

Second Session - Fortieth Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS

Official Report
(Hansard)

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authority of
The Honourable Daryl Reid
Speaker*

MANITOBA LEGISLATIVE ASSEMBLY
Fortieth Legislature

Member	Constituency	Political Affiliation
ALLAN, Nancy, Hon.	St. Vital	NDP
ALLUM, James	Fort Garry-Riverview	NDP
ALTEMEYER, Rob	Wolseley	NDP
ASHTON, Steve, Hon.	Thompson	NDP
BJORNSON, Peter, Hon.	Gimli	NDP
BLADY, Sharon	Kirkfield Park	NDP
BRAUN, Erna	Rossmere	NDP
BRIESE, Stuart	Agassiz	PC
CALDWELL, Drew	Brandon East	NDP
CHIEF, Kevin, Hon.	Point Douglas	NDP
CHOMIAK, Dave, Hon.	Kildonan	NDP
CROTHERS, Deanne	St. James	NDP
CULLEN, Cliff	Spruce Woods	PC
DEWAR, Gregory	Selkirk	NDP
DRIEDGER, Myrna	Charleswood	PC
EICHLER, Ralph	Lakeside	PC
EWASKO, Wayne	Lac du Bonnet	PC
FRIESEN, Cameron	Morden-Winkler	PC
GAUDREAU, Dave	St. Norbert	NDP
GERRARD, Jon, Hon.	River Heights	Liberal
GOERTZEN, Kelvin	Steinbach	PC
GRAYDON, Cliff	Emerson	PC
HELWER, Reg	Brandon West	PC
HOWARD, Jennifer, Hon.	Fort Rouge	NDP
IRVIN-ROSS, Kerri, Hon.	Fort Richmond	NDP
JHA, Bidhu	Radisson	NDP
KOSTYSHYN, Ron, Hon.	Swan River	NDP
LEMIEUX, Ron, Hon.	Dawson Trail	NDP
MACKINTOSH, Gord, Hon.	St. Johns	NDP
MAGUIRE, Larry	Arthur-Virden	PC
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Flor, Hon.	Logan	NDP
MARCELINO, Ted	Tyndall Park	NDP
MELNICK, Christine, Hon.	Riel	NDP
MITCHELSON, Bonnie	River East	PC
NEVAKSHONOFF, Tom	Interlake	NDP
OSWALD, Theresa, Hon.	Seine River	NDP
PALLISTER, Brian	Fort Whyte	PC
PEDERSEN, Blaine	Midland	PC
PETTERSEN, Clarence	Flin Flon	NDP
REID, Daryl, Hon.	Transcona	NDP
ROBINSON, Eric, Hon.	Kewatinook	NDP
RONDEAU, Jim, Hon.	Assiniboia	NDP
ROWAT, Leanne	Riding Mountain	PC
SARAN, Mohinder	The Maples	NDP
SCHULER, Ron	St. Paul	PC
SELBY, Erin, Hon.	Southdale	NDP
SELINGER, Greg, Hon.	St. Boniface	NDP
SMOOK, Dennis	La Verendrye	PC
STEFANSON, Heather	Tuxedo	PC
STRUTHERS, Stan, Hon.	Dauphin	NDP
SWAN, Andrew, Hon.	Minto	NDP
WHITEHEAD, Frank	The Pas	NDP
WIEBE, Matt	Concordia	NDP
WIGHT, Melanie	Burrows	NDP
WISHART, Ian	Portage la Prairie	PC
<i>Vacant</i>	Morris	

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, July 29, 2013

The House met at 1:30 p.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, and know it with certainty and accomplish it perfectly for the glory and honour of Thy name and for the welfare of all our people. Amen.

Good afternoon, everyone. Please be seated.

ROUTINE PROCEEDINGS

Mr. Speaker: Seeing no bills, we'll move on to—

PETITIONS

Applied Behaviour Analysis Services

Mr. Dennis Smook (La Verendrye): I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

(1) The provincial government broke a commitment to support families of children with a diagnosis of autism spectrum disorder, including timely diagnosis and access to necessary treatment such as applied behavioural analysis, also known as ABA services.

(2) The provincial government did not follow its own policy statement on autism services which notes the importance of early intervention for children with autism.

(3) School learning services has its first ever waiting list which started with two children. The waiting list is projected to keep growing and to be in excess of 20 children by September 2013. Therefore, these children will go through the biggest transition of their lives without receiving ABA services that has helped other children achieve huge gains.

(4) The provincial government has adopted a policy to eliminate ABA services in schools by grade 5 despite the fact that these children have been diagnosed with autism which still requires therapy. These children are being denied access—necessary ABA services that will allow them to—access to

the same educational opportunities as any other Manitoban.

(5) Waiting lists and denials of treatment are unacceptable. No child should be denied access or—to or eliminated from eligibility for ABA services if their need still exists.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Education consider funding available to eliminate the current waiting list for ABA school-age services and fund ABA services for individuals diagnosed with autism spectrum disorder.

This petition is signed by S. Turner, G. Webb, R. Stefanyshyn and many more fine Manitobans.

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

Mr. Kelvin Goertzen (Steinbach): Yes, good afternoon, Mr. Speaker. I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

(1) The provincial government broke a commitment to support families of children with a diagnosis of autism spectrum disorder, including timely diagnosis and access to necessary treatment such as applied behavioural analysis, also known as ABA services.

(2) The provincial government did not follow its own policy statement on autism services which notes the importance of early intervention for children with autism.

(3) The preschool waiting list for ABA services has reached its highest level ever with at least 56 children waiting for services. The number is expected to exceed 70 children by September 2013 despite commitments to reduce the waiting list and provide timely access to services.

(4) The provincial government policy of eliminating ABA services in schools by grade 5 has caused many children in Manitoba to age out of the window for this very effective ABA treatment because of a lack of access. Many more children are

expected to age out because of a lack of available treatment spaces.

(5) Waiting lists and denials of treatment are unacceptable. No child should be denied access or age out of eligibility for ABA services.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Family Services and Labour consider making funding available to address the current waiting list for ABA services.

And, Mr. Speaker, this is—petition is signed by T. Cobbett, I. Cottrell, G. Kolt and many other Manitobans.

St. Ambroise Beach Provincial Park

Mr. Ian Wishart (Portage la Prairie): I wish to present the following petition to the Legislative Assembly of Manitoba.

And these are the reasons for this petition:

The St. Ambroise provincial park was hard hit by the 2011 flood, resulting in the park's ongoing closure, the loss of local access to Lake Manitoba, as well as untold harm to the ecosystem and wildlife in the region.

The park's closure is having a negative impact on many areas, including disruptions to local tourism, hunting and fishing operations, diminished economic and employment opportunities and the potential loss of the local store and a decrease in property values.

Local residents and visitors alike want St. Ambroise provincial park to be reopened as soon as possible.

We petition the Legislative Assembly of Manitoba as follows:

To request the appropriate ministers of the provincial government consider repairing St. Ambroise provincial park and its access points to their pre-flood conditions so the park can be reopened for the 2013 season or earlier if possible.

This petition signed by S. Hoepfner, K. Antonawich and J. Grant and many, many more fine Manitobans.

Provincial Road 520 Renewal

Mr. Wayne Ewasko (Lac du Bonnet): I wish to present the following petition to the Legislative Assembly.

And these are the reasons for this petition:

(1) The rural municipalities of Lac du Bonnet and Alexander are experiencing record growth due especially to an increasing number of Manitobans retiring in cottage country.

(2) The population in the RM of Lac du Bonnet grows exponentially in the summer months due to increased cottage use.

(3) Due to population growth, Provincial Road 520 experiences heavy traffic, especially during the summer months.

(4) PR 520 connects cottage country to the Pinawa Hospital and as such is frequently used by emergency medical services to transport patients.

(5) PR 520 is in such poor condition that there are serious concerns about its safety.

We petition the Legislative Assembly as follows:

To urge the Minister of Infrastructure and Transportation to recognize the serious safety concerns of Provincial Road 520 and take to address its poor condition by prioritizing its renewal.

This petition is signed by M. Adams, R. Lentner, D. Longsnot and many, many more fine Manitobans.

* (13:40)

Applied Behaviour Analysis Services

Mrs. Leanne Rowat (Riding Mountain): I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

The provincial government broke a commitment to support families of children with the diagnosis of autism spectrum disorder, including timely diagnosis and access to necessary treatment such as applied behavioural analysis, also known as ABA services.

The provincial government did not follow its own policy statement on autism services which notes the importance of early intervention for children with autism.

The preschool waiting list for ABA services has reached its highest level ever with at least 56 children waiting for services. That number is expected to exceed 70 children by September 2013 despite commitments to reduce the waiting list and provide timely access to services.

The provincial government's policy of eliminating ABA services in schools by grade 5 has caused many children in Manitoba to age out of the window for this effective ABA treatment because of a lack of access. Many more children are expected to age out because of a lack of available treatment spaces.

Waiting lists and denials of treatment are unacceptable. No child should be denied access to or age out of eligibility for ABA services.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Family Services and Labour consider funding—making funding available to address the current wait-list for ABA services.

This petition's signed by W. LeBlanc, B. Drakerovic, K. Givden and many, many more Manitobans.

Mr. Blaine Pedersen (Midland): I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

The provincial government broke a commitment to support families of children with a diagnosis of autism spectrum disorder, including timely diagnosis and access to necessary treatment such as applied behavioural analysis, also known as ABA services.

The provincial government did not follow its own policy statement on autism services which notes the importance of early intervention for children with autism.

School learning services has its first ever waiting list which started with two children. The waiting list is projected to keep growing and be in excess of 20 children by September 2013. Therefore, these children will go through the biggest transition of their lives without receiving ABA services that has helped other children achieve huge gains.

The provincial government has adopted a policy to eliminate ABA services in schools by grade 5 despite the fact that these children have been diagnosed with autism which still requires therapy. These children are being denied necessary ABA services that will provide them access to the same educational opportunities as any other Manitoban.

Waiting lists and denials of treatment are unacceptable. No child should be denied access to or

eliminated from eligibility for ABA services if their need still exists.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Education consider making funding available to eliminate the current waiting list for ABA school-age services and fund ABA services for individuals diagnosed with autism spectrum disorder.

And this petition is signed by P. Linklater, L. Oughton, J. Pattison and many more fine Manitobans.

Provincial Sales Tax Increase—Referendum

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

These are the reasons for this petition:

The provincial government promised not to raise taxes in the last election.

Through Bill 20, the provincial government wants to increase the retail sales tax, known as the PST, by one point without the legally required referendum.

An increase to the PST is excessive taxation that will harm Manitoba families.

Bill 20 strips Manitobans of their democratic right to determine when major tax increases are necessary.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to not raise the PST without holding a provincial referendum.

And this is signed by P. Brooks, T. Buck, J. Eviksen and many others.

Applied Behaviour Analysis Services

Mr. Cliff Cullen (Spruce Woods): I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

The provincial government broke a commitment to support families of children with a diagnosis of autism spectrum disorder, including timely diagnosis and access to necessary treatment such as applied behavioural analysis, also known as ABA services.

The provincial government did not follow its own policy statement on autism services which notes the importance of early intervention for children with autism.

School learning services has its first ever waiting list which started with two children. The waiting list is projected to keep growing and to be in excess of 20 children by September 2013. Therefore, these children will go through the biggest transition of their lives without receiving ABA services that has helped other children achieve huge gains.

The provincial government has adopted a policy to eliminate ABA services in schools by grade 5 despite the fact that these children have been diagnosed with autism which still requires therapy. These children are being denied necessary ABA services that will allow them access to the same educational opportunities as any other Manitoban.

Waiting lists and denials of treatment are unacceptable. No child should be denied access to or eliminated from eligibility for ABA services if their need still exists.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Education consider making funding available to eliminate the current waiting list for ABA school-age services and fund ABA services for individuals diagnosed with autism spectrum disorder.

This petition is signed by R. Panliho, J. Del Rosann, J. Kulbacki and many other fine Manitobans.

Provincial Sales Tax Increase—Referendum

Mr. Ralph Eichler (Lakeside): Good afternoon, Mr. Speaker. I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

(1) The provincial government promised not to raise taxes in the last election.

(2) Through Bill 20, the provincial government wants to increase the retail sales tax, known as the PST, by one point without the legally required referendum.

(3) An increase to the PST is excessive taxation that will harm Manitoba families.

(4) Bill 20 strips Manitobans of their democratic right to determine when major tax increases are necessary.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to not raise the PST without holding a provincial referendum.

This petition's submitted on behalf of T. Hurley, C. Hurley, D. Gordon and many other fine Manitobans.

Applied Behaviour Analysis Services

Mrs. Heather Stefanson (Tuxedo): I wish to present the following petition to the Legislative Assembly.

And the background to this petition is as follows:

(1) The provincial government broke a commitment to support families of children with a diagnosis of autism spectrum disorder, including timely diagnosis and access to necessary treatment such as applied behavioural analysis, also known as ABA services.

(2) The provincial government did not follow its own policy statement on autism services which notes the importance of early intervention for children with autism.

(3) The preschool waiting list for ABA services has reached its highest level ever with at least 56 children waiting for services. That number is expected to exceed 70 children by September 2013 despite the commitments to reduce the waiting list and provide timely access to services.

(4) The provincial government policy of eliminating ABA services in schools by grade 5 has caused many children in Manitoba to age out of the window for this very effective ABA treatment because of a lack of access. Many more children are expected to age out because of a lack of available treatment spaces.

(5) Waiting lists and denials of treatment are unacceptable. No child should 'benied' access to or age out of eligibility for ABA services.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Family Services and Labour consider making funding available to address the current waiting list for ABA services.

And, Mr. Speaker, this petition is signed by K. Menard, L. Epp, B. Hilton and many, many other Manitobans.

(13:50)

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

(1) The provincial government broke a commitment to support families of children with a diagnosis of autism spectrum disorder, including timely diagnosis and access to necessary treatment such as applied behavioural analysis, also known as ABA services.

(2) The provincial government did not follow its own policy statement on autism services which notes the importance of early intervention for children with autism.

(3) The preschool waiting list for ABA services has reached its highest level ever with at least 56 children waiting for services. That number is expected to exceed 70 children by September 2013 despite commitments to reduce the waiting list and provide timely access to services.

(4) The provincial government policy of eliminating ABA services in schools by grade 5 has caused many children in Manitoba to age out of the window for this very effective ABA treatment because of a lack of access. Many more children are expected to age out because of a lack of available treatment spaces.

(5) Waiting lists and denials of treatment are unacceptable. No child should be denied access to or age out of eligibility for ABA services.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Family Services and Labour consider making funding available to address the current waiting list for ABA services.

And, Mr. Speaker, this petition is signed by K. McRae, M. McRae, D. McRae and many, many others.

Mr. Stuart Briese (Agassiz): I wish to present the following petition to the Legislative Assembly of Manitoba.

And these are the reasons for this petition.

The provincial government broke a commitment to support families of children with a diagnosis of autism spectrum disorder, including timely diagnosis and access to necessary treatment such as applied behavioural analysis, also known as ABA services.

The provincial government did not follow its own policy statement on autism services which notes the importance of early intervention for children with autism.

The preschool waiting list for ABA services has reached its highest level ever with at least 56 children waiting for services. That number is expected to exceed 70 children by September 2013 despite commitments to reduce the waiting list and provide timely access for services.

The provincial government policy of eliminating ABA services in schools by grade 5 has caused many children in Manitoba to age out of the window for this very effective ABA treatment because of lack of access. Many more children are expected to age out because of lack of available treatment spaces.

Waiting lists and denials of treatment are unacceptable. No child should be denied access to or age out of eligibility for ABA services.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Family Services and Labour consider making funding available to address the current waiting list for ABA services.

This petition is signed by A. Axelrod, L. Roy, P. Moldowan and many, many other fine Manitobans.

Mrs. Bonnie Mitchelson (River East): I wish to present the following petition to the Legislative Assembly of Manitoba.

And the background to this petition is as follows:

(1) The provincial government broke a commitment to support families of children with a diagnosis of autism spectrum disorder, including timely diagnosis and access to necessary treatment such as applied behavioural analysis, also known as ABA services.

(2) The provincial government did not follow its own policy statement on autism services which notes the importance of early intervention for children with autism.

(3) School learning services has its first ever wait-list which started with two children. The waiting list is projected to keep growing and to be in excess of 20 children by September 2013. Therefore, these children will go through the biggest transition of their lives without receiving ABA services that has helped other children achieve huge gains.

(4) The provincial government has adopted a policy to eliminate ABA services in schools by grade 5 despite the fact these children have been diagnosed with autism which still requires therapy. These children are being denied necessary ABA services that will allow them to access the same educational opportunities as any other Manitoban.

