings when you're talking one on one with presenters or you're talking to other Manitobans. And I can reflect back to the days of the Meech Lake during the 1990s, and I know the passion that was involved in regards to trying to achieve an elected Senate and the role that we could be playing and the expectations that Gary Doer raised in the province of Manitoba, not to mention within a number of people that were striving to see legitimate Senate reform.

\*(10:10)

Mr. Speaker, this is something in which I believed that I had a right to in terms of, we passed legislation saying that representatives from each political party would be able to participate, and Gary Doer made sure that that happened. I was assigned representing the Manitoba Liberal Party, but the wheels fell off the cart. Nothing, nothing is—could it be anything further from the truth in terms of this particular report being of an all-party committee?

Mr. Speaker, there wasn't, you know, any dialogue. Yes, you know, the Chair might have met with me on one or two occasions, and maybe the Conservative lead-co-Chair—also had some

discussions. At no point in time was there any dialogue within the Senate committee, and all you need to look at is the November 9th standing committee.

In the November 9th standing committee, that's when members of the committee should have been allowed to be able to ask questions, have dialogue and so forth. Well, Mr. Speaker, I was denied that opportunity. The government members sat in absolute, total silence because they were instructed by this new Premier that this Senate reform means nothing, and they just want to get it over with. That's all they wanted.

They had no intentions on listening to what opposition members had to say. They had no intentions to listen to what Manitobans were saying in the public meetings, Mr. Speaker, not once.

I had—I had the right, according to the legislation that we passed inside this Chamber, I would argue, Mr. Speaker, to be able to provide direct input, to be able to provide and add to this report that we have—that's been presented to this Legislature. And we were not afforded that opportunity.

In fact, this is what happened: The day that the committee, on November the 9th, came to being, I sat down and there is the report sitting on the—on the table. That's the first time I saw the report, and I'm a committee member. The very first time I see the report is the day in which we're expected to pass it, Mr. Speaker.

That's totally unacceptable. That's an absolute farce, Mr. Speaker. And that's why it is nothing more than a charade. The day that the Premier left—the day that Gary Doer left Manitoba, Senate reform went into the tank, and we have seen nothing to try to allow for the feedback that we received from the public.

And, Mr. Speaker, that's why I'm suggesting to you, in as strongest terms as I can, that it is a privilege and I've been denied that privilege, because this Legislature said that we're having an all-party committee. The report itself states that the report—or that the federal government should respect the view of all parties in the Legislative Assembly, yet the only thing that I agree with in this report is that the Senate be elected. But there's a lot more to it than just that, and that's why the government's denied me the opportunity to be able to put forward the Manitoba Liberal Party's position on this. They've denied us that opportunity.

And some basic facts, Mr. Speaker. You know, one of the questions I asked was, well, you know, we were told \$3 million was the cost and there was no indication. I posed a question to the government: Can you prove—can you show to me that there's a \$3-million cost? They were unable to do that. They never afford us the opportunity to be able to—important questions answered.

Mr. Speaker, this report is a farce. It should not be—it should not be before us today. It needs to go back to the Senate committee. Members of this Chamber, all members of this Chambers, representatives from all political parties, need to be able to provide their input into this report.

I have a report that I'm prepared to share with the government, and that's what I would encourage, Mr. Speaker, in order to resolve this, that this report go back to committee so members such as myself would be able to share our—and reflect our opinions based on the public hearings, because, unlike the New Democrats, the Liberals, at the very least, listened to what was being said at the public meetings. We did our job, and we want to be able to materialize on what came out of those meetings.

So, for that reason, Mr. Speaker, I would move that the issues surrounding the report from the Special Committee on Senate Reform be considered by the Standing Committee of the Legislative Affairs and then the report be reported back to this House.

**Mr. Speaker:** Does the—does the honourable member have a seconder? There was no seconder mentioned.

Does the honourable member have a seconder? There was no seconder mentioned.

**Mr. Lamoureux:** Yeah, that'd be seconded by the member from River Heights, Mr. Speaker.

**Mr. Speaker:** Before—order. Order. Before recognizing any other members to speak, I'd remind the House that contributions at this time by honourable members are to be limited to strictly relevant comments as to whether the alleged matter of privilege has been raised at the earliest opportunity and whether prima facie case has been established.

**Hon. Bill Blaikie (Government House Leader):** Well, Mr. Speaker, I'll try and—I'll try and respect the rules, although there's been lots of precedent setting for—set for spending a lot of time arguing about

things that don't have anything to do with privilege. If the honourable—if the honourable member—if the honourable member feels that—*[interjection]*

**Mr. Speaker:** Order. Order.

**Mr. Blaikie:** —he was unhappy with the outcome of the committee, and the recommendations of the committee, he had the opportunity to file a minority report. He still has the opportunity of filing a minority report. He refers to the requirement by the federal government, or the intention by the federal government, to respect the opinion of all the parties in every provincial legislature. Respect is not the equivalent of agreement, Mr. Speaker.

The committee met. My understanding is that the position of the Manitoba Liberal Party, represented by the—by the honourable member, was different than the consensus reached between the official opposition and the government on this, with respect to whether or not it should be the federal government that organized the Senate election, or the—or the process by which nominees would be put forward to the federal government, whereas the honourable member held a dissenting view with respect to the fact that he thought that Manitoba should be the one that conducts that.

These are all matters of debate as to how we should proceed on this matter. The report's been put before the House. There's opportunity to debate it. No one's denying the honourable member the opportunity to debate it, either in the Throne Speech, or for that matter, for the honourable member to come to me, which he hasn't—he's the House leader for his party—to suggest that at some point we might have a debate in this House about the—about the report. We're quite open to that.

None of these things have been followed up. He hasn't filed a minority report. He wasn't interested in doing so when the committee was sitting; in fact, he filibustered the committee for some time. So, you know, what we have here is an, you know, again, abuse of privilege in order to provide an opportunity for the member to grandstand on an issue. There's lots of opportunity to debate it, and if the member's serious about wanting the House to be ceased of this issue, I'm certainly open, as the Government House Leader, to talk about when and where—well, where, obviously here, Mr. Speaker—but when we can have the debate on Senate reform that the member so eagerly wants.

**Mr. Gerald Hawranik (Official Opposition House Leader):** I'd like to add a few words with respect to this matter of privilege.

It's a very serious matter, Mr. Speaker, very serious matter because a breach of the privileges that we enjoy in this House infringes and it limits our ability to act as MLAs, to offer what we need to offer in debate, advice the government and so on, and it affects our ability to deal with issues in this House. And there's two issues really in a matter of privilege that need to be dealt with.

First, is the matter being raised at the earliest opportunity, Mr. Speaker? And I believe the member from Inkster addressed that issue, and I take him at his word, in terms of whether he brought this matter to the House at the earliest opportunity. We're all honourable members, as you've said many times before in this Chamber. I take the member from Inkster's word in terms of whether he's brought this matter as—at the earliest opportunity.

The second test, Mr. Speaker, is whether a *prima facie* case of privileges, a breach of privileges, has been made, and whether it can be made, and I quote a couple of sources for which we can—

**Mr. Speaker:** Order.

**Mr. Hawranik:** —get advice, Mr. Speaker.

The first is *Beauchesne*, citation 24, which defines parliamentary privileges as a sum of rights enjoyed by the House collectively and by members of each House individually, without which they cannot discharge their functions. So it's important that the—our privileges are not breached, Mr. Speaker, so that we can properly discharge our functions here in this House.

\* (10:20)

Marleau and Montpetit also has a quote in the House of Commons practice and procedure, chapter 3, and they list individual parliamentary privileges as freedom of speech and certainly that has—that applies here in this matter; also freedom from obstruction, interference, intimidation and molestation. I think all of those matters, Mr. Speaker, come to play in this matter of privilege.

Obviously, Mr. Speaker, we knew when you were tabling as part of the report on December 1st, and we accepted the report by Mr. Speaker here in this House on December 1st, and I noted with interest the comments made by the Government House Leader (Mr. Blaikie) when he started out

indicating that much of what the member from Inkster had to say was not relevant.

The reality is, Mr. Speaker, it was relevant. It's not up to the Government House Leader to rule as to whether or not the privilege should go forward or not, and I leave that up to the Mr. Speaker 'cause that's your job. It's not the Government House Leader's job to determine whether or not a privilege succeeds.

It's a lengthy report, Mr. Speaker, and as pointed out by the member from Inkster, there was consultations done within a number of communities across this province over a lengthy period of time. It's an all-party committee. It was set up as an all-party committee by the former government House leader and myself and the member from Inkster. It was important to get all parties involved in the consultations.

It was—it's also important to have the opinions of all parties within the report, Mr. Speaker, and I noted, with interest, after the report was tabled that there was no minority report, and obviously there should have been. I make no comment about the content of what's going to be in the minority report. I don't know what's in there.

I don't—I doubt whether I would be able to support it, Mr. Speaker, but the fact of the matter is, is that the process was wrong. The fact of the matter is, is that to be democratic, a minority report, if it's—if he wanted to have, the member from Inkster wants to have a minority report within the report, I don't see any problem including it.

And I would've thought, Mr. Speaker, that the Government House Leader would've stood up in this Chamber and supported that matter of privilege. I would've thought that he would've done that. Just thinking about the name of his party, the New Democratic Party, I—if they don't in fact, considering what he said, I would suggest to the Government House Leader at the next annual general meeting of the NDP to take democratic completely out of the name of the New Democratic Party. That's what it means.

We need—

**Some Honourable Members:** Oh, oh.

**Mr. Hawranik:** We need democracy in this Chamber. We need democracy in committee and we need democracy in our reports that are tabled in this Chamber, Mr. Speaker.

**Mr. Speaker:** Order. Order. Order. Order.

The honourable member for Russell, if you have some new information, I will hear it.

**Mr. Leonard Derkach (Russell):** Well, Mr. Speaker, I wish to add a few words to this matter of privilege because, as a member of this committee, I believe it's very important for us in a democracy to ensure the voices of the committee are heard.

And, Mr. Speaker, I think it's been practice in this House that when we have an all-party committee studying a matter, that indeed there is opportunity for a minority report either to be attached to the report that is filed or in fact to be filed separately. But I think we've heard from the member from Inkster who has indicated that he wanted his minority report as part of the report that was tabled in this House.

Now I noted that the Chair of the committee, Mr. Speaker, is sitting next to the House leader and whispering in his ear, but I'm sure she didn't tell him—I'm sure she didn't tell him to put on the record the words that he put on in an arrogant fashion today as the House leader, and I'm a little surprised by that.

Mr. Speaker, throughout the process I believe that there was good co-operation amongst the committee in not only listening to Manitobans but indeed in expressing everyone's views around the table. And I think there was a very open dialogue and I congratulate the Chair of the committee for that process, but where we fell short as a committee was to not include the minority report as part of the report that was tabled in this Legislature.

And, Mr. Speaker, if we truly believe that Senate reform is important to us as Manitobans, and if we believe that indeed all voices should be heard, then there is nothing wrong in having this report perhaps returned to the committees and ask them to ensure that all voices in fact are included in this report when it is once again tabled in this Legislature.

And I don't necessarily know the content of the minority report that the member from Inkster wants to table, but I do know that in terms of process we should be careful in terms of ensuring that all voices are heard, either with a minority report included with this report or that it should have the opportunity to be filed at the same time, but filed separately, Mr. Speaker.

So I only raise those issues because I think we, as a committee, worked hard. I know that the Chair,

certainly, made it an open process, and I don't like to see it marred by, perhaps, a mistake that was made in tabling this report, Mr. Speaker.

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. Order. Order. Order. Order. Order. I have already heard from the honourable member for Inkster. Are you—*[interjection]* Well, if you make it very short, I'll allow you to. If it's for clarifications or—*[interjection]* Order. Order, please. Order. Order. Order. Order.

For the information of the House, that if a member is rising on a point of order dealing with a matter of privilege, it should just deal with the rules pertaining to the point of order, not any content of the matter of privilege.

So are you rising on a point of order?

**An Honourable Member:** Yes.

#### Point of Order

**Mr. Speaker:** Okay, the honourable member for Inkster, on a point of order.

**Mr. Lamoureux:** Mr. Speaker, just—the Minister of Water Stewardship (Ms. Melnick) made a suggestion from across the way that I think might help facilitate the matter of privilege by indicating that, why don't I just have the minority report incorporated into it?

And, Mr. Speaker, if I could get the assurance from the government that the minority report could be a part of the actual report, then maybe we could have to at least avoid the matter of privilege in wanting to comment.

**Mr. Speaker:** On a point of order raised as—it's not a point of order because I pointed out to the House that a point of order should be just pertaining to the rule of the House.

On the point of order raised, I'm going to make a ruling. On the point of order, the honourable member, first of all, does not have a point of order.

\* \* \*

**Mr. Speaker:** And now I'm dealing with the matter—*[interjection]* Okay. Order. Order. Order.

The honourable Government House Leader, on a new point of order?

**Mr. Blaikie:** No, on the same point of privilege, Mr. Speaker.

**Mr. Speaker:** I've already—

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. Order. Order. Order. Order. Order. For information of the House, it has not—it has not been my practice to hear members twice on the same point of order or the same matter previous, because what it does, it just turns into a debate. That has not been my practice, and I've already heard from the honourable Government House Leader and I have enough information here to make a ruling.

And my ruling is there are two conditions that must be satisfied in order so the matter raised to be ruled in order as a prima facie case of privilege. First, was the issue raised at the earliest opportunity and, second, has sufficient evidence been provided to demonstrate that the privilege of the House has been breached in order to warrant putting the matter to the House?

Regarding the first condition of timeliness, the honourable member for Inkster asserted that he did raise the matter at the earliest opportunity, and I will accept the word of the honourable member.