(5) Waiting lists and denials of treatment are unacceptable. No child should be denied access to or eliminated from eligibility for ABA services if their need still exists.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Education consider making funding available to eliminate the current waiting list for ABA school-age services and fund ABA services for individuals diagnosed with autism spectrum disorder.

And this petition is signed by H. Lundberg, A. Albers, D. Gebreezgiand and many other fine Manitobans.

Mr. Reg Helwer (Brandon West): I wish to present the following petition to the Legislative Assembly of Manitoba.

The background for this petition is as follows:

(1) The provincial government broke a commitment to support families of children with a diagnosis of autism spectrum disorder, including timely diagnosis and access to necessary treatment such as applied behavioural analysis, also known as ABA services.

(2) The provincial government did not follow its own policy statement on autism services which notes the importance of early intervention for children with autism.

(3) The preschool waiting list for ABA services has reached its highest level ever with at least 56 children waiting for services. That number is expected to exceed 70 children by September 2013 despite commitments to reduce the waiting list and provide timely access to services.

(4) The provincial government policy of eliminating ABA services in schools by grade 5 has caused many children in Manitoba to age out of the window for this very effective ABA treatment because of a lack of access. Many more children are expected to age out because of a lack of available treatment spaces.

(5) Waiting lists and denials of treatment are unacceptable. No child should be denied access to or age out of eligibility for ABA services.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Family Services and Labour consider making funding available to address the current waiting list for ABA services.

Signed by A. Urasy, T. Jenner and D. Szabo and many other fine Manitobans.

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

The background to this petition is as follows:

(1) The provincial government broke a commitment to support families of children with a diagnosis of autism spectrum disorder, including timely diagnosis and access to necessary treatment such as applied behavioural analysis, also known as ABA services.

(2) The provincial government did not follow its own policy statement on autism services which notes the importance of early intervention for children with autism.

(3) The preschool waiting list for ABA services has reached its highest level ever with at least 56 children waiting for services. That number is expected to exceed 70 children by September 2013 despite commitments to reduce the waiting list and provide timely access to services.

(4) The provincial government policy of eliminating ABA services in schools by grade 5 has caused many children in Manitoba to age out of the window for this very effective ABA treatment because of a lack of access. Many more children are expected to age out of–age out because of a lack of available treatment spaces.

(5) Waiting lists and denials of treatment are unacceptable. No child should be denied access to or age out of eligibility for ABA services.

We petition the Legislative Assembly of Manitoba as follows:

* (14:00)

To request that the Minister of Family Services and Labour consider making funding available to address the current waiting list for ABA services.

This is signed by L. Delaloye, P. Grumbo, M. Dyck and many, many other Manitobans.

Mr. Cliff Graydon (Emerson): Good afternoon, Mr. Speaker. I wish to present the following petition to the Legislative Assembly of Manitoba.

And the background to this petition is as follows:

The provincial government broke a commitment to support families of children with a diagnosis of autism spectrum disorder, including timely diagnosis and access to necessary treatment such as applied behavioural analysis, also known as ABA services.

(2) The provincial government did not follow its own policy statement on autism services which notes the importance of early intervention for children with autism.

(3) The preschool waiting list for ABA services has reached its highest level ever with at least 56 children waiting for services. That number is expected to exceed 70 children by September 2013 despite commitments to reduce the waiting list and provide timely access to services.

(4) The provincial government's policy of eliminating ABA services in schools by grade 5 has caused many children in Manitoba to age out of the window for this very effective ABA treatment because of a lack of access. Many more children are expected to age out because of a lack of available treatment spaces.

(5) Waiting lists and denial of treatment are unacceptable. No child should be denied access to or age out of eligibility for ABA services.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Family Services and Labour consider making funding available to address the current waiting list for ABA services.

And this petition is signed by D.L. Stregger, M. Stregger and E. Poschuer and many, many more fine Manitobans.

Mr. Cameron Friesen (Morden-Winkler): Mr. Speaker, I wish to present the following petition to the Legislative.

And the background to this petition is as follows:

(1) The provincial government broke a commitment to support families of children with a diagnosis of autism spectrum disorder, including timely diagnosis and access to necessary treatment such as applied behavioural analysis, also known as ABA services.

(2) The provincial government did not follow its own policy statement on autism services which notes the importance of early intervention for children with autism.

(3) School learning services has its first ever waiting list which started with two children. The waiting list is projected to keep growing and to be in excess of 20 children by September 2013. Therefore, these children will go through the biggest transition of their lives without receiving ABA services that has helped other children achieve huge gains.

(4) The provincial government has adopted a policy to eliminate ABA services in schools by grade 5 despite the fact that these children have been diagnosed with autism which still requires therapy. These children are being denied necessary ABA services that will allow them access to the same educational opportunities as any other Manitoban.

(5) Waiting lists and denials of treatment are unacceptable. No child should be denied access to or eliminated from eligibility for ABA services if their need still exists.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Education consider making funding available to eliminate the current waiting list for ABA school-age services and fund ABA services for individuals diagnosed with autism spectrum disorder.

And this petition is signed by N. Majury, J. Majury, J. Majury and many, many others.

TABLING OF REPORTS

Hon. Jim Rondeau (Minister charged with the administration of The Liquor Control Act): Mr. Speaker, I'm pleased to table the 2012-2013 Manitoba Liquor Control Commission annual report.

Mr. Speaker: Any further tabling of reports? Seeing none—

Introduction of Guests

Mr. Speaker: Prior to oral questions, I'd like to draw the attention of all honourable members to the public gallery where we have with us today representatives from ANAVETS Assiniboia Unit No. 283, Hayden Kent, Gord Kent and Syd Stamper, who are the guests of the honourable member for Kirkfield Park (Ms. Blady). On behalf of honourable members, we welcome you here today.

ORAL QUESTIONS

Bill 18

Ministerial Conduct

Mr. Brian Pallister (Leader of the Official Opposition): Mr. Speaker, each and every one of us here knows that we have to hone our listening skills. We have to work at it and it's not always easy.

The Education Minister, I would particularly offer to the House, needs to work on her listening skills when it comes to Bill 18. First of all, she was not listening at all. Then she said she'd listen in the fall, and on March 6th she made a comment to the media that she would not accept amendments. She said she had the perfect bill in Bill 18. That's not listening. That's not respectful of the process that we use here to develop the best possible legislative solutions to problems. Then when we announced our process of consulting—consulting, I'm sorry—with Manitobans, she said she would consult too, but in the fall after the bill had been dealt with. Well, that may or may not be the case, but it certainly evidences her lack of listening skills.

Now, Manitobans care deeply about their children and Manitobans have thoughts on this bill, great ideas, and many of those Manitobans want to bring those solutions to this House to make the bill better.

Will the Premier ensure that his minister is listening, or is he not listening either?

Hon. Greg Selinger (Premier): Well, Mr. Speaker, this is a really timely subject. Again, and at the Council of the Federation or the meeting of the premiers, all the premiers across the country are very supportive of these types of initiatives to reduce bullying in every jurisdiction in Canada, particularly an emphasis on prevention.

And I can only say to the Leader of the Opposition, when it comes to listening, we've called the bill seven times. We'd like to hear the people that would like to present on it. The opposition's blocking that. Let's get on with hearing the bill.

Mr. Pallister: The Premier said on Friday, it was quoted in the newspaper on Saturday: We want our schools to be safe places where people are treated with respect and have a good atmosphere for learning. End quote. Good comment—good comment—and we agree—and we agree.

Yet on April 25th the Education Minister went on CBC radio and labelled members on this side of the House homophobic—homophobic. Now, that is insulting. That is callous. That is rude. That is disrespectful. It is slur, and excoriating those you disagree with is not respectful. This kind of behaviour does not create a good atmosphere for learning.

Does the Premier condone the bullying tactics of his Education Minister, or will he reprimand her for her shameful bullying behaviour?

Mr. Selinger: Mr. Speaker, the only derogatory comments that have been heard in this Legislature have come from the Leader of the Opposition, who then flat-out denied them.

We've called the bill seven times. The bill's been in front of the Legislature for eight months. There's many dozens if not hundreds of people that would like to speak to the bill.

It's a very important improvement that we need to make in the values that we all hold in this province about how treat—people are treated in schools and their right to be in a school in a safe environment, a learning environment where they can be respected and have all of their energies devoted to their school studies, not feeling that they're being picked on or discriminated against because of how they look or who they are. These kinds of things are long overdue. We've seen some real tragedies across the country because of a lack of respect for people that have differences and different orientations. It's time to move on this. It's been eight months.

I say to the Leader of the Opposition, the bill's been called seven times, let's get on with hearing the bill and resolving this and moving forward in Manitoba. Right now—we started with the Safe Schools legislation just nearly a decade ago. We brought in additional measures and additional guidelines. If the members keep holding up the bill,

we'll start to lose our place as being a leader on this in the country.

Mr. Pallister: The Premier's top priority has been and continues to be fleecing Manitobans of their dollars without their permission.

We want and all of us should want an antibullying strategy that works. This bill will not work. It is conceivable it may even make the problems facing our students, teachers and administrators worse than they are today.

And a respectful debate could help achieve a better bill, but the government does not want one. Its 'minist'—its own minister has said it doesn't—she does not want one. She does not want amendments to come forward.

* (14:10)

Listening could help. This government is not about listening. Most of all, if they won't listen to us or students or teachers or parents or committee witnesses, they will not learn. They did not listen on the PST bill. The Premier did not dignify anyone with a response or attentiveness, nor will they do it on this bill, I'm afraid.

Now this Premier claims that he wants to foster a safe learning environment. Why is he unwilling to cultivate such a safe learning environment in this Chamber?

Mr. Selinger: Mr. Speaker, we've had—we've introduced the bill in the Legislature. It's been there for well over eight months. There are dozens if not hundreds of people that want to speak to it.

It's the members of the opposition who do not want to listen to Manitobans on this bill; we'd like to listen to them. Let's call the bill today, Mr. Speaker. Let's get on with hearing the members of the bill. Let's have a unanimous resolution coming out of this Legislature to support the bill.

The members are sitting on the fence trying to have it both ways. If they really want to move on antibullying, let's get on with the bill.

Manitoba Hydro Confidential Document Recovery

Mr. Ron Schuler (St. Paul): Mr. Speaker, last week 15 questions were asked from the—of the Minister responsible for Manitoba Hydro about a secret top—top secret document that was leaked by Manitoba Hydro. He's now had the weekend to try to figure out

if all of those top secret documents have been returned.

Can he assure Manitobans that these top secret documents that were leaked by Manitoba Hydro, that they've all been returned?

Hon. Dave Chomiak (Minister charged with the administration of The Manitoba Hydro Act): Mr. Speaker, the so-called top secret documents that came out in October of last year and a letter that went to the particular community asking for the return of those documents, I've been advised by the president of Hydro that all those documents, which were the dated, revised forecasts for Hydro, had been returned to Hydro.

And the member's attempt to make politics out of every single issue that involves that particular community and all communities has failed again.

Mr. Schuler: Well, again the minister is wrong, Mr. Speaker.

Byron Williams said that he had a copy of the document. He made a copy for the Public Utilities Board and retained a copy.

Again, my question to the minister is: This top secret document, what calls—which could call into question \$20 billion of construction, can the minister assure all Manitobans, have all of those documents been returned?

Mr. Chomiak: Mr. Speaker, very rarely do I hear members opposite care a hoot about the \$20 billion that we're spending to make sure Manitoba has energy and the lowest energy costs going in the future.

The member referenced a letter in October of last year. I'm advised that the president of Manitoba Hydro, that that letter to that community, had seen all of the documents returned.

With respect to the documents, they're dated. They're going to be up—revised and updated, Mr. Speaker. And they're going to be all presented to the NFAT panel that's going to review that project that the members opposite want to oppose, and they're going to give an opinion as to whether or not we should go forward with that particular project.

But I'll tell you, Mr. Speaker, we intend to have the cleanest energy going in the future, the lowest cost going into the future, and if members opposite had their way, we would cancel all of those projects

and it wouldn't matter what letters went out to anybody.

Mr. Schuler: And once again the minister has it totally wrong.

In fact, last week Hydro spokesman Glenn Schneider flatly disagreed Wednesday with Williams' downplaying of the risk facing the Crown corporation if the leaked information became public. That's a direct quote, Mr. Speaker.

And I'd like to ask the minister again that these documents, which could harm \$20 billion of construction, that are floating out there, can the minister assure this Legislature and can he assure all Manitobans that all of those copies have been returned? Yes or no?

Mr. Chomiak: Mr. Speaker, the member cited a document in October.

The president of Hydro has indicated to me in a letter that in fact all of those documents that went to TCN had been returned, and I'm happy to table that letter. The president of Hydro also said that no harm has come from the release of those documents.

Further, Mr. Speaker, the member starts talking about documents. All of those documents that are going to be updated are going to go to the panel that's reviewing Keeyask, that's reviewing Conawapa, and public presentations are going to be taking place on that. So not only is the PUB going to review it, NFAT's going to review it; the public's going to have a chance to review it.

And then we'll—a chance to show why it's so important that we will build hydro and won't cancel it and mothball it like members did to Conawapa before and like they've done to every single hydro project. They've built nothing in hydro. We intend to build hydro into the future for Manitobans and all Canadians and keep the prices the lowest in the country, Mr. Speaker.

Child and Family Services Ministerial Accountability

Mrs. Leanne Rowat (Riding Mountain): Good afternoon. It's the 'minis'—it is the Minister of Family Services who has the power, the authority and the mandate in this province to protect children taken into care.

On Friday, Family Services Department mayor—Mr. McKinnon delivered ministerial damage control at the inquiry. He placed blame and responsibility for

Phoenix's death directly on the failure of front-line staff who deliver the services of child protection, no mention of the minister's lack of oversight.

It appears that this minister has forgotten her 'ron'—her responsibilities. If any parent demonstrated this neglect for their children, they would be removed.

Does this minister not agree that accountability and transparency involves the duty to inform and explain, not behind—not to hide behind the departmental lawyer? Why is she hiding behind a lawyer and making him do spin—

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

Hon. Jennifer Howard (Minister of Family Services and Labour): I respect the commissioner, Hughes. I respect what he is doing in the commission. I've had no discussions with any lawyers about what's happening at that inquiry. I've been very clear from the beginning that I expect that inquiry to have access to the information.

What was said on Friday very clearly was to deal with an allegation that was made in the media and by the opposition at the time of Phoenix Sinclair's murder that it was the fault of an Aboriginal agency, and it was felt to be necessary to be very clear that the file for Phoenix Sinclair was always with Winnipeg Child and Family Services and they accepted full responsibility for handling of that file. And that was to put to rest the allegations that have been present from the beginning, including from the opposition, that somehow this was the fault of Aboriginal people. It was not.

Information Management System

Mrs. Rowat: Mr. Speaker, I think the minister should actually read Hansard. I don't think that she's got her facts straight.

We now hear that the minister's lawyer blamed the staff in Winnipeg Child and Family Services for failure and service delivery errors. The minister continued to stand idly by, hiding behind her lawyer's spin.

In 2012, the Auditor General did a follow-up review of Child and Family Services and he indicated at that time, six years after his initial report, that completeness and accuracy of the information management system was far from complete. No other department would get away with that type of lack of oversight.

Mr. Speaker, how does this minister make decisions within her department without information so important to the well-being of vulnerable children? Where does that leave the 10,000-plus children in care? That's a really important question the minister should answer.

Ms. Howard: I think, as we've said in this House before, in the wake of the murder of Phoenix Sinclair there were hundreds of recommendations made. We've taken action on those recommendations. We've taken action on recommendations to deal with staffing, to ensure that there was in—additional resources put in place at the front lines. We've taken action by making sure that those workers have new 'tweel'—new tools available, internationally renowned tools to do a better job to assess risk. And part of that has also been ongoing work on the information system, and that work continues, Mr. Speaker. We will get more recommendations from the results of this inquiry and we will continue to take action to change the child-welfare system.

But I want to say clearly, I have a responsibility to the children of this province. Everyone in this Chamber has a responsibility to the children of this province. Everyone in this province has that responsibility.

Ministerial Accountability

Mrs. Rowat: It's this minister's responsibility to ensure that those tools and those resources are in place for her staff, and they weren't, Mr. Speaker. So, ultimately, she failed the—these children, and 'expecially' Phoenix.

In 2006, MGEU President Peter Olfert said, and I quote, our members are very upset; many feared that something like this may occur, in reference to Phoenix's murder. MGEU had indicated that the Province refused to act in years leading up to Phoenix's death. Not at the—now at the inquiry, we see the minister using her departmental lawyer to spin—'splin'—or spin the blame away from her and her Cabinet colleagues.