Regarding the second condition, I must advise the House that, according to the procedural authorities and rulings of Manitoba Speakers, matters of privilege that are raised in the House regarding events in committees must be raised in the House by way of a committee report. *Beauchesne's* citation 107 states: Breaches of privileges in committee may be dealt with only by the House itself on report from the committee. Marleau and Montpetit stated on page 128 of *House of Commons Procedure and Practice*, that Speakers have consistently ruled, except in the most extreme situation, they will only hear questions of privilege arising from committee proceedings upon presentation of a report from the committee which deals directly with the matter, and not as a question of privilege raised by an individual member.

\* (10:30)

Similarly, Speaker Rocan ruled in 1989, in 1993 and 1994, that the opinion of the Speaker cannot be sought in the House about matters arising in committee and that it is not competent for the Speaker to exercise procedural control over committees. In these three cases he ruled that the proper course of action to be taken is for the issue to be raised in appropriate committee at the earliest opportunity.

In addition, I had ruled in the House on March 4, 2004, that matters of privilege raised in the House regarding events in committees must be raised in the House by way of a committee report and it is not appropriate for Speakers to exercise procedural control over committees.

On this basis I must therefore rule that the matter raised does not fulfil the condition of a prima facie case of privilege; however, this does not preclude the matter from being raised in the appropriate committee. For example, the member could file a motion to request that the committee be reconvened to reconsider the report.

**Mr. Lamoureux:** Yes, Mr. Speaker, with all due respect, I would challenge the ruling of the Chair.

**Mr. Speaker:** Does the honourable member have support? [*interjection*] Okay, the honourable member has support.

The ruling of the Chair has been challenged.

#### Voice Vote

**Mr. Speaker:** All those—all those in favour of sustaining the ruling of the Chair, say aye.

**Some Honourable Members:** Aye.

**Mr. Speaker:** All those opposed to sustaining the ruling of the Chair, say nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, the Ayes have it.

#### Formal Vote

**Mr. Lamoureux:** Mr. Speaker, I would request Yeas and Nays.

**Mr. Speaker:** A recorded vote having been requested, does the honourable member have the support? [*interjection*] Okay, there is support.

So, recorded vote having been requested, call in the members.

Order. Order. The one-hour time limit for division bells is now expired. I'm directing the bells to be shut off and the doors closed, please. Okay.

The question before the House is shall the ruling of the Chair be sustained.



**Division**

*A RECORDED VOTE* was taken, the result being as follows:

**Yeas**

Allan, Altemeyer, Ashton, Bjornson, Blady, Blaikie, Braun, Brick, Chomiak, Dewar, Howard, Jennissen, Jha, Lemieux, Marcelino, Martindale, McGifford, Melnick, Nevakshonoff, Oswald, Reid, Rondeau, Saran, Selby, Struthers, Swan, Whitehead, Wowchuk.

**Nays**

Borotsik, Briese, Cullen, Derkach, Driedger, Dyck, Faurshou, Gerrard, Goertzen, Graydon, Hawranik, Lamoureux, Maguire, McFadyen, Mitchelson, Pedersen, Rowat, Schuler, Stefanson, Taillieu.

**Madam Clerk (Patricia Chaychuk):** Yeas 28, Nays 20.

**Mr. Speaker:** The ruling—the ruling of the Chair has been sustained. Order. Order.

**ROUTINE PROCEEDINGS****INTRODUCTION OF BILLS****Bill 211—The Regulatory Accountability and Transparency Act**

**Mrs. Mavis Taillieu (Morris):** I move, seconded by the member for Brandon West (Mr. Borotsik), that Bill No. 211, The Regulatory Accountability and Transparency Act; Loi sur la responsabilité et la transparence en matière réglementaire, be now read a first time.

**Mr. Speaker:** Order. Order. It has been moved by the honourable member for Morris, seconded by honourable member for Brandon West, that Bill No. 211, The Regulatory Accountability and Transparency Act, be now read a first time.

**Mrs. Taillieu:** This bill requires the government to develop formal procedures to make the process for enacting regulations more transparent. It also requires government departments to develop regulatory reform plans to eliminate unnecessary regulations and encourage restraint in making new regulations. Both the government procedures and department plans must be made public. Mr. Speaker, this bill is not about eliminating health and safety regulations, but eliminating unnecessary duplicate and archaic regulations. Red tape costs Manitoba businesses approximately \$850 million every year and small business is hit the hardest.

This bill would provide significant benefits such as setting a red tape reduction target time frame. Six other governments in Canada, Nova Scotia being the most recent, have reduced red tape, and I encourage the government to support this bill.

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

**Bill 5—The Cottage Property Tax Increase Deferral Act (Property Tax and Insulation Assistance Act Amended)**

**Hon. Rosann Wowchuk (Minister of Finance):** Mr. Speaker, I move, seconded by the Minister of Advanced Education and Literacy (Ms. McGifford), that Bill No. 5, The Cottage Property Tax Increase Deferral Act (Property Tax and Insulation Assistance Act Amended), be now read for a first time.

*Motion presented.*

**Ms. Wowchuk:** Mr. Speaker, the 2010 general reassessment has resulted in property tax increases for many cottage owners. This bill establishes a property tax deferral program for cottage owners affected by these increases. The program allows for eligible cottage owners to defer payment on their property tax increases for 2010 and '11 until the property is transferred to another owner.

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

**Bill 209—The Greenhouse Gas Emissions Reporting Act**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I move, seconded by the MLA for Inkster (Mr. Lamoureux), that Bill No. 209, The Greenhouse Gas Emissions Reporting Act; Loi sur l'obligation de faire rapport des émissions de gaz à effet de serre, be now a read a first time.

**Mr. Speaker:** It has been moved by the honourable member for River Heights, seconded by the honourable member for Inkster, that Bill No. 209, The Greenhouse Gas Emissions Reporting Act, be now read a first time.

**Mr. Gerrard:** While there is some reporting of greenhouse gases, it's clearly not sufficient. This bill requires quarterly reports on Manitoba's greenhouse gas emissions and to include comparisons with the same quarter of the previous year as well as annual reports and periodic reports about other specified data that's public available relating to Manitoba's greenhouse gas emissions.

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

**Bill 212—The Legal Profession Amendment Act**

**Mr. Cliff Graydon (Emerson):** I move, seconded by the member of Portage la Prairie, that the Bill No. 212, The Legal Profession Amendment Act; Loi modifiant la sur la profession d'avocat, be now read a first time.

\* (11:40)

**Mr. Speaker:** It has been moved by the honourable member for Emerson, seconded by the honourable member for Portage la Prairie (Mr. Faurouchou), that Bill No. 212, The Legal Profession Amendment Act, be now read a first time.

**Mr. Graydon:** Mr. Speaker, since the—since the no-fault insurance has been introduced to MPI there have been a lot of complaints come forward that the— that the lawyers wouldn't represent the clients because of the no-fault situation. We also know that in other jurisdictions the claimants can be—can be represented by other than family members, and even in our own—in our own province in other—in other jurisdictions in our own province advocacy groups can represent people, and that's the—that's the issue that's been brought forward today in this bill being presented to the House today for their—for their perusal and certainly for their approval. We certainly would like to see that there would be a full—a full backing for this bill, and full compliance and acceptance by the members opposite. Thank you.