Cabinet priorities seem a bit skewed, Mr. Speaker, no government oversight and complete negligence. It appears they have trouble paying for yet 'anoth'—or they have no trouble paying for yet another—

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

* (14:20)

Ms. Howard: It's been very important to us since the inquiry began that that inquiry is able to do its work without any fear or favour from the government. I have never had any discussion with any lawyer involved in that inquiry.

It was important for me that that inquiry be able to do its work, be able to look for the answers that it needs to look for so that it can make recommendations so that we can act to continue to make the changes that are important in the child-welfare system. That action has begun. There are more workers on the front lines trying to protect kids with better tools. There are new strategies designed to help families who are in crisis before their children have to be apprehended.

The child-welfare system has changed a great deal in the last few years and it will continue to change to make sure that children are protected in this province, but that change will take all of us.

Horse Racing Industry Funding Commitment

Mr. Cliff Cullen (Spruce Woods): Over the weekend, yet another broken NDP promise has come to light.

On June 24th this year, the Minister of Agriculture sent a letter to the Manitoba Horse Racing Commission indicating the government would assist the Manitoba Great Western Harness Racing Circuit. The amount indicated in the letter was \$400,000, of which \$62,000 was to be retained by the NDP-appointed commission. Four weeks of racing have now taken place and the NDP have not fulfilled this promise.

Why has this NDP government broken their commitment as laid out in the June 24th letter?

Hon. Steve Ashton (Minister charged with the administration of The Manitoba Lotteries Corporation Act): Well, Mr. Speaker, I'm glad that members opposite have finally realized that we are interested in providing support to the harness racing industry. Because all of their questions—I think they've asked almost as many questions on Assiniboine downs, I think, as virtually any other issue, I think more than health, more than education. But I'm surprised that now, all of a sudden, that the member's actually asking about the harness racing side, because we've indicated all the way along—in fact, part of our budget was to make sure we continue to support not only thoroughbred but also the harness racing industry.

And I point out, by the way, they still haven't dealt with that. We're here in day whatever of the session, they're still not—they have still not passed the appropriate legislation. In fact, last week they wouldn't even pass Interim Supply.

So the bottom line is I don't think they have any real interest in the harness racing industry.

Mr. Cullen: Here's an NDP government that has broken the law. They've broken their word. We're just asking the minister to put his money where his mouth is today.

In fact, Mr. Speaker, the NDP have so badly managed this file year after year they've almost killed the standardbred industry in Manitoba. The industry has come to government in good faith with long-term solutions, and the government has refused to negotiate. Many in the industry have fled to other provinces. Last-minute funding decisions provided by the NDP have almost made it impossible for owners and trainers to have horses prepared for the racing season.

Why does the NDP continue to jeopardize the horse racing industry by acting so ineptly?

Mr. Ashton: I want to put on the record again that we announced prior to the budget, our Finance Minister announced in the budget—by the way, the budget that members opposite still haven't passed fully through the Legislature—that we would continue supports to the horse racing industry.

There will continue to be 140 machines at Assiniboine downs. The difference is that they will now receive the same amount that every other commercial site holder in the province receives, although, actually, it's a better deal than most other commercial site holders because they're capped at 40; there'll be 140 machines.

We've indicated again that we will continue through the parimutuel levy rebate to support not only the thoroughbred industry but also harness racing.

But, again, members opposite still haven't even passed the budget. So they can talk all they want. They haven't passed Interim Supply.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order, please. The minister's time has expired. Order, please.

Mr. Cullen: The NDP priority is to write themselves cheques for their own political party.

We've had four weekends of racing and no one is being paid. Some of those responsible for putting on the race meets have said that they will not provide this service this upcoming weekend if they're not paid. Many owners, trainers and drivers are making plans to go to other provinces as a result of not being paid. The NDP have completely mismanaged this file, have shown complete disregard for the horse racing industry in Manitoba.

Why is the NDP so intent to drive this industry out of the province? Are they going to fulfill this commitment, or is this just going to be another broken promise?

Mr. Ashton: Once again I point out that—I just pointed out in my last answer that last week it got so bad that members opposite voted against supplying anything in government. They voted against Interim Supply, all of it. They voted at committee stage against all of Estimates.

And I want to stress that we did set priorities in our budget and, yes, there will be a transfer of money from horses to hospitals. But we're still there for the thoroughbred industry, still there for the harness industry.

But again, what difference would it make? They've been delaying, they've been voting against everything. So I don't think they really care, not only about—do they not care about health care and hospitals, they don't care about the horse racing industry either. If they did, they'd vote on our budget and they'd vote on our Interim Supply.

ER Services (Pine Falls) Physician Shortage

Mr. Wayne Ewasko (Lac du Bonnet): And it seems that this government is refusing to listen to Manitobans, Mr. Speaker. They're more concerned with the vote tax.

Last week during question period when I asked the Minister of Health about the status of the ER at the Pine Falls Hospital, the minister said, and I quote: People are welcome to present to the ER. The nurses will act accordingly, consult with the doctor on the phone and assist the family in calling 911.

Is this the Health Minister's answer to the doctor shortage in this province? When are we going to staff ERs with doctors?

Hon. Theresa Oswald (Minister of Health): As I said last week to the member—[interjection] As I said to the member last week that there are emergency

rooms in Manitoba that are under nursed-managed care; that means that they can deal with many issues that present to the ER.

If indeed parents present with a child, for example, to an ER and a nurse does her very professional assessment, perhaps consults with the doctor over the phone, and it is deemed that it is in fact an emergency situation requiring 911, paramedic support, the STARS ambulance, yes, they will assist with that. That is because it is their job.

Mr. Ewasko: Mr. Speaker, on Friday, July 26th, there was no doctor scheduled at the Pine Falls ER; that was this past Friday. This was the 11th day just in the month of July of nurse-managed care at the Pine Falls ER, one of the busiest EMS stations in the region, as I stated, the paid editorial I referenced to last week.

Is this the Health Minister's answer to the doctor shortage in the province, taking a nurse off of the ward and assisting patients with calling 911 in the ER? Really, Mr. Speaker?

Ms. Oswald: Yes, Mr. Speaker, our answer to improving health care in Manitoba is to ensure that we bring more doctors to the front lines, which is why we've seen a net increase of doctors in Manitoba every year since being in office. I would contrast this, respectfully, with seeing a net decrease in doctors every year that the members opposite were in office. This is not a small point.

But I would also say, Mr. Speaker, that our nurses—our RNs, our LPNs, our RPNs, our nurse practitioners—are highly skilled and highly trained. I've been listening to the member across the way and it seems to me that he has no regard for their judgment whatsoever.

Mr. Ewasko: On behalf of many Manitobans who call the Lac du Bonnet constituency home, we are asking for this minister to stop talking and start doing, Mr. Speaker.

Mr. Speaker, Victoria Beach, East Beaches, Sagkeeng, Powerview-Pine Falls, Little Black River, St. George, Hollow Water, Bissett, Manigotagan, these communities all play a role in the high EMS rate at the Pine Falls ER and the hospital.

Mr. Speaker, I would like to ask the Minister of Aboriginal and Northern Affairs (Mr. Robinson), who is also the Deputy Premier and whose riding Hollow Water is in, to put a few words on the record.

When is he going to stand up and start asking some of these questions to the Minister of Health?

Ms. Oswald: Certainly the constituents in Lac du Bonnet absolutely, like all Manitobans, deserve the best possible care. They deserve a family doctor for all, to which we have committed with a very aggressive target of 2015. They need to have nurses at the bedside, which is why we've seen a net increase of well over 3,000 nurses since coming into office, since 1999. They deserve new facilities like the PCH that we've planned for the Lac du Bonnet constituency.

Mr. Speaker, all of this is being done in the context of global economic uncertainty. When those members had their hands on the wheel, they cut spaces in medical school, fired a thousand nurses, and they said they wouldn't build anything at all. It is a contrast indeed.

Epileptologist Vacancy Position Recruitment

Mr. Cameron Friesen (Morden-Winkler): Mr. Speaker, in the province of Manitoba we used to have two epileptologists, which are highly specialized neurologists who treat seizure disorders.

* (14:30)

The WRHA has had an epileptologist vacancy since February 2012 when one of those epileptologists left Manitoba to practise elsewhere, leaving one specialist here to handle the whole provincial caseload. Only one specialist means unreasonable wait times for assessing, for testing, for treatment, and undue stress on the 20,000 people who need these services.

Can the minister indicate: Has a replacement 'epitologist' been hired?

Hon. Theresa Oswald (Minister of Health): I thank the member for the question.

This particular specialty is indeed very, very difficult to recruit. It's a really important role, without a doubt, and that's why the WRHA is actively recruiting. There have been some candidates that have been interviewed. There have been active offers made to those. That work continues. There has not—I can answer the member's question—been a new epileptologist secured, but that work is ongoing because families deserve access to that.

Broadly, we want to ensure that we're bringing as many family doctors and specialists to the front

line, and that's why we're continuing to invest, Mr. Speaker.

Mr. Friesen: Mr. Speaker, that's a very hollow answer.

Today in the public gallery, there are 13 members present from the Epilepsy and Seizure Association of Manitoba, and we welcome them. And, Mr. Speaker, this minister wrote to the association saying that it could take up to one year to hire a replacement. But right now we're at one and a half years, and she says they're still actively recruiting.

Mr. Speaker, what's the result? Manitobans trying to get into the clinic have to wait four to six months just to get assessed and years longer for treatment. The association wrote the minister and said, what's taking so long?

Can the minister explain: Why is there still no replacement epileptologist?

Ms. Oswald: I thank the member for the question, and I welcome the members that are in the gallery today.

We certainly know that people that are living with epilepsy and their families deserve to have the best possible care, and that is why this recruitment effort is going on very aggressively. As I said at the outset, there are not many of these specialists nationwide, Mr. Speaker. There's a lot of work going on with a national and, indeed, international recruitment for this. We want very much to secure an individual to serve in this role. We have other individuals in the system that are doing their best to support.

I agree with the member. We want to have an epileptologist just as soon as possible. The WRHA is working very hard to do this recruitment in a position that is very difficult to fill, and that work will continue.

Mr. Friesen: Mr. Speaker, this minister says they deserve the best care and yet she makes a promise that she proceeds not to keep. The association said to the minister it is hard to see care moving backward, not forward.

Michael Horrocks is a young Manitoban whose seizures have become so unmanageable that he's had to go on disability. He has seizures. He has double vision. He wants to be productive, but his life is on hold while he awaits assessment for surgical treatment. His family is losing hope. His place of

employment will only guarantee his job up to October.

Minister said she'd have a replacement in one year. Why did she break her promise to Michael, his family and the many other Manitobans who are waiting too long and the association who's in the gallery today?

Ms. Oswald: Yes, Mr. Speaker, we want no families in Manitoba to lose hope about the health of their loved ones, not one family.

And I can assure the members in the gallery today that the work that's going on with doctors, with specialists within the field here in Manitoba and, indeed, nationally and internationally, is very aggressive and ongoing. I would say once again this is a very difficult specialty in which to recruit. Jurisdictions across the nation are having similar challenges.

We want to help any family that's finding themselves in a situation like the member cites, and I want to assure him that we'll do everything that we can to support this family and to support the WRHA with the 'necessary' resources to enable them to continue on this very challenging recruitment effort. We want this family to get care, absolutely, Mr. Speaker.

Experimental Lakes Research Facility Interprovincial Funding Agreement

Hon. Jon Gerrard (River Heights): Mr. Speaker, last week the Premier was at Niagara-on-the-Lake in Ontario and having talks, among other people, with Kathleen Wynne, the Premier of Ontario. One of the major joint efforts of Ontario and Manitoba at the moment is saving the Experimental Lakes Area so that its research will be able to help saving Lake Winnipeg, which is today in peril after 14 years of poor management and delays under this NDP government.

I ask the Premier whether he and the Premier of Ontario came to a common agreement on how they're going to work together to save the Experimental Lakes Area, and if so, what is the plan?

Hon. Greg Selinger (Premier): I thank the member from River Heights for the question.

We did discuss the Experimental Lakes project and how important it is, the research, not only for saving lakes in Manitoba but for—really for lakes around the world. The research that has come out of the Experimental Lakes Area led by Dr. Schindler

and many other fine scientists in Manitoba was a major contributor to the reduction of acid rain in the Great Lakes, and now they're focusing on some of the issues of nutrification in our lakes and some of the very serious blue algae toxins that are there.

So we are working together to find a way to keep that research alive at a time when the federal government wants to completely get rid of that responsibility. There is a framework that has been presented to the international institute of sustainable development, the government of Ontario in collaboration with the government of Manitoba—and are trying to find a way forward to continue to keep this research going.

Scientists still have access to that region this summer to carry on their experiments. We're fortunate that was able to be done as these discussions continue.

Mr. Gerrard: Mr. Speaker, saving the Experimental Lakes Area is critical to saving not just Lake Winnipeg but many other lakes.

Manitoba is known as the land of a hundred thousand lakes, and there's no way we're going to be able to ensure the water quality in these hundred thousand lakes without the Experimental Lakes Area. If the province were to contribute, for example, \$1 million a year, or 0.008 per cent of the provincial budget, to keep the ELA operating and ensure the health of a hundred thousand lakes, this would appear to be a bargain.

Is the Premier going—committing firm new financial resources to the International Institute for Sustainable Development to save the ELA, or is he still equivocating on Manitoba's financial commitment?

Mr. Selinger: We are the only government that I'm aware of in Canada that has an annual contribution to the international institute in the order of a million dollars. We are looking at how we can continue that kind of funding. We believe that funding should be directed at priority areas in part, such as the Experimental Lakes Area, so we're prepared to make a contribution to that.

But let's be clear. This is a project that has always been funded by the federal government. They have decided—without consulting anybody, the federal Conservatives have decided to cut this funding. Now they're looking for a way to transfer it to another organization. Two provincial governments, the government of Ontario, the

government of Manitoba, along with the institute, are willing to consider making a contribution to that, but we need a federal partner as well. This research has not only pan-Canadian implications, it has international implications. This research has made a tremendous difference all around the world, and it would be very helpful if the federal government would recognize that and continue to have an ongoing contribution to this very important research.

Mr. Gerrard: Mr. Speaker, I didn't hear any new commitment to—for natural resources. Where does this Premier actually stand?

A great deal hinges on meeting a September 1st deadline when the current agreement on the Experimental Lakes Area expires. Getting private sector fundraising, getting a business plan, all depends on having this September 1st agreement and on the funding from Manitoba.

The commitments are clearly needed. Without these, the future viability of the Experimental Lakes Area and saving our hundred thousand lakes are very much in doubt.

I ask the Premier whether he talked with Kathleen Wynne about the urgency of the September 1 deadline. I ask the Premier: Did he actually do his job and make sure he went all the way and got—

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

Mr. Selinger: Well, Mr. Speaker, the Premier of Ontario and I did discuss this. We both agreed it was an important project to keep alive. We both value the research. We value the scientific activity that has occurred not only in this province but in Ontario and the contribution that it's made to protecting our Great Lakes.

And we consider Lake Winnipeg one of the great lakes of the world. It is one of the largest freshwater lakes in the world, which is why we brought in save Lake Winnipeg legislation to reduce phosphorus going into that lake when the members of the opposition opposed it every step of the way, and it's why we've leveraged up to a billion dollars of resources through our various budgets with other levels of government to make sure there are good inputs into reducing nutrification and toxic algae on Lake Winnipeg, and the Leader of the Liberal Party voted against those resources.

* (14:40)

We will continue our negotiations. We need a federal partner on this. There is an environmental liability there; that has to be resolved. The federal government cannot expect other organizations to pick up that liability and they can walk away from it. All levels of government have to contribute to the solution, Mr. Speaker, not just the government of Ontario and the government of Manitoba.

**ZenFri Inc.
Interactive Digital Media Tax Credit**

Mr. Dave Gaudreau (St. Norbert): Today the Minister of Innovation, Energy and Mines was at ZenFri games, an interactive video gaming company that has benefited from our interactive digital media tax credit.

Despite the rhetoric and the doom and gloom party over there, Manitoba is doing pretty well. We have a 5 per cent unemployment, which is 2 per cent lower than the national average.

Can the minister tell the House how this tax credit is bringing more jobs and investment to Manitoba?

Hon. Dave Chomiak (Minister of Innovation, Energy and Mines): I was quite honoured to be at ZenFri's offices today to look at their new game called *Clandestine: Anomaly*, Mr. Speaker, and it's an interdigital media game that is probably—and is recognized around the world as the most advanced game in the world.