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

**Bill 210—The Diabetes Reporting Act**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I move, seconded by the MLA for Inkster (Mr. Lamoureux), that Bill No. 210, The Diabetes Reporting Act; Loi sur la déclaration obligatoire du diabète, be now read a first time.

**Mr. Speaker:** It's been moved by the honourable member for River Heights, seconded by the honourable member for Inkster, that Bill No. 210, The Diabetes Reporting Act, be now read a first time.

**Mr. Gerrard:** Yeah, Mr. Speaker, as we all are well aware, there is a major epidemic of diabetes occurring at the moment in Manitoba. It has been ongoing, and the number of people diagnosed is

increasing. This bill would require monthly reporting as in other situations where we have a need for regular reporting of what's happening with diabetes.

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

**PETITIONS**

**Long-Term Care Facilities—Morden and Winkler**

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

And these are the reasons for this petition:

Many seniors from Morden and Winkler are currently patients in the Boundary Trails Health Centre while they wait for placement in local personal care homes.

There are presently no beds available for these patients in Salem Home and Tabor Home. To make more beds in the hospital available, the regional health authority is planning to move these patients to personal care homes in outlying regions.

These patients have lived, worked and raised their families in this area for most of their lives. They receive care and support from their family and friends who live in the community, and they will lose this support if they are forced to move to distant communities.

These seniors and their families should not have to bear the consequences of the provincial government's failure to ensure there are adequate personal care home beds in the region.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Health (Ms. Oswald) to ensure that patients who are awaiting placement in a personal care home are not moved to distant communities.

And to urge the Minister of Health to consider working with the RHA and the community to speed construction and expansion of long-term care facilities in the region.

And this is signed by J. Derksen, Allen Funk, V. Kruse and many, many others.

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

## MINISTERIAL STATEMENTS

### National Day of Remembrance and Action on Violence Against Women

**Hon. Jennifer Howard (Minister responsible for the Status of Women):** Mr. Speaker, I have a statement for the House.

Mr. Speaker, December 6th marks the 20th anniversary of the massacre of 14 women at l'École Polytechnique in Montréal.

Many of us remember exactly where we stood when the news of this tragedy broke. I was 18 years old, preparing for my first exams at Brandon University. I'd never questioned my right or the right of any woman to pursue her dreams. For many of my generation, the tragedy of December 6th, 1989, caused us to commit ourselves to ensuring gender equality.

This event affected Canadians profoundly. Marc Lepine, acting on his belief that opportunities afforded to women had diminished his privilege as a man, killed 14 women, injured four men and 10 women in just under 20 minutes before turning a gun on himself.

Established as the National Day of Remembrance and Action on Violence Against Women by Parliament in 1991, December 6th is recognized as a day of mourning for the victims of this tragedy. This remembrance is for their families and loved ones, those who witnessed the killings and mayhem and all affected by the tragedy. We should never forget these women and the precise moment at which the nation learned of them.

December 6th has also become an opportunity for us to reflect on the role violence continues to play in our society, and especially for women and girls. Today we speak more openly and freely about the problem, yet we all still know there are women and girls affected by violence in their daily lives.

In Manitoba, nine women died in the past year because of deliberate violence against them. These women had loved ones, lives and names, and people who knew and cared for them.

On Monday, December 7th, the Manitoba Women's Advisory Council will hold a sunrise memorial at the Legislature allowing for remembrance and mourning. This is a day when we, as individuals and as a government, recommit to the issue of violence against women. We must continue to ask why this problem persists and what concrete

actions will help Manitoba to finally eliminate violence against women and girls.

This issue crosses all party lines and social classes. It is something on which I believe we should continue to work together.

Mr. Speaker, following comments from my colleagues, I move that we observe a moment of silence and remembrance.

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, I thank the minister for her statement.

Sunday, December 6th marks an important day for Canadians, a day on which we remember the tragedy that took place 20 years ago when 14 young women were murdered simply for being women. The sunrise ceremony that will take place on Monday will provide a meaningful opportunity to commemorate the bright futures that were taken too early from these young women.

December 6th is also a time when we remember the countless other women who have died as a result of gender-based violence. Every day women face discrimination and violence at the hands of men in places and situations that vary tremendously. Whether it is during times of war or times of peace, in homes, workplaces or schools, there are women from the elderly to young children who live and struggle daily with violence. This national day of remembrance is for them too.

It is too easy for us to recognize gender-based violence in places far away from our families and our neighbourhoods. We need to remember that violence against women is not confined to one culture, region, age or race. It is a pervasive problem that affects women in our own communities.

Here in Manitoba we see headlines reminding us that women and girls are being abused very close to home. This National Day of Remembrance is a reminder that there are deep emotional, physical and economic consequences to violence against women.

However, December 6th also marks a day of action. It is not enough to honour those who have been lost to violence; remembrance is meaningless if we do not try and prevent the same fate from repeating itself. A day of action means moving forward and saying no to violence against women. It means removing the fear that the victims of violence face and providing the support they need to end the cycle of abuse.

\* (11:50)

While Sunday marks the National Day of Remembrance and Action, honouring the spirits of these women means taking action against gender-based violence every other day of the year as well. Working together, it is possible to make the world a safe place for women of every age, race and nationality.

And I would like to indicate, Mr. Speaker, that this is also a men's issue, too, and I would like to indicate that our leader and other members of our caucus have attended Breakfast with the Boys, and also have sponsored and taken part in events with Osborne House. And it's important to remember that the issue of violence against women is of concern to all genders, and it is something that is very important that all of us here pay particular heed to. So thank you very much.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I join other members of the Legislature—

**Mr. Speaker:** Order. Order. Order. Order. Order. The honourable member has to seek leave first.

**Mr. Gerrard:** Mr. Speaker, I ask leave to speak to the minister's—

**Mr. Speaker:** Does the honourable member have leave? *[Agreed]*

**Mr. Gerrard:** Mr. Speaker, I join other members of the Legislature to mark the 20th anniversary of the tragedy that occurred 20 years ago on December the 6th at l'École Polytechnique in Montréal, when 14 young, bright women were murdered. It was a very tragic day, but it has vaulted us to action and recognition that there are continuing, ongoing problems, as we've seen all too often in our society.

For my part, I have talked with many women and others, and believe that part of the problem lies with our not being active enough when it comes to intimidation and bullying and harassment in the workplace, and, of course, we've introduced legislation and we will be doing so again. But I think when we look at today, that this is one of the things that we could do in a positive vein, to make sure that the intimidation and bullying doesn't start because we don't want it to escalate into violence, and stopping it at an earlier stage can be very helpful.

So let us have a moment of silence and let us remember to do what we can.

**Mr. Speaker:** Is there agreement for a moment of silence? *[Agreed]*

Okay, please rise for a moment of silence.

*A moment of silence was observed.*

### Introduction of Guests

**Mr. Speaker:** *[inaudible]* honourable members, to the loge to my right, where we have with us Mr. Binx Remnant, who's the former clerk of this Legislative Assembly.

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

### ORAL QUESTIONS

#### Vote Tax

#### Government Response

**Mr. Hugh McFadyen (Leader of the Official Opposition):** Mr. Speaker, in this—in this era of fiscal restraint and belt-tightening, the members of the opposition have already proposed a billion dollars worth of savings to help Manitoba families with their hydro rates and their taxes. Between the bipole wasteful decision, the decision on nitrogen and enhanced driver's licences, we've already put forward a billion dollars worth of ideas to save money for ratepayers and taxpayers.

Mr. Speaker, one other area that could send a clear message to Manitobans from this Premier (Mr. Selinger) would be if he sent a message that his party was not going to take the quarter-million dollars in vote tax money next year as a way of showing that they are tightening their own belts in the NDP and not just asking everybody else in Manitoba to tighten theirs.

Will they refuse the vote tax money?

**Hon. Rosann Wowchuk (Minister of Finance):** Mr. Speaker, there is no doubt that there are—there have been challenging times around the world with this recession. Manitoba has been able to sustain and not feel nearly the impacts that other jurisdictions have, but Manitoba is feeling the impacts.

But we are able to maintain our status. If you look at the records and if you look at the impact of the stimulus money, both the national stimulus money and the money that the Province has contributed, if you look at our records as far as employment goes, we are faring better than others.

But there is no doubt there will have to be some belt tightening and there will have to be some belt tightening in all departments.

**Mr. McFadyen:** Mr. Speaker, there was no response to the question and the Minister of Finance has the power to make this decision. She has the opportunity to find a quarter-million dollars in savings on behalf of Manitoba families. The member for Minto (Mr. Swan) campaigned in favour of taking the vote tax money. That position was even rejected by NDP members.

Mr. Speaker, I want to ask the minister: Will she side with Manitoba families? Will she side with taxpayers? Will she say no to the vote tax?

**Ms. Wowchuk:** Mr. Speaker, absolutely, we will stand with Manitoba families, and we will and have been making changes that result in hearing Manitoba families. And I would ask the member opposite to look at the record of this government on what we have done to increase employment, what we have done to reduce the costs, what we have done by making investments so that people keep working.

So, Mr. Speaker, we have worked with Manitobans, and at the same time that we are feeling financial pressures, we continue to offer services that are important to Manitoba families, like health care, education, addressing issues that have—

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. Order.

**Ms. Wowchuk:** *[inaudible]* downturn, Mr. Speaker, through social services, and we continue to ensure that we have safety in this province.

**Mr. Speaker:** Order.

**Mr. McFadyen:** Mr. Speaker, they're proposing cuts to services for people with addictions. They're proposing cuts in other departments across government. They're raising hydro rates on Manitoba families. They're picking the pockets of families when they can't afford it. They're cutting services in other areas.

The—Mr. Doer, when he was Premier, when the recession started last year, said no to the vote tax last year. The new Premier (Mr. Selinger) said he wants to be just like Mr. Doer. Prove it. Say no to the vote tax.

**Ms. Wowchuk:** Well, Mr. Speaker, it's very interesting that the member opposite wants to talk about what kind of funds should be provided through Elections Manitoba.

Just for the record, Mr. Speaker, the Conservatives received more public financing in 2007 than the NDP. They talk from both—

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. Order. We have too many people answering the question at once here.

Order. Order. Order. I'm getting quite confused. *[interjection]*

Order. Order. Order. Order. I need to hear the answer from the minister that has the floor.

**Ms. Wowchuk:** Thank you, Mr. Speaker. And as we have said before, we recognize that the Conservatives talk out of both sides of their mouth. One time, they don't want to take money but they, indeed, do take more money. They took more money than the NDP in 2007.

But, you know, I'm glad that the members opposite are raising the issue of public financing. We said, when this came up, we would—everything was on the table, and I can tell the members that we are thinking about political mailings that should be on the table.

We should look at all partisan spending, Mr. Speaker, but, again, I would say to the member opposite: He took more money than just about anybody else.

#### United Nations Climate Change Conference Minister's Attendance

**Mr. Speaker:** The honourable Leader of the Official Opposition, on a new question.

**Mr. Hugh McFadyen (Leader of the Official Opposition):** Mr. Speaker, on a new question.

I guess it's clear that they plan to take the money after expanding Cabinet in the middle of a recession. It is a pattern of NDP first, the people of Manitoba second, Mr. Speaker, and that's unfortunate.

Mr. Speaker, I want to ask, just on the issue of the Copenhagen climate change talks, which begin next week, there's a story in today's *Globe and Mail* about the fact that Québec Premier Charest, Premier Campbell from British Columbia, the Alberta Environment Minister as well as the Ontario Environment Minister are part of the Canadian delegation.

And I want to ask the Minister of Conservation whether he's part of the Canadian delegation to

Copenhagen or whether he's attending in some other capacity.

\* (12:00)

**Hon. Bill Blaikie (Minister of Conservation):** I can report to the honourable Leader of the Opposition that yes, indeed, we were invited to be part of the Canadian delegation by the Minister of the Environment, Mr. Jim Prentice, and so then we've responded positively to that invitation.

**Mr. McFadyen:** Then, Mr. Speaker, in that case, then, if he's part of the delegation, why is he making statements in the media today to divide the Canadian delegation on the eve of these important talks?

In today's *Free Press* the Conservation Minister has said, and I quote: "The conference isn't going to achieve what many had hoped it would achieve." He goes on to say, and I quote, the federal government has a "lack of enthusiasm." He goes on to say that the federal government has a cloud hanging over its head, Mr. Speaker, when it comes to these issues.

If he's part of the delegation, why is Canada entering into these talks divided when we have a minister in Manitoba taking pot shots at the federal government on the eve of these important talks in Copenhagen?

**Mr. Blaikie:** Well, Mr. Speaker—

**Mr. Speaker:** Order. Order.

**Mr. Blaikie:** Mr. Speaker, if the Leader of the Opposition thinks that somehow Canada is going to the talks in Copenhagen without a cloud over its head, I mean, it's well known that people are concerned about climate change, are very concerned about the Canadian position.

I was just reporting the facts and the fact that this would be different—a different situation for Canada. Normally we go into these multilateral meetings with people having great expectations of the Canadian contribution. I've had these discussions with Minister Prentice. He knows full well. He doesn't expect us all to deny the facts of the case when we're part of the Canadian delegation. We'll be there to co-operate, to be briefed and to be constructive, but we don't intend to check our individual positions at the door, Mr. Speaker, just because we're part of the Canadian delegation.

**Mr. McFadyen:** Mr. Speaker, we are—we're supportive of Manitoba being part of a united and

strong Canadian delegation in Copenhagen. We are supportive of that.

When we have a member of that delegation, Mr. Speaker, not just in the media, but, again, in the House today saying that the country of Canada, the greatest nation on earth, has a cloud over its head going into the Copenhagen climate talks, it is absolutely shameful. He should not be part of a delegation that is divided. He should not be deliberately going out of his way to divide Canadians on the eve of these important international talks.

And I see—I see from the same story, Mr. Speaker—speaking of division—that he's meeting with the unsuccessful candidate for the leadership of the Scottish separatist party while he's there as well. Now, I know that he's got a fondness for separatists from his time in Ottawa, but he's going to Copenhagen to meet with a Scottish separatist and making negative comments about the Government of Canada.