It was developed in Manitoba by a fellow who came from Ontario who said it's only in Manitoba—there's no exodus of brains out of Manitoba. They're coming into Manitoba because it's a good place to do business. It came as a result of a \$710,000 grant from media Canada and because of the interdigital media tax credit that they get from Manitoba. That's why he said he was here.

An entrepreneur that's employing around 42 people to develop interdigital media programs, a game that will be the best in the world, and members opposite oppose it. This is the new technology; this is the new world. Manitobans are at the forefront—

Mr. Speaker: Order, please. The minister's time has expired.

**Lake Manitoba-Lake St. Martin
Flood Prevention**

Mr. Stuart Briese (Agassiz): Mr. Speaker, Lake Manitoba and Lake St. Martin remain at dangerously

high levels, well above regulated levels. The shorelines are eroded and in many places non-existent because of the extensive flooding in 2011.

I ask the Premier (Mr. Selinger): What actions are the NDP taking to prevent flooding this fall and next spring?

Hon. Steve Ashton (Minister responsible for Emergency Measures): Well, Mr. Speaker, I think the most important thing that we did in 2011 in terms of Lake Manitoba and Lake St. Martin was build the emergency outlet, and I want to indicate that we positioned equipment again there this year, again, if it needs to be used. And I'm very proud that as part of our commitment and our budget to historic investment in infrastructure, we're also committed to a \$250-million investment in additional outlet from Lake Manitoba and Lake St. Martin because we are looking at the long term.

Now, in the immediate situation I can advise the member—and I'm more than willing to provide a briefing—that certainly levels are projected to begin dropping over the next number of weeks, depending on weather.

But, of course, we are very aware of the impacts of flooding the last period of time. That's why we're committed to long-term solutions for Lake Manitoba and Lake St. Martin.

Mr. Briese: Mr. Speaker, the key phrase there was depending on weather, and I don't know how he can predict the weather. Lake Manitoba and Lake St. Martin are one wind event away from catastrophe, and Manitoba is noted for fall windstorms.

I ask the Premier again: What actions are being taken today to protect the 2011 flood victims from a repeat disaster this fall with a wind event?

Mr. Ashton: Mr. Speaker, I want to stress again I can provide a briefing to the member if he wants to see the current forecast in terms of the lake. I want to indicate that we've got significant flows again this year, particularly on the Waterhen. As the member's probably aware, there's been significant rainfall in the Parkland and southwest Manitoba that has impacted very significantly on Lake Manitoba and Lake St. Martin. I want to indicate we're working in terms of those communities and in terms of some of the damage that's taken place, and I want to stress that.

But we're working not only today in real time in terms of floods, we're also committed to the future, and I hope the member will reconsider his position on the budget, because that budget, Mr. Speaker, is going to provide the long-term solution for Lake Manitoba and Lake St. Martin. That's what we need, long-term solutions for those communities, and I hope the member opposite will support them.

Mr. Briese: Mr. Speaker, the situation is serious and dangerous. Lake levels are higher now than in 2010 prior to the 2011 flood.

Is the Premier just going to cross his fingers and hope it doesn't happen? Is he just going to quote his disgraced minister of Water Stewardship who in the fall of 2010 said the suggestion of flooding was just crazy?

Mr. Ashton: Well, Mr. Speaker, I want to remind the member again that not only are we committed to the long-term solution, in 2011 we put in place an emergency outlet at Lake St. Martin that can be actioned, if necessary, to protect both Lake St. Martin and Lake Manitoba. And I want to put on the record that because of that outlet and because of the tremendous work that was done by our engineers, by the construction companies and the First Nations communities and many others, we brought the levels of both of those lakes back below flood level.

So we not only deal with the long term—which, Mr. Speaker, I invite members opposite to come on board with—we're there day in, day out, in the real-time flooding, and we'll be there for Lake Manitoba and Lake St. Martin short term, mid-term and long term.

Mr. Speaker: Time for oral questions has expired. Time for—

MEMBERS' STATEMENTS

ANAVETS Assiniboia No. 283

Ms. Sharon Blady (Kirkfield Park): Mr. Speaker, Canada's veterans have sacrificed much in the service of our country and deserve our honour and respect. Today I rise to recognize ANAVETS, Canada's oldest veterans' association.

ANAVETS, or the Army, Navy and Air Force Veterans in Canada, began as an association for members of former French and British regiments. They banded together to exchange information on available services and benefits as well as to socialize and provide mutual support. Today, ANAVETS is a

non-profit organization with 18,000 members in 70 units across the country, in British Columbia, Alberta, Saskatchewan, Ontario, Québec, Nova Scotia, New Brunswick and, of course, here in Manitoba. Its purpose is to unite veterans across the country, to provide advocacy on behalf of veterans and to help promote awareness of services available to veterans.

This month in Winnipeg, ANAVETS Assiniboia Unit No. 283 celebrated its 67th anniversary. Its first meeting was held in May of 1946 in the old Assiniboia municipal hall, now the St. James historical museum, and the association was officially opened a few months later on July 13th. Since its humble beginnings, ANAVETS Unit 283 has grown to offer a variety of services to its members, from dances and barbecues to golf, shuffleboard and snooker, to information on benefits available through Veterans Affairs Canada. This organization truly serves the veteran community in west Winnipeg.

Unit 283's anniversary was celebrated in style July 13th at the John Thompson memorial hall, where long-serving members received recognition for the years of dedication. The event was a great success thanks to the hard work of members and the executive who co-ordinate the unit's operations all year.

Mr. Speaker, Canada's identity comes largely from the contributions to global peace and security made by our courageous men and women in uniform. I would like to congratulate ANAVETS Assiniboia Unit No. 283 on 67 years of supporting those who have supported Canada.

Thank you, Mr. Speaker, and I would ask leave for the names of the executive to be recorded in Hansard.

Mr. Speaker: Is there leave of the House to include the names of the honourable members mentioned? *[Agreed]*

2013 ANAVETS Assiniboia Unit No. 283 Executive: Reg Baldwin, Gord Criggan, Hayden Kent, Leo Barron, Syd Stamper, Sheldon Clupp, Dave Walker, Rae Roberts, Gord Kent, Susan Paggett, Sylvia Shaler, Bill Sadler, Elvira Furutani, Gord Ayotte, Gord Kent, Barbie Sands, Reverend Canon Dr. Murray Still.

Threshermen's Reunion and Stampede

Mr. Wayne Ewasko (Lac du Bonnet): Mr. Speaker, every July since 1952, the community of

Austin celebrates its Threshermen's Reunion and Stampede, a unique occasion where visitors can view agricultural artifacts and learn about the history of Manitoba's pioneers.

The museum started in the late 1940s when Don Carrothers became deeply concerned about the amount of farm machinery from the pioneer era that was leaving the province. In response, Mr. Carrothers acquired a Case 22-65 steam engine, restored it to operating condition and paraded the engine on several occasions to gather community support for a museum which would collect and preserve agricultural implements from Manitoba's pioneer era.

He was successful and gathered a group of like-minded people to found the Agricultural Museum in 1951. The early years of the museum were difficult ones, as money was short and the needs for money were great in building a museum.

But the hard work of the volunteers prevailed, and in 1952 the museum hosted its first Threshermen's Reunion. Steam engines, gas tractors and horse-drawn equipment can be seen and heard doing the jobs of plowing and threshing that this equipment was designed for.

All museum exhibit buildings are open, including 20 in the Homesteaders Village. A free grandstand show each afternoon features a parade of vintage farm equipment and contests such as stooking and sheaf-tying demo and a threshing competition between gas- and steam-driven threshing machines.

This year's Threshermen's Reunion featured both Massey and Horsepower as their Expo features. There's a rodeo each evening, and the evening ends with a free dance on an open-air dance floor. There was also a petting zoo and a barrel train for kids to ride on.

*(14:50)

Mr. Speaker, I would like to ask all members of this House to join me in congratulating the community of Austin and the organizers of the Threshermen's Reunion and Stampede on 59 years of success, and I wish them all the best in planning next year's 60th anniversary. Thank you, Mr. Speaker.

Folklorama

Mr. Dave Gaudreau (St. Norbert): Mr. Speaker, I'm pleased to live in a multicultural province where ethnic diversity is encouraged and able to

flourish. With more than 150 countries represented and more than 140 languages spoken and over 220 ethnocultural community organizations across the province, Manitoba continues to demonstrate its commitment to preserving and sharing our unique cultural—cultures with one another.

One of my favourite things about summer is learning of the many cultures found in Manitoba through Folklorama. Last year I attended 14 fantastic pavilions and was very honoured to participate in the Punjab pavilion turban-wrapping demonstration on stage. I wore the turban probably for the entire night. Having the opportunity to explore and become immersed in other cultures helps to develop an understanding of our neighbours' heritage, build a stronger and more united province.

Mr. Speaker, Folklorama began as a one-time event to celebrate Manitoba's centennial in 1970. Folklorama first consisted of 21 pavilions that brought over 75,000 visitors. Now Folklorama is the largest, longest running multicultural festival in the world. This year Folklorama is hosting 46 pavilions and expected to welcome over 425,000 visitors.

Not only do Winnipeggers take advantage of this incredible festival, many people throughout the province, country and across the world come to Winnipeg to explore pavilions at Manitoba's Folklorama. Some venture from as far away as Australia, Korea, Paraguay and elsewhere.

Folklorama is made possible by the amazing work of volunteers year after year. The 20,000 committed and dedicated volunteers who work in the kitchens, at the door, on stage and behind the scenes are essential to Folklorama's continued success.

Mr. Speaker, this year's festival will be held from August 4th to 17th. During the next two weeks, I encourage all members of the Legislature to attend as many pavilions as possible to embrace the cultural diversity found here in Manitoba.

I would also like to thank Folklorama's board of directors, staff, sponsors, performers and volunteers for their incredible contributions to creating a cultural vibrancy that can be seen throughout our shining province. Thank you, Mr. Speaker.

Norman Tilley

Mr. Ian Wishart (Portage la Prairie): Today I would like to recognize Norman Tilley, an outstanding businessman and realtor who has the

honour of being the longest practising realtor in Canada with 63 years in the business and still going strong at the age of 96. His first sale took place in 1950 when he sold a half section of land.

Norm Tilley didn't begin his working life in the real estate business. In 1937 he went into the family cattle business northwest of Austin where he was born and raised. A few years later it was his commitment to this family that made him decide to leave farming and this marked the beginning of his real estate career. He went to work for the local outlet of the Canadian West Grain Company and through the urging of the former owners became a registered real estate broker.

Prior to working for the grain company, Mr. Tilley had spent a couple of summers working in Narvey's clothing in Portage la Prairie, and this experience influenced him to move to Portage.

In 1962 Norman incorporated his business, and this began his devotion to the real estate—to real estate. Norman was involved in the creation of the Manitoba Real Estate Association in the 1950s and in 1976 the Portage Real Estate Board where he served two terms as president. During his time as president of the association, he convinced the government of then-Premier Duff Roblin to abandon their idea of a 1 per cent tax on all land sales.

He is a great mentor to those starting their careers in the real estate field, and with his vast knowledge he is always willing to help real estate agents—to teach, sorry—new real estate agents how rewarding it is when you make both the buyer and the seller happy.

Many people in the community would not be living in their homes today, businesses wouldn't not be in operation were it not for Mr. Tilley's experience and generosity. He was always there to help those in need in a kind and generous way. He has made many contributions to the community of Portage la Prairie as well as serving on city council as an alderman, a board member of the Portage and district hospital, a director of the Portage la Prairie Community Development Corporation, president of the local Kiwanis Club and a charter member of his local church.

Mr. Speaker, I ask all members to join me in paying tribute to Mr. Norman Tilley.

Ininiwi Aski Quest

Mr. Frank Whitehead (The Pas): Mr. Speaker, on Friday, July 26th, 14 brave and tenacious canoers arrived at The Forks after a 890-kilometre journey from Pimicikamak Cree Nation, Cross Lake, as part of the Ininiwi Aski Quest.

The Ininiwi Aski Quest was founded by four Cross Lake community members in 2004. This independent organization provides opportunity for youth to reclaim their connection to the earth and find healing through their canoe quest.

This year's group departed from Pimicikamak on July 8th. The 18-day life-changing journey had participants retrace their ancestors' paths. The eldest participant was 81 and the youngest was 10 years old. Embarking in a 30-foot canoe, warrior canoe, the group travelled for 890 kilometres, making camp along the way and learning about the land we call home.

The quest was not without problems; there were storms, the canoe broke, and there were seven-hour trek from Grand Beach to Brokenhead Ojibway First Nation. However, there were also incredible connections built with those whom they met and an increased understanding of the strength of their ancestors.

The canoe quest raised awareness on environmental issues, and specifically the protection of Lake Winnipeg. Mr. Speaker, the Province is committed to protect and restore the lake. Manitobans are hopeful, through joint efforts, that we will find ways to restore the health of our lake so that seven generations and beyond shall embrace the beautiful natural lands and waters of our ancestors.

Mr. Speaker, at the welcoming ceremony on Friday, July 26th, community members joined together with their drums and voices to honour Mother Earth, the water and the paddlers. The heartwarming ceremony was—also included a powwow, guest speakers such as the Minister of Aboriginal and Northern Affairs (Mr. Robinson), and a community feast which featured stories about the group's experiences on their quest.

Mr. Speaker, I would like to ask all members of the Legislative Assembly to congratulate these dedicated and committed participants who took part in this journey. It was a quest to gain understanding about our land and the need to protect her. Now we must do all our part.

I request leave to have the names included in Hansard, Mr. Speaker.

Mr. Speaker: Is there leave of the House to include the names in the Hansard? *[Agreed]*

From Cross Lake: Ronnie Beardy, Nathan Beardy, Elaine Beardy, Chloe Beardy, Zulioka Castel, Clinton Muskego, Karmen Muskego, Dylan Mason, Nelson McKay, Andrena Blacksmith; From Gods Lake Narrows: Cody Ross, Perry White; From Poplar River: Cheyene Bruce; From Berens River: Shirley Semple, Maggie Swortz; Organizers: Fawn Beardy, Roxanne Shuttleworth.

Mr. Speaker: Seeing no grievances—

ORDERS OF THE DAY

GOVERNMENT BUSINESS

Hon. Jennifer Howard (Government House Leader): We're ready to proceed with royal assent for Bill 48.

ROYAL ASSENT

Acting Deputy Sergeant-at-Arms (Mr. Craig Waterman): His Honour the Lieutenant Governor.

His Honour Philip S. Lee, Lieutenant Governor of the Province of Manitoba, having entered the House and being seated on the throne, Mr. Speaker addressed His Honour the Lieutenant Governor in the following words:

Mr. Speaker: Your Honour:

The Legislative Assembly of Manitoba asks Your Honour to accept the following bill:

* (15:00)

Clerk (Ms. Patricia Chaychuk):

Bill 48—The Interim Appropriation Act, 2013; Loi de 2013 portant affectation anticipée de crédits

In Her Majesty's name, the Lieutenant Governor thanks the Legislative Assembly and assents to this bill.

His Honour was then pleased to retire.

Mr. Speaker: Please be seated.

House Business

Hon. Jennifer Howard (Government House Leader): Mr. Speaker, would you please call second readings in the following order: Bill 27, 37, 41, 42, 19, 24, 30, 46 and 47, followed by the resumption of debate on second reading of Bill 18.

Mr. Speaker: We'll call bills in the following sequence: Bill 27 followed by 37, 41, 42, 19, 24, 30, 46, 47 and then followed by the resumption of debate on Bill 18.

SECOND READINGS

Mr. Speaker: So we'll start now with Bill 27, The Highway Traffic Amendment Act (Charter Bus Service).

Bill 27—The Highway Traffic Amendment Act (Charter Bus Service)

Hon. Steve Ashton (Minister of Infrastructure and Transportation): Mr. Speaker, I move, seconded by the Minister of Energy and Mines, that Bill 27, the highway traffic amendment act, be now read a second time and referred to a committee of this House.

Motion presented.

Mr. Ashton: Mr. Speaker, this bill is a follow-up to a previous bill which brought in some significant changes to scheduled bus service and its regulation in the province.

Members in the House will be aware that in 2009 the main carrier in terms of scheduled bus service announced it was imminently withdrawing service. We put in place interim supports to keep that scheduled service in place, but we recognize that the previous model, which involved cross-subsidization, didn't work. So we brought in a more flexible regulation that still has regulation for safety but allow for both easier entry and exit.