How is this leadership for the benefit of Canada, Mr. Speaker?

**Mr. Blaikie:** I'm presuming—

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. Order. Order. Let's have a little decorum, please. Order. Order. The honourable minister has the floor.

**Mr. Blaikie:** Well, I'm sure, Mr. Speaker, I hope that the political history of the Minister of the Environment for Scotland, having been a unsuccessful leadership candidate, that that doesn't disqualify him from being a Minister of the Environment any more than my unsuccessful leadership disqualifies me for being the Minister of Conservation. If that's the case that the minister—the leader wants to make, then—

**Mr. Speaker:** Order. Order. Order. *[interjection]* You're not going forward with it?

**Mr. Blaikie:** *[inaudible]* to respond to what the Leader of the Opposition had to say, Mr. Speaker.

Now, with respect to the meeting in Copenhagen, the fact of the matter is there's been a long-standing disagreement between—within the country, that everyone knows about, with respect to the Kyoto Accord. The current Government of Canada is a government that did not support the Kyoto Accord, would like to see—on the face of it, they say these things. They would like to see the

Kyoto Accord disappear and be succeeded by whatever happens at Copenhagen.

I don't know why reporting the facts is such a disaster, Mr. Speaker.

**Manitoba Public Insurance Corporation  
Enhanced Identification Cards**

**Mr. Cliff Graydon (Emerson):** It's unfortunate they follow this pattern of using taxpayers' money to promote their self-interests.

Mr. Speaker, it's clear that the enhanced ID card project has been a failure and it is time to pull the plug. Since February, only 8,000 cards have been issued. That's less than 1 percent of Manitobans, yet more than \$14 million has been spent on this failed vanity project. That's more than \$1,700 for each enhanced ID card that's been sold.

When does this NDP government—why does this NDP government continue spending millions on projects when the evidence showed Manitobans aren't interested?

**Hon. Andrew Swan (Minister charged with the administration of The Manitoba Public Insurance Corporation Act):** Mr. Speaker, I'm very proud that our government is standing up for Manitobans and giving them an appropriate alternative to the thickening of the border due to the Western Hemisphere Travel Initiative. We are providing Manitobans with a cost-effective and solid way to be able—to be able to cross the border so that Manitobans can travel to visit family or to travel to North Dakota, Minnesota or other jurisdictions.

I'm very pleased thousands of Manitobans have taken us up on the enhanced ID card, and I expect many more Manitobans will take us up when we have enhanced drivers' licences available early in the new year. Thank you.

**Mr. Graydon:** Mr. Speaker, what a fallacy—an affordable card at \$1,700. There's a—there's a clear trend line in this NDP that are out of touch with Manitobans. Market research done months ago shows that more people—the more they know about the enhanced ID cards, the less they want to have one in their wallet. In fact, as of June 2009, 74 percent of Manitobans say they are not at all interested in the ID card. This number has gone up every month since September of 2008. Even less than half of Manitobans showed any interest in the card at that time.

Why did the NDP government go ahead with this initiative, Mr. Speaker, when more than half of Manitobans said loud and clear that they were not at all interested in the ID card?

**Mr. Swan:** Now, just to assist the member for Emerson, if someone has a passport, they generally wouldn't need to get an enhanced ID card. We know 44 percent of Manitobans do not—already have a passport. They will not be interested in the card. That's not a surprise.

But here's what's interesting. What did the member from Emerson say when he was at the Standing Committee on Crown Corporations back in June? He said, and I quote accurately because it's *Hansard*: "Now, I wanna keep in mind, or I want the minister to keep in mind that we did support the ID card." So I'm very thankful that the member, again, put on the record that his party supports the card.

And what else was said? "Speaking of the one-part, driver's licence system and enhanced driver's licence, it is, indeed, an excellent idea, one which we on this side of the House support, to be in compliance with the necessary information for cross-border travel into the United States." That was the member for Portage la Prairie (Mr. Faurichou), June 11, 2008.

I'm very pleased that these members, at least at that time, supported this enhanced ID.

**Mr. Graydon:** Mr. Speaker, he's absolutely right. At committee, I did say that, because we did not have—we did not have the information that he had from his focus group, that less than 50 percent of the people wanted the card.

He had that information. He didn't put it on the record at committee back in May. Back in May, we asked—we asked about the poor uptake in these cards. The minister then responsible for this boondoggle, the minister from Kildonan then said, and I quote: There hasn't been as large an uptake for Manitobans right now as we expected. We expect more of an uptake as it gets closer to June 1st. Unquote.

It's clear that the minister—member of Kildonan didn't know what he was talking about then.

MPI's own research from that last May shows that 66 percent of Manitobans weren't interested in the—in the enhanced ID card. That number grew to 74 percent in June.

Why did the NDP government waste more money trying to make Manitobans believe there was

a big demand for these cards when their own market research said there wasn't?

**Mr. Swan:** Well, of course, at the last—at the Committee on Crown Corporations, when the member, of course, did confirm his support for the card—*[interjection]* Of course, all those questions were canvassed. And if the member had been listening, he would have heard from the CEO at MPI that it is now a cost-recovery program from this point forward, and we're very confident that every additional Manitoban who comes forward will not result in any additional cost.

The cost of instituting this program were not—were not created by us. It was imposed on us by the American government and we are certainly interested in giving Manitobans this option.

\* (12:10)

And what else was said when we introduced the enhanced driver's licence? What did someone else say? They said: "This is an important achievement in our ongoing efforts to ensure that trade and travel across our borders are not disrupted as a result of changes to U.S. entry requirements under the U.S. Western Hemisphere Travel Initiative." Who said that? The member's MP, Vic Toews.

**Some Honourable Members:** Oh, oh.

**Mr. Swan:** So, indeed, we expect that many thousands more Manitobans will take advantage, including many constituents of the member for Emerson (Mr. Graydon) and other Manitobans living in the south. I'm not sure why the member is opposed to giving them that choice.

**Mr. Speaker:** The honourable member for Emerson, on a new question?

**Mr. Graydon:** Mr. Speaker, on a new question.

Mr. Speaker, the minister—the minister makes a remark that it was imposed by the American government. What else do they impose on you? Do they make all the decisions for you?

Mr. Speaker, the bottom line is that knowing that they knew that the NDP should never have proceeded with this misguided project—for months this NDP government has accessed the market research showing 74 percent of Manitobans have no interest in the enhanced ID card, yet the minister responsible for MPI keeps bleeding money on this initiative, 14 million and counting.

Will the minister today admit that the NDP vanity project was a mistake and scrap the enhanced ID cards before another penny is spent?

**Mr. Swan:** Well, Mr. Speaker, I'll try to explain it so the member for Emerson can understand. The American government decided to impose—*[interjection]*

Thank you, Mr. Speaker. The American government, under the leadership of the previous president, decided to enact very strict rules, meaning that the existing practice which allowed Manitobans and other Canadians to cross the border using their driver's licence—their regular driver's licence—is no longer possible.