This is a follow-up which deals with charter buses. The current rules have a very significant economic entry test. Applicants can and will be often subject to challenge at the Motor Transport Board, even if they believe they do have the business. This will move to a more flexible nature. There will continue to be regulation in terms of safety and other requirements. And this again will provide more opportunities for many carriers, as well as more options for members of the public.

I would, therefore, Mr. Speaker, strongly urge support for this bill to go through to committee, and we look forward to hearing presenters at committee.

Mr. Speaker: Is the House ready for the question?

An Honourable Member: No.

Mr. Speaker: The honourable member for Lakeside.

Mr. Ralph Eichler (Lakeside): Yes, in regards to Bill 27, we're certainly, you know, pleased to see the government brought this change in at—in regards to the charter bus service. We're certainly more than happy to hear from the public in regards to what they have to say in regards to Bill 27. I know that, you know, I've had different conversations with some of the bus operators, some of the communities, Brandon city in particular, also some of the tour bus operators.

But also I have some concerns. And whenever we look at deregulation, we need to look at all those aspects, and I certainly want to thank the minister and his staff for the briefing. But the No. 1 thing that we need to look at, first and foremost, of course, is the consultation process, which we want to take very seriously. I know there is some presenters that have already signed up in regards to having their feelings expressed at committee. And I know the Canadian Federation of Independent Business council has given the—Manitoba a failing grade as far as regulatory reform is concerned. And Manitoba is falling behind. And also, whenever we have the opportunity to cut red tape, we certainly know that that's something we've been very much in favour of. You know, with the increase in taxes—certainly has made Manitoba less affordable and certainly less attractive for our Manitobans to live, work and play.

Now, in regards to the regulatory burdens and those other things that whenever we look at changes—and safety is paramount, and we know that a lot of the issues are covered off in the bill as far as safety is concerned. And we want to ensure that those folks that are applying to transfer people from point A to point B, that we have the level playing field. And I think that the bill does address a number of those.

The other concerns that we have in regards to this bill is those charter bus companies that reside outside the province of Manitoba. And we want to hear what industry has to say about those particular businesses and what safety rules are going to be in place for them. We know that we've had some carriers express interest from outside the province of Manitoba. And, certainly, you know, we want to be open for business. That's—there's no doubt about that. We want to make sure that these folks do have the same opportunity as other bus companies within the province of Manitoba. But we've also had some concerns from those operators within the province of Manitoba in order to ensure that they're going to be able to be competitive as well. So that will be part of the debate as well.

Mr. Tom Nevakshonoff, Deputy Speaker, in the Chair

* (15:10)

And I know that the scheduled bus services that came as a result of Greyhound, Grey Goose, changed in some of those routes that they didn't take part in. We certainly know that whenever we talked about how important bus service was for rural Manitoba in particular, for medical reasons, for other reasons, for reasons that—a simple thing as getting parts to a community for—be it a farmer, be it a business person, be it services that we want to be able to talk about, whether we're commuting by bus, by air, by car, by truck, we certainly know that we want to be able to make sure that whatever we do, we do it right. And I know the \$4 million that the government had to subsidize Greyhound right up until 2012, we're very concerned about that. We're concerned about saving that money, but, by the same token, we want to make sure that those tests are run, those debates are had in order to ensure that we do have the best regulations in place.

And I know that the current law requires that people apply for a licence in order to operate a chartered bus in Manitoba, and potential operators must be able to prove two things: fitness and economic need. The fitness test requires them to prove that vehicles they are using is safe and they are fit for the road, and they need to be properly inspected and have a safety certificate certifying that, in fact, they are safe.

The economic test requires operators to prove that there is a need for the demand for bus services which are not being met by current services, thus the same requirement which exists for scheduled bus services prior to them being deregulated. Under this amendment, people applying for chartered bus licences would have to prove that there is economic need rather than it would be required to pass the fitness test. This would bring chartered bus regulations in line with current regulations for scheduled bus services.

The current regulations allow for the public to object to any licence being applied for. This means that there have been cases when someone applies for a chartered bus licence and passes both the fitness and economics need test and are blocked by an objection from another bus company. This is clearly unfair. It is a way for business to avoid competition using an administrative process designed to protect the consumer. The government should not be acting

as an impediment to business, but rather than one that says we are open for business.

Under this amendment, the Motor Transport Board will no longer have jurisdiction over a number of areas in the charter market. It will no longer be able to specify territory, the number or size of buses, or regulate fares. The Manitoba transport board will also still issue licence to the carriers and regulate safety but will no longer have economic jurisdiction over them. This new regulatory regime will open up new business opportunities in Manitoba. Bus operators will no longer have to go through the 'orinous' and unnecessary paperwork. They will be able to operate within the charter and bus schedule services bringing a mix together in a business plan. This allows for greater flexibility on the part of business and more diverse services for consumers. There would be no limits as to who may operate a chartered bus service in Manitoba. Operators from across Canada and United States will be able to set up shop in the province of Manitoba, possibly expanding the range of destinations people can go as well.

However, stakeholders have informed us that they well may have a detrimental effect on operations within Manitoba. Currently, a Canadian charter operator can transport passengers from the US into Canada but cannot operate a bus on an entirely American route. For example, a Canadian charter bus operator cannot take a charter group from Minneapolis to Chicago. Under this new act, an American charter bus operator could come into Manitoba, operate a bus on an entirely American route, and that would not make it workable for the Canadian carriers.

There's also nothing to stop bus operators from operating in Ontario, Saskatchewan, from coming into Manitoba and operating here without reciprocal privileges for Manitoba operators in their respective provinces. And, in fact, it gives the Manitoba companies a bit of a leg down rather than a leg up because, with Ontario not having deregulation, it certainly opens up the door for us not to be able to go into Ontario but them, in fact, to come into Manitoba, which is potentially a possibility for unfair competition as a result of that.

In the end, Manitoba can be a leader and not a follower. It has been for many years. Saskatchewan, Ontario are still under strict economic regulation, however, Manitoba can show there are better ways to providing bus services than taking the money out of

taxpayers' pockets. Saskatchewan has an entire Crown corporation dedicated to intercity bus services costing taxpayers there upwards towards \$20 million a year. Manitoba in deregulation has found a much better and more sensible solution. Deregulating the bus industry was a sensible move to solve the problem of intercity bus services, of course, in Manitoba.

The market should determine where and in what territory it is profitable for a company to operate. It has taken a long time and, of course, millions and millions of dollars of taxpayers' money to finally get to this point. It should not be purviewed by the government or any other agency to determine what is and is what economical viable, whether it should be up to the entrepreneur to determine what they wish to risk in business venture. We see the value of market-base systems and welcome new opportunities for more competition and lower fare rates, of course, for Manitobans. Safety standards, of course, must be maintained, regular inspections need to be carried out and the Province needs to ensure there enough inspectors to ensure that busses from outside the province may now operate in Manitoba are, in fact, compliance with all safety standards. We are concerned that the unfair competition from our neighbouring provinces and United States may cause problems for Manitoba operators and we'd like the government to take a little more time to consult with those industry stakeholders.

Now, as I said on the onset, I know that the city of Brandon, the mayor there has endorsed this bill, and I know some of the bus lines that I said earlier I had spoken to, they have some serious concerns and I look forward to having that debate as we get into committee. And I know that whenever we have those debates and we have those folks at the table it's going to be an opportunity for us on this side of the House and, of course, for the government to have a look at some of the amendments or concerns that they may have. They may be addressed through question and answer period. We certainly want to make sure that they do, in fact, get their answers they need. And we know that, with Manitoba, Greyhound leaving a large portion of the province of Manitoba, it's an opportunity for other businesses to take advantage of that and to move forward. So we certainly look forward to that and we look forward to any other information that may be coming forward as a result of Bill 27.

We know that many, many times that whenever we talk about changes and deregulation, certainly

something we're very much in favour of, but we want to make sure we do it in a way that's going to be sustainable not only now but into the future.

So, with that, I look forward to moving the bill on to committee at this point in time and look forward to making sure that other members, of course, of the House have an opportunity to speak as well. I know there's probably others on this side of the House that want to speak to it and I know probably government members want to as well, because based on rural Manitoba it's very important that we ensure that we do have competitive bus companies within the province of Manitoba and, of course, they're sustainable.

So, with that, we look forward to moving it on to committee. Thank you.

Hon. Jon Gerrard (River Heights): A few comments on Bill 27.

I think there are, in particular, three primary issues here. One is in—we move from what we had historically to where we are going in terms of bus safety and bus service in this province, that we need to make sure that safety issues are fully and adequately addressed, that we will have a better service and that Manitoba businesses are, indeed, treated fairly. I think on the surface this legislation would appear to be good in terms of opening things up and allowing more operators to get more easily into the business.

* (15:20)

On the other hand, there are concerns if you have, you know, more operators, that you've got to make very sure that any new operators are following high safety standards, that they're not trying to cut costs and in the process, short-cut safety issues. Safety is a very, very important and fundamental issue with respect to bus transportation. Having travelled by bus, not only here but elsewhere in the world, I know how important safety is, and I think it's very important that we keep an eye on this, and I look forward at committee stage to hearing more presentations with regard to this aspect.

Second, the issue of service. On the face of it there are potential for more and better service under this scenario. But we certainly need to ask and deal with the question about how the service applies, you know, not just for those in Winnipeg and Brandon but those people all over the province because, in fact, it has been cutbacks and services to many communities in the north and in rural Manitoba

who—where we've seen the largest effects, and we want to make sure that all communities are looked after and that there are opportunities in Snow Lake and Swan Lake and so on, that the opportunities are not restricted.

Second—or lastly, in terms of the situation of Manitoba businesses, that there is a concern here. Indeed, I have a letter from one of the Manitoba operators who says Bill 20 will not fix the problem presently facing resident Manitoba travellers. Rather, this operator says, it will force established transportation companies to either close their doors or run their established businesses on the cheap or lay off hard-working taxpaying Manitoba employees, to purchase equipment, supplies, insurance, maintenance items out of province, instead of in Manitoba, where they're often significantly cheaper, and look for qualified mechanics, custodians, technology experts who may be willing to work on the cheap for whatever reason, to help reduce high operational expenditures. Most importantly, this operator says that this bill doesn't adequately address safety and may diminish safety for various reasons.

Certainly, this kind of response is not very reassuring and suggests that there will indeed need to be a careful look at this bill as it goes through committee to make sure that the balance here is right, that we are indeed providing an environment which is going to be workable from the point of view of safety, service, Manitoba businesses. I think it's important, as has already been pointed out, that Saskatchewan has decided to subsidize their bus transportation company. We don't want Manitoba businesses having to compete with subsidized Saskatchewan buses. We want, clearly, a reciprocal agreement if there are bus companies from outside, so that our companies won't be disadvantaged, but they're—have a fair situation and a level playing field.

So, with those few comments and concerns about this bill as we move forward, I think it's going to be important to have a very careful look at this when it comes to committee. Thank you.

Mr. Kelvin Goertzen (Steinbach): Mr. Deputy Speaker, I move, seconded by the member for Arthur-Virden (Mr. Maguire), that debate now be adjourned.

Motion agreed to.

Mr. Deputy Speaker: Now, move on to second reading of Bill 37, The Emergency Measures Amendment Act.

**Bill 37—The Emergency Measures
Amendment Act**

Hon. Steve Ashton (Minister responsible for Emergency Measures): I move, seconded by the Minister of Conservation, that Bill 37, The Emergency Measures Amendment Act; Loi modifiant la Loi sur les mesures d'urgence, be now read a second time and be referred to a committee of this House.

Mr. Deputy Speaker: Who is your seconder, Honourable Minister?

An Honourable Member: Conservation.

Motion presented.

Mr. Ashton: After every significant flood event or other natural disaster, we review a lot of things, and one of the things we have done—and we did this post-'97—is review The Emergency Measures Amendment Act. This brings in a number of proposed amendments through this act that are based on the direct experience of EMO, our municipalities, and many of the first responders that have been, dare I say, rather busy recently with the natural disasters.

I want to just briefly highlight them. We are clearly defining routine emergencies and major emergencies. Obviously, we've seen with 2009, 2011, some of the obvious elements that go into a major emergency, but we often do have more localized, short-lived situations we have to deal with.

We have business continuity planning included—that's clearly something that's important—maintaining essential services.

We are repealing the emergency prevention order that—we found that having two levels of emergency powers was leading to confusion. This simplifies it, although creates an environment where we continue to have the appropriate measures available.

We're requiring a better explanation for an emergency which is subject to a declaration of a state of local emergency. This is only for the purpose of providing special authorities to deal with the disaster, and we want to ensure that that is, indeed, why states of local emergency are declared.

We're extending the effect of state of local emergency from 14 days to 30 days. That was a significant issue in the 2011 flood. We had numerous municipalities—majority of municipalities that were

actually impacted by the emergency, and this does simplify the process quite significantly.

We're inserting new provisions allowing the arrest and detention of people for refusing to evacuate. I want to stress that's for their own benefit. We did have a situation in 2009 where we had first responders rescuing people from their rooftops in the middle of the night—a very hazardous situation. And it would be used sparingly but would be required under some circumstances. Obviously, there are penalties that would be attached in this case. The maximum of the penalties continues to be basically determined in legislation.

We're inserting a new provision allowing cost recovery for those who refuse to evacuate. Dare I say, when that does happen, it not only creates a hazard for our first responders but often a very significant cost.

We're inserting a new provision creating a specific offence for interfering with emergency infrastructure. This, again, we would anticipate would be used rather sparingly, but the current process requires us to go through the various provisions of enforcing what is essentially trespass law, and there can be very significant consequences for that.

I want to indicate that we're giving municipalities new abilities to authority a special levy for services related to emergency management services. I think that needs no explanation given the degree to which our response relies very heavily on municipalities. And I know the AMM has previously requested the special service provisions in The Municipal Act be expanded.

So this deals with a number of items that come out of our direct experience and through consultation with various stakeholders, including our municipalities, and are recommended to the House.

Hon. Jon Gerrard (River Heights): Yes, I rise to speak to Bill 37, The Emergency Measures Amendment Act.

Although there are some additional changes here which I think can be useful, what is most noticeable is the lack of addressing some really, really critical issues in the way that the Province approaches emergencies.

* (15:30)

You know, first and foremost, we have had approximately 2,000 people who've been out of their homes primarily in Lake St. Martin and Little Saskatchewan for two years. This is, you know, really poor management having people out of their homes for so long. It's poor for the people who are concerned having to live and often moving around from one place to another, being dislocated, children who are not growing up in their home community and a lot of extra cost, the costs of people staying in hotels. I understand for First Nations people is close to a hundred million dollars and I'm sure for non-First Nations people in Manitoba those costs are in the many, many millions of dollars because there were many evacuated from around Lake Manitoba and other areas.

And so making sure that there is an approach in the future which is much more rapid in terms of the response, enabling people to get back home or to establish, in the case of Lake St. Martin, new communities and have this process as it is now going on and on and on. I would have hoped, I would have expected that the minister would have done something which speaks to this important issue, but, unfortunately, I don't find anything here that deals with how to get people back home faster instead of ending up with a situation which we have, being more than two years after.

Mr. Speaker in the Chair

In the last couple of weeks we have had people come from the Misty Lake Lodge over issues that have arisen and been able to hear straight from their mouths the stories that they have had to live with over the last two years and the issues not only of living, the problems that they had particularly in the first year in getting their kids into schools, the problems of making sure that they were in a good situation where they could keep their families together, that they were in a situation where they were safe. These for many of them were very big issues, and the fact that things were not handled as smoothly or as easily created tremendous disruption in the lives of many, many people.

And, sadly, from the stories that I've heard there were many particularly elderly people who became sick. There have been some young people who got into, you know, not only difficulties, but there have even been some suicides.

And making sure that we have a more organized approach and that we can get people back much more quickly, it seems to me that this should have

been a fundamental objective and that the minister in his wisdom should have been able to look at how you can achieve this in a much better way than it happened during the most recent flood of 2011.

There are, for example, numerous concerns that have been raised with regard to the funding and the support by the Manitoba Association of Native FireFighters. Now, Mr. Speaker, the Manitoba Association of Native FireFighters has historically had a tremendously good reputation, done some marvellous, marvellous work for the people of this province. But, you know, unfortunately, it would appear that there may be a few individuals who have caused a lot of difficulties in doing things which were inappropriate, and that matter, of course, is under some investigation with audits and other things going on at the moment.

But, certainly, it would seem to me that this would have been an opportunity to look at these issues and the operation of emergency measures and emergency responses in the province in a more careful fashion. And I would suggest, Mr. Speaker, that this was an opportunity that could have been taken and taken to the advantage of our ability to deal with emergencies in the future.

There was an opportunity. There have been, as a number of reports, as the minister himself is well aware, and I am concerned that in focusing on a few items here that we are not getting as much of the big picture and that we are missing some areas where we could have looked for very considerable improvements in how we approach emergency measures in the future.

I think that the issue of cost, as I've already mentioned, is an important one, the cost of housing people in hotels. There hasn't been the emphasis on ensuring that there is rapid return, as I've already said, of people to their homes. The government, in setting up a review, delayed considerably. Instead of that review being set up starting in, say, August of 2011 so that people could get to work and we could have had a report by 2011 and we could have had construction starting in 2011, and here we are that the reports were delayed until early on 2013, considerably later than they might well have been there for us.

And so the speed with which we're able to react to those reports has been slower, and, you know, the government this year, in a lot of its rhetoric, has emphasized the infrastructure spending on flood prevention, and yet the reality is because there has

been a delay in these reports and there's been a delay primarily in the government setting up the task forces, and this has meant that, you know, as of this year, there's—it would appear that there's very little in the way of flood prevention infrastructure actually being constructed.

And, certainly, the timelines that have been set for completing the outlet from Lake Manitoba into Lake St. Martin and into Lake Winnipeg, for addressing the dikes along the Assiniboine River, for even protecting Brandon, that there have been ongoing delays in these processes and the timeline for doing the additional outlet from Lake Manitoba, which is still many years in the future before it is completed, it would have been surely smart to have had processes which are more quicker than we have had them, and this bill would have been an opportunity to put in place.

You know, the timing of processes so that they could have occurred more quickly and so that we could have had, you know, engineering studies of some of these aspects under way earlier—certainly, there was an opportunity to line things up so that in the future, we would have a better response, not only in terms of the emergency itself, not only as I've been talking about looking after people who are evacuated, but a quicker response as well in terms of flood prevention for the future.

I will give you one example of this in one of the areas where action is needed as is clear from the reports and from comments from many people and where I have spoken repeatedly is a need to switch from a policy which is a primarily drainage—drain, drain, drain policy in terms of water managing water—to a policy in which we are emphasizing at a minimum a balance between water retention and drainage.

* (15:40)

And this kind of approach has been very slow. Indeed, in the fall of 2011, right within a few months after this big flood, there was very extensive drainage ongoing in southwestern Manitoba without the accompanying balanced approach to investment in water retention to make sure that we weren't continually going to be in a situation where we've got more and more water coming more and more quickly off the land and causing bigger and bigger floods.

And, sadly, because decisions were slow in coming and because, you know, the task force reports weren't completed, this government in the fall

of 2012 stood by while—and permitted very extensive ongoing drainage in southwestern Manitoba. Not to say that we want to do things to a disadvantage of farmers, but that we want to do things in a balanced way that provides a lot better situation for farmers. I mean, it's clear from the situation, for example, in South Tobacco Creek, that where you have some water retention you can, in fact, reduce flooding on farmland by 75 per cent. This is an approach which is good for farmers and it's good for preventing flooding downstream.

And as we've all seen this year with all the flooding in Calgary, with the increasing concerns that we are facing in our province, a situation where climate change is going to give us more and larger floods, that we have to be very cognizant of this. And yet here we are, sitting now more than two years after the beginning of this flood in the spring of 2011, and we don't have a new approach or changed approach to water management at this juncture.

And so this—these are the sorts of things which surely should have been put, you know, in an emergency measures act to make sure that there is a reasonable—a timing of response and that recommendations indeed are followed. A careful reading of the report which followed the 1997 flood emphasized the fact that there needed to be a new and different approach to water management and this was going to be very important in ensuring that we had fewer rather than more floods in Manitoba in the future. But, sadly, when the current NDP government came to power, no such change in the approach to water management was implemented. There was a continued emphasis on a drain, drain, drain-as-fast-as-you-can policy, and the result has been that there's a continuing, faster situation for water coming off the land and more quantity of water coming off the land. Very good studies by Ducks Unlimited have showed over clearly that in southwestern Manitoba, that because of the cumulative draining over the last several decades the amount of water coming off the land is in the order of 30 per cent more. That 30 per cent extra land certainly contributed very significantly to the severity of the flood in 2011.

And, in spite of some individuals who have said that keeping water on the land may not be that important, those who've looked very carefully at this not only here and elsewhere, they have come to the conclusion that in fact it is vital. And yet this government, and not even in this bill, is going to put

in place or put in place measures which will mean that we have a better approach to reducing floods.

The—sure emergency measures has focused a lot on the time of the emergency, but surely, Mr. Speaker, given the size and the potential for increasing emergencies, particularly flooding, given the climate change—and that may apply to other emergencies like fires in the north also because of climate change—that we need to have a situation where we're able to address these issues better and more quickly. And there was an opportunity in this legislation to pay attention, much more attention to the way in which things have been done and need to be done in the future.

I also want to talk for a moment about one of the areas, which, in discussing with many people who were affected by the flood, there have been real major ongoing issues with, and this has to do with the compensation. We all know that the government has been saying it would do a lot more compensation than it actually did. There is a widespread feeling that the approach that the government put in place resulted with—in low appraisals for many properties around Lake Manitoba.

I was at a meeting not all that long ago in St. Laurent—the Twin Lakes Beach Association, and I think the MLA for Lakeside was there. And one of the questions that came up was the assessment process and the appeal process. Now, if there's a problem with the assessment process, one would have hoped that it would have been corrected at the appeal stage. But from the number of people who were there—and many had put in appeals—and they were asked to raise their hands if they felt that the appeal had been—resulted in a fairer compensation, and not one person rose—put their hand up. And the MLA for make—Lakeside, I think, will probably remember that very well. And, you know, it was a very telling moment at that meeting, that people were saying that the appeal process, it was a set-up. It didn't work. It didn't work fairly for people. People felt that there was something very fundamentally wrong about how the appeal process was working because they weren't being treated fairly.

And here is an opportunity, Mr. Speaker. We're dealing with The Emergency Measures Act and setting up the processes for handling floods. Could have been some issues here that were addressed in terms of not only assessment of properties, but appeals. And this would have been a useful thing to have been able to include. And I believe the MLA

for Lakeside would probably agree with me that, you know, that there are some things here that this government could have done, and could have done well, given all the problems that there were related to the flood of 2011, and the compensation and the events afterwards.

And one of the issues which, of course, we had to deal with in the flood of 2011 was the fact that there was artificial flooding of Lake Manitoba, that people who had their water directed, by this government, from the Assiniboine River into Lake Manitoba were artificially flooded. And it not only artificially flooded the people in Lake Manitoba, but it artificially flooded the people in Lake St. Martin.

And, you know, we've had attempts by this government to talk about and to, in fact, enact some legislation talking about artificial flooding, and what is it, and how you define it, and when—what kind of compensation that people can get.

And I submit, Mr. Speaker, that the attempt, particularly along the Assiniboine River south of the Shellmouth Dam, has been particularly unsuccessful. I have talked to quite a number of people in that area, and they just feel that they haven't been treated fairly, and I believe that they are going to court on this issue.

And, Mr. Speaker, it would have been an opportunity, in this Emergency Measures Act, I submit, to address some of these critical issues in a more meaningful way, and to be able to have a situation for floods in the future where people fundamentally feel that they're treated a bit more fairly, that those who are flooded at the expense of others—those who are flooded to save others—that this should be recognized. That—there's not a—in the many people that I talked to around Lake Manitoba, I never found anybody who complained that they were flooded to save anyone, to save others. But I sure found a lot of people who felt very strongly that they should have been appropriately compensated when they were flooded to save others, and they felt they were not appropriately compensated.

* (15:50)

And so I believe the minister has missed what could have been a very, very valuable opportunity to address some really important issues that are related to the flood of 2011 to improve the situation moving forward so that we're not going back to the problems of 2011. Let's deal with them forthrightly. Let's deal with them in a matter-of-fact and common sense way

so that, in fact, we're going to have a better regime the next time we have a major flood than we had the last time. Let's make sure that the prevention measures can be there; let's make sure that people who are evacuated don't have to be as long out of their homes; let's make sure that those who are artificially flooded are appropriately and fairly treated; let's make sure that those who disagree with the assessments have an appeal process which really works in what people feel is a fair way. All of these issues are issues which could have been dealt with and looked at a little more carefully in this bill.

And, hopefully, what we will see when this bill comes to committee is some people are coming forth. I sure think it's an opportunity for people who didn't feel that they were treated well in the 2011 flood to come and present and talk a little bit about their experiences and to talk about, you know, what could be done in the future. And I believe that there is an opportunity, that there may be a number of people who will take up and provide to all of us, as MLAs, some insight into the situation around the flooding of 2011 and opportunity to improve things as we move forward.

And, hopefully, we never have another major flood like that, but, you know, we live in Manitoba. We've got climate change and all these other variables. We're very likely to have more floods and we should have done, I believe, a little bit more work and a little bit more care and fixed things up a little better for next time around by improving this legislation and covering some more things which are not covered here. Thank you.

Mr. Ralph Eichler (Lakeside): I move, seconded by the member from Charleswood, that debate now be adjourned.

Motion agreed to.

Mr. Speaker: We'll now proceed with Bill 41, The Highway Traffic Amendment Act (Enhanced Safety Regulation of Heavy Motor Vehicles).

**Bill 41—The Highway Traffic Amendment Act
(Enhanced Safety Regulation of
Heavy Motor Vehicles)**

Hon. Steve Ashton (Minister of Infrastructure and Transportation): I move, seconded by the Minister of Conservation and Water Stewardship (Mr. Mackintosh), that Bill 41, The Highway Traffic Amendment Act (Enhanced Safety Regulation of Heavy Motor Vehicles); Loi modifiant le Code de la route (sécurité accrue liée aux véhicules automobiles

lourds), be now read a second time and referred to a committee of this House.

Motion presented.

Mr. Ashton: Bill 41 is an important bill in terms of commercial vehicle operators in the province and it requires a broader scope of vehicles to comply with National Safety Code standards. Since 1987 National Safety Code standards have been implemented across Canada to improve the safe operation of heavy vehicles on the road, and that's essentially vehicles with a registered gross weight of 4,500 kilograms or more and that have a seating capacity of more than 10 persons.

Manitoba's committed to, at that time, to taking a phased approach to the implementation of the standards. They include requirements to have a safety fitness certificate, undertake daily trip inspections of related matters. The first phase involved standards for the operators of commercial trucks and public service vehicles. Manitoba currently exempts 65 per cent of heavy vehicles from National Safety Code standards. This compromises the safety of all Manitoba road users. Bill 41 will extend specific National Safety Code standards to the operators of all heavy vehicles unless the vehicle is used solely for personal use or is exempted in regulation. In this phase, farm trucks will continue to be exempted under the proposed regulation.

The majority of the vehicles that would be impacted are vehicles that are currently registered as T plates, trucks that fall outside the definition of commercial truck and public safety vehicle. In addition to coming to compliance with these safety requirements, most operators would be required to register their T-plated vehicles as commercial trucks or public service vehicles.

I would, Mr. Speaker, say that I do have available pictures of those that are currently not exempted and those that are exempted; they're the same vehicles in many cases. It's really just a question of the licensing and the security treatment.

In closing, the proposed amendments will significantly improve safety on Manitoba's highways, bring greater fairness to the industry by requiring the operators of virtually all heavy vehicles to meet the same safety and registration requirements, and I recommend it to the House.

Mr. Ralph Eichler (Lakeside): I move, seconded by the member from Brandon West, that the debate now be adjourned.

Motion agreed to.

Mr. Speaker: We'll now move on with Bill 42, The Highway Traffic Amendment Act (Enhancing Passenger Safety).

**Bill 42—The Highway Traffic Amendment Act
(Enhancing Passenger Safety)**

Hon. Steve Ashton (Minister of Infrastructure and Transportation): I move, seconded by the Minister of Conservation and Water Stewardship (Mr. Mackintosh), that Bill 42, The Highway Traffic Amendment Act (Enhancing Passenger Safety); Loi modifiant le Code de la route (sécurité accrue des passagers), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Ashton: Mr. Speaker, and I not only thank my colleague, Minister of Conservation, for seconding this bill but also the Minister of Healthy Living, who, I know, has been a strong proponent of this. This is very much a part of our safety agenda.

And I want to comment that we've had seat-belt legislation in this province since the 1980s. I can speak from personal experience as a seat-belt survivor how important seat belts are, Mr. Speaker. There's still a lot of work that has to be done.

We've seen some significant progress in the number of Manitobans using seat belts but I do want to put on the record, Mr. Speaker, that I recently had to visit a family in my community. There was a very significant motor-vehicle accident—six young people, five of whom were not wearing seat belts; three of those five have passed away. And it reminds us all that we have to be ever vigilant in all aspects of safety, particularly when it comes to drug and alcohol use but also in the use of seat belts, and it's a very real situation.

This bill also deals with a very important situation, as well, in terms of seat belts because currently, Mr. Speaker—and this is something that members of this House may not be aware of—but right now, if you have six passengers in a vehicle with five seatbelts, it's not illegal for one of those passengers not to have a seat belt. That may have made some sense at the time; I'm not sure if it made some sense at any point in time. But, when you know that seat belts save lives, clearly that is an inappropriate situation, and this bill will ensure that you cannot have more passengers than the number of seat belts in a car.

There's also a very important provision, as well, in terms of truck boxes. Since the late '90s, Mr. Speaker, in this province it has been illegal to have a dog untethered in the back of a pickup truck, but it is not illegal to have human beings in the back of a pickup truck. And, while this may have been considered to be an appropriate practice at some point in time, this does put people at risk.

There was a fatality in The Pas just a number of years ago. Tragically, a number of passengers were ejected from the back of a pickup truck, Mr. Speaker, and this ensures that we will, with passage of this bill, have passengers carried only in parts of the vehicle that are designed for passengers.

And I do point out that many vehicles, whether it be vans or trucks, now have significantly enhanced number of, you know, passenger options available; crew cabs with trucks for example, many of the configurations of vans.

* (16:00)

The other provision of this bill ensures that all wheelchairs are secured in the vehicle and wheelchair occupants are wearing a seatbelt. I think, Mr. Speaker, that all members of this House will agree that the same kind of principle, the same kind of protection, should apply to those who are in wheelchairs as to all other Manitobans. This is an issue that has arisen because there are some issues, particularly involving handivans in terms of whether the handivan driver can require that this be the case and, in fact, ensure that that is available. This, again, will level the playing field and will ensure that wheelchair occupants have the same kind of protection as other Manitobans.

These are important provisions. I do note that a number of these provisions have been advocated by opposition members as well, so there may be some meeting of the minds on this. I do note, Mr. Speaker, that we don't always agree on everything, but I think in this case there was a bill, I do believe, certainly on the truck boxes just a couple years ago, and I want to acknowledge the opposition members that brought that forward in private members' bill. My hope is that we will receive unanimous support for what will be a bill that will make a real difference for safety in this province.

Thank you, Mr. Speaker.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I just want to say that I believe that the measures in this bill are reasonable ones, that I think that we need

to be perhaps most concerned about is the approaches to people with disabilities, and I hope we will have some good, substantial input at the committee stage just to make sure that we're sensitive to their needs and their safety and make sure we're putting in place regulations which are practicable and reasonable. Certainly, you know, it's been shown time and time again that having seatbelts and riding appropriately in cars is fundamental to safety, and I believe this is something that is certainly worth supporting. Thank you.

Mr. Ralph Eichler (Lakeside): In regards to Bill 42, certainly I know the minister's correct whenever he talked about this mirroring a little bit of a bill that was brought forward by the member from Riding Mountain, Bill 208, and we're certainly pleased that the government has included, you know, that portion of the bill in it, and that was to do with vehicles and people riding in the outside of the vehicles in boxes of trucks. But that is certainly something that we had asked the government to support. We're very pleased with the fact that it is covered off in this particular piece of legislation.

And, of course, passenger safety is utmost importance whenever we undertake the risk of people. And we know we have several memories. I know probably all of us in this Chamber that—where we've taken risks that we shouldn't have, and, you know, that happens from time to time. But this certainly puts some checks and balances, you know, into place, and I know, even going to university, back in my earlier years, we piled into a car to go off somewhere to a party, and certainly I know we were at risk, and I regret a lot of that today. But I know many of us did do it. That doesn't necessarily make it right, but certainly we know that whenever we can talk about these issues it's certainly something that's good.

And, in fact, using the same type of an example to illustrate, back in 2008, on—CBC reported that a man was holding down some mattresses in the back of a truck. The wind blew off one of the mattresses of the truck, and, of course, the man fell off the truck and he died.