Our government—

**Mr. Speaker:** Order.

**Mr. Swan:** Our government, believing that Manitobans should have the opportunity to cross that border as they see fit, has brought in a series of enhanced identification which has been approved by the American government. If Manitobans choose to get a passport, that is their choice, and if they are flying, they need to do that, but they have a choice.

#### Enhanced Driver's Licences

**Mr. Cliff Graydon (Emerson):** Mr. Speaker, I can understand that I'm not as smart as he is, because I didn't have the information, but I've seen his quote in the paper. I am not dumb. Well, I'm telling you if you are letting the Americans make the decision for you, you're not any smarter than I am.

It may be too late to go back on the \$14 million the NDP has already wasted on enhanced ID cards, but it's not too late to scrap the upcoming enhanced driver's licence program. MPI did a little bit of market research on that project too, and in focus groups most participants said they had no interest in an enhanced driver's licence, even if it was free.

Knowing this, can the minister for MPI justify rolling out another costly, wasteful project?

**Hon. Andrew Swan (Minister charged with the administration of The Manitoba Public Insurance Corporation Act):** You know, frankly, what is insulting, Mr. Speaker, is the member for Emerson insulting the intelligence of his own constituents. And, in fact, when you look at who has been taking up the enhanced ID cards, it's Manitobans living in southern Manitoba, living closest to the American border. The last time I checked the electoral map,



that would include the constituency of Emerson. We want to give those people the opportunity.

Now, the member did not listen—[interjection]

**Mr. Speaker:** Order. Lots of time for question period. If members have questions or want to answer back and forth, we have lots of time left. But let's just have a little patience, and let the member who has the floor to be heard.

The honourable minister has the floor.

**Mr. Swan:** Now, if the member had been listening at the Standing Committee on Crown Corporations, back in June of this year, he would have heard the information put clearly on the record that there has been an expense, and it is 13 to 14 million dollars to satisfy the American government that the enhanced ID's appropriate, just as the province of British Columbia, the province of Ontario and Québec have done.

**Mr. Graydon:** The minister says there's been a huge uptake in southern Manitoba. Perhaps he can put on the record exactly where that uptake was instead of making accusations.

Mr. Speaker, the enhanced driver's licence project is already late. It's already over budget. The market research speaks for itself. The NDP can't give away these, these cards, the precursor to this enhanced driver's licence. The enhanced ID card has been a dismal failure.

When will the minister learn from his government's mistakes and take a leadership role? You tried that once. Take it now. Cancel the—cancel the enhanced driver licence program before it rolls out in January.

**Mr. Swan:** Mr. Speaker, I'm not sure why the member for Emerson would want the government or MPI to waste money that's now been spent on setting up an effective program. I'm not sure why the member for Emerson would want us to take away the enhanced ID that his constituents and constituents from every single one of us in this Chamber have decided to get so they can cross the border. And, as the member should know—

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. Let's have some decorum, please. The honourable minister has the floor.

**Mr. Swan:** As the member should be aware, Manitobans from every constituency have taken up the enhanced ID program. In the spring of 2010—

that's right after we change the calendars—there are going to be enhanced driver's licences available, which will be even more attractive to Manitobans.

We favour choice for Manitobans. I'm sorry the members opposite don't, Mr. Speaker.

### **Health-Care Services Emergency Room Scheduled Visits**

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, our hospital ERs are supposed to treat patients in need of emergency surgery. Thousands of patients wait hours and hours for that care. However, it appears that over the last number of years our ERs are also acting as doctors' offices and see patients who are sent there for scheduled visits for routine care.

I'd like to ask the Minister of Health to tell us why she allows this abuse and inefficiency of our ERs.

**Hon. Theresa Oswald (Minister of Health):** I'm pleased to inform the House that when the Emergency Care Task Force brought forward their 46 recommendations, one of those recommendations concerned scheduled visits to the emergency rooms, and our government made a strong commitment, of course, to do away as many as are possible, primarily for IV treatments. We know that these 90 percent of IV, anti-infection therapies have been taken out of emergency departments, put into access centres. Also, there's an opportunity at the Lions Centre for this to happen.

There are indeed people that come to emergency rooms for scheduled visits. The Winnipeg Regional Health Authority points out, of course, that those are those that cannot be handled in a private doctor's clinic for a variety of reasons that I'll share in the next answer.

**Mrs. Driedger:** Mr. Speaker, scheduling visits to the ERs adds to increased workload and longer wait times for all patients, yet patients are sent there for blood tests and transfusions, preoperative and post-operative assessments, wound care, referral visits for specialists and follow-up appointments with family doctors. Indeed, one of the recommendations of the 2004 Emergency Care Task Force was to eliminate scheduled visits ASAP, and yet five years later they are still occurring.

So I'd like to ask the Minister of Health: How did she drop the ball on monitoring this really, really

important recommendation from the 2004 task force report?

**Ms. Oswald:** And, again, the member opposite doesn't have all of her facts. I'm happy to share some of those with her. It's not the first time.

I can let you know, of course, that there are examples of things that—like nasal bleeds that have been packed, and they need to return to the ED because of the nature of those kinds of bleeds.

There are examples concerning transfusions, as the member mentioned, because of the nature of the complex health issues. Patients cannot sit up during the process. They need to be monitored. We're working towards decanting those as well. This is information that comes from doctors. There are examples of suspicions of ectopic pregnancy which need to be done in that environment so as not to send results to a family doctor and rerouting; we're trying to expedite that.

The bottom line, Mr. Speaker, is we're bringing more family doctors to take people out of emergency rooms when they don't need to be there necessarily. You know what we're not doing is closing an ER and closing them at night time at community hospitals like members opposite.

\* (12:20)

**Mrs. Driedger:** The minister forgets that she's closed 17 ERs in rural Manitoba. Mr. Speaker, the ERs have enough problems without adding scheduled visits. We saw how Brian Sinclair was lost in the shuffle of a busy ER and died in a waiting room after waiting 34 hours for care.

So, Mr. Speaker, if eliminating scheduled ER visits was a priority in 2004, can the Minister of Health explain why, in a very recent FIPPA, the WRHA didn't even start collecting data on the number of scheduled visits until three months ago?

How does she even know what she's talking about if they haven't even been collecting the information for the last five years?

**Ms. Oswald:** Well, Mr. Speaker, on the subject of people not knowing what they're talking about, I can assure the member opposite that working to remove 90 percent of those needing IV therapy out of an emergency room and into access centre has been a priority, and that's what the region has been doing.

One of the main reasons that people go to ERs when they're not in an emergency situation is

because they don't have a family doctor. That's why we've worked hard to see a net gain of 160 family doctors. That's why we've worked hard to reduce times to their family doctors through the Advanced Access initiative. That's why we're committing to build the first mental health ER in Winnipeg.

You know, Mr. Speaker, members opposite during the election were absolutely silent on the issue of ERs, except to scare people in west Winnipeg, to say that the Grace ER was going to close, which didn't happen, may I say. Furthermore, on the subject—on the subject, they said they saved the ER. This, the party that closed Misericordia and shut down the community hospital ERs at night.