You know, we have straps, we have tie-downs, we have things that we use to secure these, but to use a human body to weigh down a mattress certainly is not one that's a real smart one, and, unfortunately, he lost his life as a result of it.

Cars and trucks, of course, vehicles are designed to accommodate a certain amount of people

comfortably and, of course, safely. This is usually indicated to us by the number of seat belts that are usually available either in the car or the SUV or the van. And, of course, a number of the school buses have them now as well, even for 56-passenger buses.

So we certainly know that this is a very important piece of legislation and, in fact, a car can carry any number of persons as long as the seat belts are being used. This bill will eliminate that to prevent unsafe riding, of course. This is what this is all about and, of course, we certainly want to see the update and modernization of the law around safe driving, and it's—the onus is then put on the drivers to ensure that all their passengers are safely seated and strapped in before starting to drive. And, of course, we had to adopt legislation that was put in in regards to passenger safety.

While this bill has some good points, it also has some drawbacks. One of the most notable is the attempt in legislation to strip The Highway Traffic Act by an extension that Legislature from this jurisdiction to decide who and should not be exempt from the law. We know that the legislation as it sits has exemptions to the seat-belt law that currently exists in The Highway Traffic Act in place, and this bill repeals them and permits the Cabinet to determine who should and who should not be exempt. Essentially, The Highway Traffic Act has turned into a mirror-enabling legislation to permit the government the authority to legislate by Cabinet order in order instead of facing the scrutiny of the Legislature. This is not acceptable, of course, Mr. Speaker. Regulations should be used to permit the government to the ability to deal with the administrative side of the act of the Legislature. They should not be used to determine who and who is not exempt from the act itself. As stated before, this is the realm of the provincial Legislature government, and it's certainly up to us to make sure that that has happened.

What we also have seen, regulatory form is not high enough. The Canadian Federation of Independent Business has always given this government feeling great in regards to regulatory form and certainly know that we need to eliminate as much of the red tape as we can. But enforce, in fact, the changes that we need be putting in place if we have the proper consultation in place with that.

Section 186 of The Highway Traffic Act is a section that deals with seat belts. Section 1 to 4 set out the requirement of drivers and passengers to

wear seat belts provided by the manufacturer. Section 186(5) of The Highway Traffic Act as it currently reads sets out certain specified exemptions to the requirement to wear seat belts. The government seems to think that the current statute is inadequate. They want to review the legitimacy and the exemptions. However, if this was actually the case, the government could conduct a legislative review of the act by an all-party committee to determine if there is all-party support for change to the rules around exemptions. This would be a much more open and transparent process and respect the authority of the Legislature to determine to whom the law applies.

Moving all the exemptions to one area, the seat-belt exemption regulation, rather than have exemption set out in The Highway Traffic Act would make the rules more accessible. This clearly isn't the case. Anyone who has access to a computer can access the act itself and find that all the exemptions listed directly in the act that they don't need to search through regulation to find out what they're looking for. While there is room for improvement, the exemptions are not overly generous as it stands. In fact, most of them make a great deal of sense.

The seat-belt rules do not apply to a vehicle driving in reverse. Not many people take extended or even short trips in reverse is obviously a logical exemption as a seat belt is designed to restrain persons from going forward and smashing into the steering wheel, dashboard or windshield. If the collision were to happen in reverse, the speed was mostly—most likely to be quite slow, and the people in the car would force the backs of their seats not towards the front of the car. The seat-belt requirement doesn't apply to persons who hold a medical certificate from a medical professional saying they cannot wear a seat belt for a stated period of time during the medical—for medical reasons. The driver or passenger must produce their certificate to a police officer when asked, and this seems reasonable, of course.

*(16:10)

But also—the law also allows police to use some discretion when they pull someone over for not wearing a seat belt. If the officer feels, by reason of the person's size, build or other physical characteristics, they are unable to wear a seat belt, they may be exempted. Of course, the police are very smart; they're intelligent and they're well-trained—the—who can make determinations for themselves.

This exemption allows the police leeway and allows for variation in size, build or other physical characteristics a person may have.

It exempts people who have to get in and out of vehicle frequently while engaged in work, as long as the vehicle does not reach speeds in excess of 40 kilometres an hour. This is also a reasonable exemption. There's limited value in a seat belt if it must be buckled or unbuckled very frequently, and the vehicle is not driving quickly anyways.

Police officers are exempt when wearing a seat belt would interfere with their duties. No one would disagree with this exemption. It allows officers to perform their duties quickly, if need be, without the risk of being tangled in a belt if they need to leave their cars quickly.

Next three are certainly up for discussion and it would be a good one to have. Should driving instructors or examiners be exempt while teaching or performing a driving exam? This is reasonable to amend this section to remove those exemptions. And clearly, a child under age 5 should still be strapped in, in an age-appropriate manner such as a car seat. The last exemption for a person who is in the custody of a peace officer is also clear and reasonable exempt—exemption of the seat-belt requirement. And, of course, we all know that not everybody in—when they're under arrest or whatever—being held by a peace officer—that certainly they may be in a position where they're not able to be put—a seat belt put on them.

There's also no pressing need for section 6(2) of this amendment, which all it serves to do is place the authority to legislate in the hands of Cabinet ministers. Regulations are made behind closed doors with no public scrutiny of the debate and decision-making process of which we find totally unacceptable. Most of these exemptions would, no doubt, be retained by the regulations. If the government wishes to produce substantive changes, a bill proposing changes to exemptions should be laid out before the Legislature for a debate—not a bill that strips the Legislature of their power entirely.

This bill would clarify that wheelchair-bound passengers must be strapped in, both the chair and the person in the chair. This is a good thing because persons in wheelchairs should be afforded the same protection as everyone else.

In the name for safety, the—has laid before this House a bill claiming to make safer—driving safer.

However, the process of the bill seeks to strip legislative authority away from the Legislature and give it to, in fact, the Cabinet.

Riding in the back in exterior vehicles on open highway is clearly dangerous. Deaths that have resulted from the behaviour—we find that changes to the law seven and a half years ago—but the NDP weren't interested. They come back with a proposal to change the law, which is the authority at the same time.

And we know that in debating on Bill 28 back in 2005 when the member from Riding Mountain brought it forward, we certainly cut a lot of those discussions—a lot of those discussions that made a lot of sense—made sense when we brought the bill forward. We looking forward to that fact, of course, coming back into committee, making sure that we do have that consultation process that we know so is important to us on this side of the House, and we know the government wants to make sure they get it right. We're certainly happy to hear from those folks.

I'm not currently aware of how many presenters are on this bill, but certainly look forward to having the debate on—with other members of the House, and, of course, once it does get to committee stage.

With those short few words, we look forward to more information on this bill as we go forward.

Mr. Blaine Pedersen (Midland): I move, seconded by the member for Spruce Woods (Mr. Cullen), that debate now be adjourned.

Motion agreed to.

Mr. Speaker: We'll now move on with Bill 19, The Waste Reduction and Prevention Amendment and Environment Amendment Act.

Bill 19—The Waste Reduction and Prevention Amendment and Environment Amendment Act

Hon. Gord Mackintosh (Minister of Conservation and Water Stewardship): I move, seconded by the Minister of Family Services and Labour (Ms. Howard), that Bill 19, The Waste Reduction and Prevention Amendment and Environment Amendment Act, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Mackintosh: This bill updates and strengthens provisions of the waste reduction and prevention, or the WRAP act, and The Environment Act to make

recycling easier and support the diversion of more materials from landfills across the province.

Part 1 of the bill amends the WRAP act. It explicitly allows money from the Waste Reduction and Recycling Support Fund to be used to support organic waste management programs and initiatives. The amendment also increases maximum penalties under the WRAP act, ensuring consistency with those in The Environment Act. Part 2 of the bill amends The Environment Act. The amendment clarifies the definition of waste to include organic waste and debris from construction, renovation and demolition projects. This amendment ensures our ability to reduce these major sources of waste materials in landfills. In addition, the amendment strengthens government's power to ban designated materials from disposal in landfills. Material bans will be addressed through regulation and Manitobans—and notably, including municipalities—will be consulted for their views on this subject.

These changes will assist in meeting the commitments made in TomorrowNow - Manitoba's Green Plan to better reduce waste and improve recycling opportunities.

Mr. Speaker: Any further debate?

Mr. Larry Maguire (Arthur-Virden): Yes, Mr. Speaker, it's my pleasure to be able to put some words on the record in regards to Bill 19, The Waste Reduction and Prevention Amendment and Environment Amendment Act. And, of course, this is an act of amendment, and we have some concerns in regards to the bill, but it technically allows for the greater use of organic materials, as well, which is a good thing in the act and one to look into in greater detail.

Mr. Speaker, I want to say that the—this allows dollars from the Waste Reduction and Recycling Support Fund to be used to support these organic waste-management programs. It also increases the fines and removes requirement to have an advisory committee in regards to this bill. And the amendment to The Environment Act also—that allows the dumping of designated materials in landfills and the disposal grounds to be restricted or prohibited by the regulations.

Now, Mr. Speaker, I think that while I'm pleased to be able to have this opportunity today, the consumers are certainly showing that there is an increased interest—and I want to say that—in environmental issues arising across the province.

There's many people concerned about reducing waste in our province and we've seen in jurisdictions across North America the—where the focus on waste reduction exists.

I think it's a cautionary note that the types of—some of the types of materials such as building materials and a number of others in this two-part act, one being The Waste Reduction and Prevention Act and the other being—part 2—being The Environment Act, are somewhat different. There's a bit of an offloading in regards to where these materials will go in regards to the types of materials from housing projects or dilapidated buildings. Some of these types of products are not going to be allowed in landfills in the future.

And there will be a cost borne by people who are, maybe not intentioned by the government to be receiving these costs, Mr. Speaker, just a cautionary note to say that there will be a cost to finding a new place of disposal for these products. And some of that will have to be borne, I'm assuming, by those who are—in the case of a vacant lot with an older home on it, something that's derelict, will have to be torn down and hauled first.

There's concrete and foundations to be taken away before a new home or a new business can be built on those locations, and that will add to the costs of that new entity for those businesses or young families trying to get started here in Manitoba. And so I just caution the minister and the government in regards to being able to move forward on that and those areas.

* (16:20)

I want to also say that this amendment would allow money to be taken from the Waste Reduction and Recycling Support Fund that's presently there to be used in waste—organic waste management programs and initiatives, and so I ask the—you know, I caution again, is this going to be a dilution of those funds from the present program, or is the government's plan to make more funds available to this fund so that it can be spread out to the organic matter, do a proper job of the disposal of those?

Mr. Speaker, I think I just want to mention a few things in regards to some of the initiatives around the whole area of recycling, and we have a program in Manitoba now, the recycling everywhere that is run—that the businesses, entities are running a fairly large educational program in regards to this effort. It has increased the number of percentages of wastes

collected in the province of Manitoba, and I believe the goal is to get to 70 per cent at some point here, and I believe it's still in the mid-50s to late—to high 50 per cent areas.

Mr. Speaker, there's about 11,000 recycling—beverage container recycling containers installed across this whole province, and it's an opportunity to look at collecting waste in a more organized manner. But I think it just needs to have some more work done to it, more of an educational process, more of an educational planning that needs to go out to all Manitobans, that can be expanded on this. It's like some of the programs that have been expanded in other parts of Canada to extend it to this organic waste to fruits and vegetable scraps, to paper towels, coffee grinds, et cetera, in terms that it can be put into compost, and I believe that's the intent of the government in regards to this bill.

And I just want to say that, you know, organics are making up an increasing total share of the materials that are diverted from our waste—into our waste programs, that somewhere around the year 2000, there were organics made up about 16 per cent of all the materials diverted, Mr. Speaker, from disposals, and in '04, that had jumped to 21 per cent. And so we need to look at the increasing amounts over the last eight or nine years in regards to the last numbers that I've seen would have been higher than that on these as well.

Mr. Speaker, we need to—there are parallel programs in other existing provinces, and, you know, the intention behind the bill, I'm sure is to reduce the amount of waste going into our landfills and support these organic waste management programs, but as I said, we're cautionary as to where the funds will come from. I'm assuming that they pay now as they have in some of the present programs, on that \$10-a-ton program for coming in as well, but it's difficult—more difficult perhaps with organic wastes, unless, of course, we're looking at trees and those kinds of things that can be more easily weighed, I guess, if you will, in regards to the programming. And it depends on whether they're—the state that they're going to be received in, whether they're going to have to be chipped and put into a cost in that process or just cut up to more manageable sizes.

Mr. Speaker, I think that, as I've said, public education is result of greater awareness in this whole process, but there's a concern as well that the government is removing the consultation process because they're removing the advisory committee.

Now I understand from the briefing that we had with the minister that it's never been set up in the present act, which leads me to believe—or to wonder why.

But for the government to—for the minister to be in charge now of this whole program with no advisory committee, because they're actually removing the clause from the bill that has the requirement to have an advisory committee in place. It's a great caution from our side of the House that these funds now are going to be managed solely by the minister in regards to the management of the waste disposals, Mr. Speaker. So we have a concern, or I certainly do, in regards to that aspect of it when in other bills that the minister has in place, he's actually requiring an advisory committee to be in place and actually provide him with more information. And here we are in a case of exactly the opposite of that, actually cancelling the advisory committee totally.

So, Mr. Speaker, I think that with those words, I know that this bill has a second part to it, as well, in the regards to the environmental act, and—but before I leave the part 1 of the waste reduction part there's another concern, and that is that the fines are being doubled in regards to those who break the—breach the bill that the minister has put in place, that provides him the sole discretion at some of these areas. And that is upping the fines from \$25,000 to \$50,000 for individuals and from a quarter to a half a million dollars—\$500,000—on companies and corporations. It seems to be a—quite a jump in regards to the type of costs that would be put on individuals for these kinds of breaches.

I want to just say that in regards to The Environment Act the definition of waste is part of The Environment Act that they've put in place, Mr. Speaker. But it also is to restrict the depositing of described types of materials of waste-disposal grounds and landfills as described in the classes. As I've said earlier, some of those are in the neighbour—or like building materials and other such materials.

This also is something that can come into existence on the day that it receives royal assent. But, Mr. Speaker, we have seen too often with our current provincial government that they are long in the history of making environmental announcements, but little action to follow through on some of them.

And so we will look forward to seeing the actual work that's being done by the government to implement some of these comments, Mr.—some of the amendments, Mr. Speaker—and comments—

and look forward to further comments from the government in regards to the committees, hearings on these bills and in regards to other comments that some of the minister's colleagues may put on the record in regards to this bill as well.

Thank you.

Mr. Speaker: Is there any further debate on Bill 19?

Mr. Kelvin Goertzen (Steinbach): I move, seconded by the member for Spruce Woods (Mr. Cullen), that debate now be adjourned.

Motion agreed to.

Mr. Speaker: We'll now call Bill 24, The Endangered Species Amendment Act (Ecosystem Protection and Miscellaneous Amendments).

**Bill 24—The Endangered Species
Amendment Act (Ecosystem Protection
and Miscellaneous Amendments)**

Hon. Gord Mackintosh (Minister of Conservation and Water Stewardship): I move, seconded by the Minister of Family Services and Labour (Ms. Howard), that Bill 24, The Endangered Species Amendment Act (Ecosystem Protection and Miscellaneous Amendments), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Mackintosh: Mr. Speaker, this bill will allow Manitoba to lead the nation in protecting its most vulnerable plants and animals by protecting the ecosystems that these species rely on. The destruction or loss of habitat is one of the key reasons that plant and wildlife species become threatened or endangered. It will allow us to better protect an entire ecosystem at risk rather than listing specific species. This bill will designate ecosystems as threatened or endangered. An example of such an ecosystem is tall grass prairie, the last of its kind found here in Manitoba. When such a designation has been made, an ecosystem preservation zone can then be established to protect prime examples of the ecosystem located within that zone. Regulations can then be created that will set out rules to prohibit the conduct in an ecosystem preservation zone that poses a threat to that ecosystem.

A recovery strategy must also be prepared to promote the recovery of endangered and threatened ecosystems.

This bill will allow for plant or animal species to be designated as species of special concern if it is

at risk of becoming threatened because of a combination of biological characteristics and identified threats. This designation will help to prevent species of special concern from a future designation of threatened or endangered by also requiring that a management plan be developed to help manage that species.

Mr. Speaker, the advisory committee will be renamed the endangered species and ecosystems advisory committee. This committee continues to be responsible for providing advice and recommendations with respect to the designation of at-risk species, but will now also provide recommendations on the designation of threatened or endangered ecosystems and species of special concern.

* (16:30)

Rather than just referencing the powers of officers under The Wildlife Act as the current act does, this bill will explicitly set out the powers that officers have to enforce the act. They are provided the ability to issue prevention orders requiring a person to stop engaging in activity that would contravene the act. That means if a threat is posed upon a listed ecosystem or an at-risk species, an officer can issue a prevention order to a person to cease the activity.

Because our goal is to protect and recover our threatened and endangered plants, animals and ecosystems, penalties are increased under the bill. Now, individuals who violate the legislation could face fines up to \$50,000 and imprisonment up to six months or both, and corporations could face fines up to \$250,000.

Manitoba's rare and vulnerable habitats need to be protected. This bill allows us to continue to support, protect and promote the recovery of our threatened grasslands and other ecosystems of unique, rare and endangered species all over this province.

Hon. Jon Gerrard (River Heights): Yes, Mr. Speaker, I rise to talk for a few minutes on The Endangered Species Amendment Act, which includes causes related to ecosystem protection.

I think it's interesting that after many years we're finally having the requirement for a very clear recovery strategy for preventing reductions of endangered and threatened species and introducing an extirpated species.

What I would suggest is also pretty important, is that there be timelines established for the preparation of these recovery plans and, in this case, not just of species recovery plans but of course recovery of endangered and threatened ecosystems.

I believe, Mr. Speaker, that these timelines are important because the experience has been in many jurisdictions that preparations of such plans often get delayed, that they never get put together. So, surely, once there is a designation of an endangered species, once there is a designation of endangered ecosystem, that there should be a requirement whether it's six months or a year or two years that there's a defined recovery plan. In fact, I think it would probably make some sense to have not just a plan but a clear process to get to the recovery plan.

I give you, as an example, when we're dealing with endangered ecosystems. You know, there may be private land as well as Crown land, that it would be very important to deal and talk and work with landowners in the area, whether those be—and in some cases it will, of course, be First Nation or Metis people, that there needs to be a process put in place with very clear timelines so that we don't have this process extended, but a process so that there is an ability to work closely with people in the particular neighbourhood where we have an endangered ecosystem and an endangered species.

Experience in the past, in other jurisdictions, has been that if you come in in a heavy-handed way and try to think that you know everything—this is a bit of a problem sometimes with the NDP government—then you don't get an optimum result. But, if you come in and you work with people, you talk to people, you use the local knowledge in the development of an effective recovery plan for species and for ecosystems, you're going to get a lot better results.

By and large, Manitobans are very concerned about the health of our environment and the stewardship of our environment. And being able to work closely together to make sure we have a good environmental stewardship, we're doing recovery of endangered species, we are doing attention-paying attention and recovery of endangered ecosystems. I think that this is an area where, you know, setting things out now and making sure things are set up in the right way. It can have a big, big difference in terms of getting good results or not good results.

And certainly, Mr. Speaker, there have been examples in Manitoba where we've called that we've

got endangered species, but, even after many years, we don't necessarily have effective plans in place for those species. And, you know, we are not as well as we could be using the local knowledge of people living in the area as well as the professional knowledge of people who've got experience in understanding ecosystems and in studying ecosystems.

Now, I think there's an opportunity here to look at, for example, what's happening under the Experimental Lakes Area program. Here is a program which is designed to ensure water quality, the quality of lake and ecosystems, and certainly it is a tremendously important example of the kind of research and understanding that is vital if we are going to make sure we are not only identifying but we are preserving ecosystems. Now in this case we are talking about a lake or wetland. There's actually quite a bit of work that's been done on boreal forests in a more broad sense, in the area of the Experimental Lakes Area. And certainly one of the surprising things was in question period earlier today, that I asked questions about the Experimental Lakes Area and there still isn't a firm commitment from this government and the Premier (Mr. Selinger) for specific funding allocated toward the—making sure that the Experimental Lakes Area is able to continue.

The Premier starts talking about the general funding that he provides to the international institute of sustainable development, but that general funding has to cover a large number of projects, and it's, by and large, being very effectively used at the moment on specific projects. One, for example, I'm sure which is of importance to, and the Premier has often talked about, is a project which is looking at how, in Lake Winnipeg, you can develop programs which use cattails to mop up phosphorus and then potentially harvest those cattails and make an economic product. I think they're using pellets which can then be used to produce energy and heat.

But, I mean, if you're—the Premier can't just divert the existing funding to the IISD. He's got to—in order to assure that the Experimental Lakes Area continues, we need to make sure that there is some new funding that will go to the international institute of sustainable development to make sure that they're going to be able to operate and continue to ensure that the Experimental Lakes Area produces the type of high-quality science which is going to be vital to many of the activities under this particular bill. Having the scientific expertise built up, the training

ground, the Experimental Lakes Area is going to be vital to having scientific expertise in our province and the people who are trained in this area in order to be able to carry forth the general preservation of ecosystems and the recovery of ecosystems where there is a problem.

So I would suggest, Mr. Speaker, that it's really important for the Minister of Finance (Mr. Struthers) to look very carefully at his budget and make sure that there is an allocation for the Experimental Lakes Area because right now that allocation is not clear and that commitment is not clear, and if the Premier is going to be working closely with the government of Ontario and the Government of Canada and the International Institute for Sustainable Development, the Premier needs to start out by making sure what his own and this government's commitment is.

* (16:40)

And certainly you can't be serious about supporting a bill like this if you're not very serious in ensuring that the Experimental Lakes Area continues because these are closely interconnected. And having the ecosystems type of knowledge, which is coming from work at the Experimental Lakes Area, is going to be fundamentally tremendously important to having the base of knowledge to be able to carry through with what is proposed here in terms of preserving ecosystems and preserving species.

So this business, then, of making sure that there are recovery plans for species and for ecosystems, I would suggest, that there also is an important part of this which is actually the integration of the recovery plan for species with the recovery plan for ecosystems. These are not two totally independent aspects. Most recovery plans for species, if they're done well, look at not just the species but the habitat that's required. And so, in fact, historically, plans for endangered species have not only looked at bringing back the species or supporting the species but, where they are effective, have actually incorporated plans which relate to ensuring that there is the ecosystem there for the species to live in.

And so, although the Minister of Conservation may claim that ecosystem, endangered ecosystems, has not been specifically mentioned in many other endangered species efforts, it's certainly a very important and implicit part of endangered species acts and endangered species recovery efforts in many, many other circumstances. And so it is, in my view, very important that these two are linked, that

the link of endangered species and endangered habitats is brought together and that the plan for recovery of ecosystems which are threatened or endangered, and a plan for recovery of species which are endangered or threatened, actually comes together, and so, that the two plans are not treated as totally separate plans, but they are, in fact, treated as plans which bring together the concepts for preserving habitat and preserving species in an effective way.

I give you an example of an attempt at preserving. I was many years ago at a location in Wisconsin where they were doing a lot of work with endangered—think it was greater prairie chickens—and what they had worked out was the requirement for these prairie chickens was to have not a contiguous area of habitat but habitat for them which was scattered around and that the birds could move back and forth. They required a certain size which wasn't all that great, but it had to be a certain quality of habitat. And so the efforts have been made to look after and ensure the survival of this species, depended critically on an understanding of the particular bird species and also in how one would go about, if you were dealing with a wolf, for example, which roams, or caribou, you have to have a much larger area. And there's a lot of work which has been done in understanding contiguous areas and areas of—where the habitat is continuous in some fashion, so that species can move throughout fairly large areas where you have, in fact, particular larger mammal species.

But I would suggest, Mr. Speaker, that there is an opportunity here to make sure that this is more workable than this bill is presented. And perhaps we can have some discussion at the committee stage in making sure that we have more precision in the timeline, that we have more precision in the fact that there really needs to be appropriate consultation, there needs to be a registry, there needs to be the ability to involve local people and experts in making good decisions, and there needs to be an ability to integrate the plans for species and the plans for ecosystems, so, in fact, we're not going off in two different directions when we're talking about ecosystems and when we're talking about species.

The—I think that those in general are the kind of comments that I would like to add at this stage. I'm certainly looking forward to presentations at the committee stage. I think that there's a reasonable start on this legislation, but I really think that, if this is going to be workable and effective, that we need

some more refining of this legislation so that it really is able to do the job that Manitobans want it to do. Thank you.

Mr. Speaker: Is there any further debate on this bill?

Mr. Larry Maguire (Arthur-Virden): I move, seconded by the member from Tuxedo, that debate be adjourned on this bill.

Motion agreed to.

Mr. Speaker: We'll now move on with Bill 30, The Forest Health Protection Amendment Act (Heritage Trees).

Bill 30—The Forest Health Protection Amendment Act (Heritage Trees)

Hon. Gord Mackintosh (Minister of Conservation and Water Stewardship): I move, seconded by the Minister of Family Services and Labour (Ms. Howard), that Bill 30, The Forest Health Protection Amendment Act (Heritage Trees), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Mackintosh: Mr. Speaker, this bill is the first of its kind in Canada that creates a provincial heritage tree program that will recognize and protect Manitoba trees that are historically or culturally significant or trees that are unique in size or structure or are rare. This legislation meets a commitment made in TomorrowNow - Manitoba's Green Plan.

Manitoba has a rich variety of trees that stand out in the landscape because of their historic value, traditional importance, cultural significance or are special in some other way, such as being very large or very old. Through this legislation, the designation and protection of these heritage trees highlights the importance of these valuable trees to all Manitobans. The public will play an important role in identifying and nominating candidate trees in their communities.

We're pleased to be partnering with the Manitoba Forestry Association in the administration of the heritage tree program in an educating the public of the importance of trees. Through their own heritage tree program, the Manitoba Forestry Association already has a list of heritage trees to be considered for nominations under the provincial program. They will act as the conduit for the public and municipalities to seek information in nominating their own trees.

Another great Manitoba initiative is the great tree quest, organized by Rivers West in partnership with the Manitoba Forestry Association. It has identified a number of significant trees along the Red River corridor that can also be considered for nominations under the provincial program.

The government and the Manitoba Forestry Association hopes to work with municipalities to nominate and to protect designated trees significant to those communities, including working with local organizations, such as Trees Winnipeg. Their successful All Trees Tell a Story initiative has identified a number of heritage trees across Winnipeg, which could also be considered for nominations under the provincial program.

The provincial heritage tree program will include additional protection measures for designated heritage trees located on Crown land to prevent the removal for reasons other than forest health or public safety. The bill also encourages municipalities to enact bylaws to protect designated heritage trees located on municipal lands. The public is encouraged to nominate trees on private land, even though the legislation only provides protection of trees located on provincial Crown land. Through the program, protection of trees on private property will be encouraged through voluntary measures the landowner chooses to establish. For the success of the program, to receive as many nominations and positive designations, it is important that landowners and municipalities retain their authorities to further protect designated trees within their own jurisdiction.

* (16:50)

The nomination process is open to Crown, municipal and private property so that all potentially significant trees could be considered for nomination. The designation process will consider any landowner concerns before a tree receives heritage status. As part of the bill, a heritage tree review committee will be established to develop criteria, review nominations and make recommendations on trees that could be designated as heritage trees.

In co-operation with the Manitoba Forestry Association, Manitoba will develop an online registry, an interactive map of designated trees that all Manitobans can access to find out about provincially designated heritage trees across the province. In addition, to further public awareness and education, we will work with the Manitoba Forestry Association to pursue a heritage tree plaque

program with private sponsorship to recognize those designated trees on—in accessible public spaces.

Thank you, Mr. Speaker.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I want to just talk for a few minutes about this legislation. I think it is certainly worthwhile to recognize outstanding trees—heritage trees, as they're called—and to ensure that there is appropriate public attention and effort that is made to look after such trees.

I have a few concerns with this legislation which I think it's worthwhile to bring forward. The bill provides certain measures to protect heritage trees on Crown land, but as, you know, arborists and others will certainly be aware that, you know, ensuring a tree is protected can go beyond just, you know, measures to prevent it from being cut down, right? We all know this, for example, because of the effort to protect elms in the city of Winnipeg, that protecting aging elm trees requires, if we're going to do that well, some active measures to protect the tree, not just measures to prevent it from being cut down. And I suspect that, when it comes right down to it, that if one is really going to be serious about protecting heritage trees, that there should be a provision in here to have some more active measures than just preventing it from being cut down that—as with elm trees, protecting these trees from disease.

Arborists know very well that, you know, it doesn't matter what type of tree, but if you look after it the chances are, sometimes pruning it—oh, when we're talking about Dutch elm or other disease, paying attention to when you are pruning a tree and how you are looking after it can make a big difference in terms of the survival of that tree, and I would suggest that—in my experience, that I have seen trees which have had their roots disturbed because people have undergone activities adjacent to the trees and that those trees have suddenly died because their root systems were disturbed. These trees weren't cut down, but they were not able to survive under the circumstances and in the situation with which they were because they weren't really being looked after, and so, to avoid the concerns about a tree being able to survive and live, that the bill could have at least inserted some clauses talking about the ability of the department to engage in some proactive measures which could prevent disease or other aspects. And, you know, certainly I would suggest that this could have been an aspect which was important.

The bill mentions that there may be examples of a tree that is a prime example of a species that's extremely rare in Manitoba. Well, there may be good ways of taking such a prime example and, oh, making sure such a tree is not so endangered, whether it be by planting others or taking cuttings or depending on how the tree 'propagates,' making sure that the tree is not the only surviving example of such a tree in Manitoba. And so here is another opportunity to do something that is a little more proactive and is not just a matter of, you know, putting a fence around a tree so it can't be cut down. And so I think that the minister should, in fact, look into this, and I would suggest to minister that if there are examples of trees which are heritage trees on municipal properties, right, or even heritage trees on private properties, that there could be some positive things that could be done rather than just think about the way that you preserve a tree is to prevent it from being cut down. And I would hope that the minister and his department would start to look, you know, in this broader fashion, about how you, in fact, protect heritage trees.

Next point I want to make is that I notice, and I'm not sure for what reason, that the minister talks about different levels of government, but—and indeed, about Crown land. Does not talk about First Nations being able to designate trees. Doesn't talk about the possibility of the federal government being able to designate a tree on a property that it may have—and, indeed, once again, that I am sure that where, you know, First Nations have an incredible example of a tree, that they might be very interested in coming forth and talking with pride about this tree, and there's not, you know, amazing requirements, or onerous requirements being put on owners in terms of such trees.

But there's certainly some recognition that this is an outstanding example, and I would suggest that the minister shouldn't, you know, eliminate the fact that there may be First Nations communities who would like to designate trees and have the opportunity to let people know that they—with pride, about the outstanding tree that they may have in their community.

The other thing that I would suggest in terms of private landowners that it's not clear at this point what sort of agreements the government may take

up, or the Province may take up, with private landowners, but certainly such agreements could, you know, be broader than just agreement to recognize that the tree is a heritage tree. There might even be some positive support, as I've already talked about, that the Province could offer in terms of protecting such a tree, and it would seem to me that there are opportunities here to work with the government in collaboration with individuals in Manitoba who are interested in having their tree recognized and in developing some sort of a more lasting partnership with this government as it relates to the tree and the preservation and the recognition of heritage trees around the province.

So I offer those thoughts to the minister to think about, and perhaps there'll be more discussion at the committee stage. Thank you.

Mr. Speaker: Any further debate on this bill?

Mr. Larry Maguire (Arthur-Virden): Yes, I move, seconded by the member from Midland, that debate be closed on this bill.

Motion agreed to.

Mr. Speaker: We'll now call Bill 46, The Statutes Correction and Minor Amendments Act, 2013.

The honourable Minister of Justice, only have a few seconds.

Bill 46—The Statutes Correction and Minor Amendments Act, 2013

Hon. Andrew Swan (Minister of Justice and Attorney General): I move, seconded by the Minister of Family Services and Housing (Ms. Howard), that Bill 46, The Statutes Correction and Minor Amendments Act, 2013; Loi corrective de 2013, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Speaker: Our time has arrived for 5 p.m. If there's a leave of the House, we'll allow this matter to remain standing open pending the resumption of debate on this particular bill.

Is that agreed? [*Agreed*]

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

Bill 42–The Highway Traffic Amendment Act (Enhancing Passenger Safety)		Bill 24–The Endangered Species Amendment Act (Ecosystem Protection and Miscellaneous Amendments)	
Ashton	3795	Mackintosh	3800
Gerrard	3795	Gerrard	3801
Eichler	3796	Bill 30–The Forest Health Protection Amendment Act (Heritage Trees)	
Bill 19–The Waste Reduction and Prevention Amendment and Environment Amendment Act		Mackintosh	3803
Mackintosh	3798	Gerrard	3804
Maguire	3798	Bill 46–The Statutes Correction and Minor Amendments Act, 2013	
		Swan	3805

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