They didn't promise to bring a single doctor to Manitoba, to train a single nurse. Their credibility on this issue is in the toilet, Mr. Speaker.

#### **Emergency Measures Organization Flood Claim Compensation**

**Mrs. Mavis Taillieu (Morris):** Well, Mr. Speaker—

**Mr. Speaker:** Order.

**Mrs. Taillieu:** Mr. Speaker, that's the most premier-like response that we've heard and judging from the applause on that side of the House, they think so, too. Maybe it's not too late.

Mr. Speaker, constituents of mine in Riverside, Rosenort, Aubigny, Howden and even a person from La Verendrye who could get no help from her own MLA have all contacted me because they can't get their flood claims settled.

It's now December, eight months after the spring flood, but there seems to be a pattern here. First, people are told that their claims are compensable, then there's roadblocks thrown in the way, then the rules are changed and finally the claims are denied.

Mr. Speaker, does the minister intend to compensate flood victims, or does he just plan to put more roadblocks in place?

**Hon. Ron Lemieux (Acting Minister responsible for Emergency Measures):** It's regrettable that the member from Morris is causing a lot of anxious moments for a lot of the constituents of hers and others in the Red River Valley, Mr. Speaker.

You know, this year we made two significant changes to the DFA program. In April, we increased the maximum payment a private citizen could receive out of the provincial DFA from 100,000 to 200,000. That's just one thing that we've done to

make a difference for the constituents south of Winnipeg and anyone affected by flooding.

**Mrs. Taillieu:** Mr. Speaker, one person had indicated in an e-mail that EMO is continually making up new rules as they go along, stalemating the procedure of even opening files. And even after all documents—like the property tax bill that verifies ownership—have been provided, they're now asked to provide a copy of their driver's licence. Another person told me if he didn't submit his driver's licence, his claim would not even be looked at.

Mr. Speaker, when did driver's licences become proof of property ownership, and what happens if you don't have a driver's licence? Is being compensated for flood damage contingent on your ability to drive?

**Mr. Lemieux:** Mr. Speaker, as been noted many, many times in the Chamber, this is the second-worst flood that we've encountered, and I have to give a lot of—certainly a compliment to many rural municipalities and many agencies that worked extremely hard to ensure that their citizens and all the concerns that they've had have been addressed. And I want to thank all the reeves and mayors and councillors throughout the Red River Valley and other areas of the province that experienced extreme flooding.

And I know that we've had many compliments paid to the MLA from Thompson on the job he did, Mr. Speaker, this past spring, including Doug Dobrowolski, the president of AMM, has commented on the—not only the effectiveness, but the way the MLA for Thompson (Mr. Ashton) has worked closely with AMM and other leaders throughout the province to ensure that their citizens and all their concerns are addressed in due course.

**Mrs. Taillieu:** Mr. Speaker, I've written to the minister about all of these specific cases, some as long ago as August, and I have not received any responses yet.

Mr. Speaker, I agree that the municipal governments have taken charge in doing things that compensate and mitigate flood damages. I know this government is in disarray and they're floundering along, but they've got to get themselves together and serve the public of Manitoba.

When can the people in the Red River Valley expect to be compensated for last's floods—last spring's flooding, Mr. Speaker?

**Mr. Lemieux:** Mr. Speaker, in 2005 the Province streamlined the DFA process by adding—serve as the benchmarks, and the benchmarks ensure that claims move quickly through the process. In cases in which there is damage to people's living spaces, are moved to the top of the list, and these benchmarks did not exist in the 1990s of the flood of the century.

The DFA claims went out eight days before the flood officially ended and, Mr. Speaker, of the claims requiring inspection, 98 percent have been completed and are moving quickly through the system. Thirty percent of the claims have moved completely, have been completely resolved, and, at the peak of the flood the Province had added 28 temporary staff to address these claims.

So, as the government, Mr. Speaker, we're very much aware of what has happened this past spring, and we are moving to work closely with R.M.s and closely with those individuals that experienced the second-worst flood of the century.

#### **Waste-Water Treatment Facilities Nitrogen Removal**

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, here we are on the fourth day of the session, and the Premier (Mr. Selinger) is already not answering questions, and I find that it's important that the Premier be recognized, that he has to be held accountable for stupid decisions.

I want to tell you something, Mr. Speaker. One of the things that this government has decided to do is to spend a half-billion dollars to remove nitrogen from waste water—a half-billion dollars. Every scientist virtually in Canada would tell this government and this Premier that it's an absolute, total waste. You don't have to spend that half-billion dollars. Yet this government, in its wisdom—and I don't know where they're getting the wisdom from—in its wisdom has decided to deprive the taxpayer of a half-billion dollars.

My question to the Premier is: Why is he doing that?

**Hon. Rosann Wowchuk (Deputy Premier):** Well, Mr. Speaker, you know—

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. Order. Order.

**Ms. Wowchuk:** Thank you, Mr. Speaker.

You know, Mr. Speaker, the member opposite wants to talk about accountability and holding people—

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. Order. Order. Order. Order. Let's have some decorum, please. Order.

**Ms. Wowchuk:** Mr. Speaker, yesterday the member—the Leader of the Liberal Party tabled the letter. Then the member opposite asked for that letter. They don't even communicate when they have two members about what letter they are tabling and what letter they're asking for.

Mr. Speaker, I don't think the member opposite has any credibility with his question.

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. Order. Order.

**Mr. Lamoureux:** Mr. Speaker, I've seem dumb and now I've seen dumber.

Mr. Speaker, I tell you something. It is a stupid decision—it is a stupid decision to spend a half-billion dollars of taxpayers when you don't have to spend the money. You can provide thousands of dollars for day-care services to thousands of Manitoba childrens.

\* (12:30)

Why are you spending a half-billion dollars, Madam Deputy Premier, when you don't have to spend it?

**Mr. Speaker:** Order.

**Mr. Lamoureux:** Scientists will tell you—

**Mr. Speaker:** Order. Order. Order. Order.

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. Order. Order. The time is 12:30.

### Point of Order

**Mr. Speaker:** The honourable Government House Leader, on a point of order?

**Hon. Bill Blaikie (Government House Leader):** Two things on the point of order, Mr. Speaker.

I might just want to say to the Leader of the Opposition (Mr. McFadyen) that it's not a she I'm meeting with, it is a he. It's the Minister of Climate Change, Mr. Stewart Stevenson. He must have been thinking about Minister Cunningham.

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. Order. Order.

**Mr. Blaikie:** And finally on the point of order, Mr. Speaker—

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. Order. Order.

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. That's not a point of order.

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. Order. Order. Order. Order. Order. Order. Order. Order. Order. I had recognized the honourable member prior to adjourning the House on a point of order, but now it's after 12:30. Now we need—if we're gonna entertain a point of order, I need unanimous consent of the House. Do I have unanimous consent of the House?

**Some Honourable Members:** No.

**Mr. Speaker:** Okay, I do not have unanimous consent of the House.

\* \* \*

**Mr. Speaker:** So now the hour being past 12:30, this House is adjourned and stands adjourned until 1:30 p.m. on Monday.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, December 4, 2009

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