

**Fourth Session – Forty-First Legislature**  
of the  
**Legislative Assembly of Manitoba**  
**DEBATES**  
and  
**PROCEEDINGS**  
**Official Report**  
**(Hansard)**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Forty-First Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ALLUM, James	Fort Garry-Riverview	NDP
ALTEMEYER, Rob	Wolseley	NDP
BINDLE, Kelly	Thompson	PC
CLARKE, Eileen, Hon.	Agassiz	PC
COX, Cathy, Hon.	River East	PC
CULLEN, Cliff, Hon.	Spruce Woods	PC
CURRY, Nic	Kildonan	PC
DRIEDGER, Myrna, Hon.	Charleswood	PC
EICHLER, Ralph, Hon.	Lakeside	PC
EWASKO, Wayne	Lac du Bonnet	PC
FIELDING, Scott, Hon.	Kirkfield Park	PC
FLETCHER, Steven, Hon.	Assiniboia	Man.
FONTAINE, Nahanni	St. Johns	NDP
FRIESEN, Cameron, Hon.	Morden-Winkler	PC
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin, Hon.	Steinbach	PC
GRAYDON, Clifford	Emerson	Ind.
GUILLEMARD, Sarah	Fort Richmond	PC
HELWER, Reg	Brandon West	PC
ISLEIFSON, Len	Brandon East	PC
JOHNSON, Derek	Interlake	PC
JOHNSTON, Scott	St. James	PC
KINEW, Wab	Fort Rouge	NDP
KLASSEN, Judy	Kewatinook	Lib.
LAGASSÉ, Bob	Dawson Trail	PC
LAGIMODIERE, Alan	Selkirk	PC
LAMONT, Dougald	St. Boniface	Lib.
LAMOUREUX, Cindy	Burrows	Lib.
LATHLIN, Amanda	The Pas	NDP
LINDSEY, Tom	Flin Flon	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Flor	Logan	NDP
MARCELINO, Ted	Tyndall Park	NDP
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MAYER, Colleen, Hon.	St. Vital	PC
MICHALESKI, Brad	Dauphin	PC
MICKLEFIELD, Andrew	Rossmere	PC
MORLEY-LECOMTE, Janice	Seine River	PC
NESBITT, Greg	Riding Mountain	PC
PALLISTER, Brian, Hon.	Fort Whyte	PC
PEDERSEN, Blaine, Hon.	Midland	PC
PIWNIUK, Doyle	Arthur-Virden	PC
REYES, Jon	St. Norbert	PC
SARAN, Mohinder	The Maples	Ind.
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SMITH, Bernadette	Point Douglas	NDP
SMOOK, Dennis	La Verendrye	PC
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WHARTON, Jeff, Hon.	Gimli	PC
WIEBE, Matt	Concordia	NDP
WISHART, Ian	Portage la Prairie	PC
WOWCHUK, Rick	Swan River	PC
YAKIMOSKI, Blair	Transcona	PC

## LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, April 17, 2019

*The House met at 1:30 p.m.*

**Deputy Clerk (Mr. Rick Yarish):** It is my duty to inform the House that Madam Speaker is unavoidably absent.

Therefore, in accordance with the statutes, I would ask Mr. Deputy Speaker to please take the Chair.

**Mr. Deputy Speaker (Doyle Piwniuk):** O Eternal God—O Eternal and Almighty God, from all power and wisdom come, we are assembled here before Thee to frame such laws that may tend to the welfare and prosperity of our province. Grant, O merciful God, we pray Thee, that we may desire only in which the accordance with Thy will, that we 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.

Please be seated.

### ROUTINE PROCEEDINGS

**Mr. Deputy Speaker:** Introduction of bills? Committee reports? Tabling of reports? Ministerial statements?

### MEMBERS' STATEMENTS

#### *Sofia's Boutique*

**Hon. Colleen Mayer (Minister of Crown Services):** We all know that creating self-confidence begins from within, but looking good on the outside never hurts either. Sofia's Boutique has been a part of Winnipeg's fashion community for 43 years, and after calling St. Vital home for 16 years, they will be closing their doors at the end of this month.

Barbara [*phonetic*] Krahn, the owner of Sofia's, has been building relationships with customers and the community for 13 years, and I would be like to congratulate her for being a destination store for classy everyday fashion.

Sofia's features an array of casual, business and formal ladies' wear. Not only will you leave this boutique looking and feeling fabulous, but you can be confident in knowing that your support—you've supported a local business and have purchased Canadian-made clothing. Madam Speaker,

this isn't only a fashion store but it's also an owner and staff who truly care about the community.

In 2016, 2017 and 2018 Sofia's also received the Consumer Choice Award in the category of favourite women's boutique.

They—their relaxed atmosphere and personal attention allow women from sizes 2 to 22 to receive the advice they need to find the perfect outfit. We can't forget, Mr. Deputy Speaker, that every outfit needs the perfect pair of shoes and purse, and customers would never leave without finding their choice of accessories, too.

For their dedication to bringing together fashion and comfort for each customer who shops at the boutique and for remaining a vibrant member of the Winnipeg community for over four decades, I would like to recognize Barb and the staff at Sofia's Boutique for helping women feel beautiful, both inside and out.

I, along with two of my colleagues, who are devoted customers of Sofia's, wish you a happy retirement. As one door closes, another one opens, and I hope it leads you on a new journey filled with happiness and good health.

Thank you for all you've done for our community.

**Mr. Deputy Speaker:** The honourable member for Assiniboia—oh, the honourable member for St. Vital.

**Mrs. Mayer:** I ask for leave to include the names of my guests in Hansard today.

**Mr. Deputy Speaker:** Is there leave to give the names in Hansard? [*Agreed*]

*Barb Krahn, Wanda McLean, Eva Unrau.*

#### **Jason Kenney**

**Hon. Steven Fletcher (Assiniboia):** As always, I want to thank the Premier (Mr. Pallister) for releasing me out of the clutches of the authoritarian monstrosity of the government caucus. However, today I'd like to celebrate one of the Premier's and I's former colleagues in Ottawa, Jason Kenney, the new Premier of Alberta.

Mr. Kenney is going to be a spectacular premier as he's one of the greatest politicians of the 21st century that we have seen in Canada.

Mr. Speaker, as conservatives, we believe in the empowerment of the individual and allowing individuals to reach their full potential. Same is said for provinces. Alberta has not been able to reach its full potential and there's a way that Manitoba can help. We need to support Premier Kenney in his quest for pipelines, including opening up the idea of the Manitoba marine coast for access to tidal water. Manitoba can also help Alberta with our green energy by transmitting our green power to help displace the fossil fuel electricity generated in Alberta.

We need Alberta because they help us with our funding and transfers. Manitoba should help Alberta in any way we can so we all can reach our full potentials as individuals and as provinces.

Thank you.

#### Joel Grenier

**Mr. Dennis Smook (La Verendrye):** I rise in this House today to honour a constituent of mine, Mr. Joel Grenier from St. Labre, Manitoba. Last week Joel received the Lieutenant Governor's Make a Difference Community Award.

I first got to know Joel back in 2010 because of his involvement in the St-Labre 200. It has amazed me how an event that started as a friendly competition between members of the Grenier family has grown to the size it is today and is a major fundraiser for southeastern Manitoba.

Since it started 10 years ago, the St-Labre 200 has raised close to \$100,000 dollars for local charities and collected thousands of pounds of food for local Helping Hands food bank. Although there are many volunteers that make the St-Labre 200 what it is today, it has been Joel's vision and determination that has put the St-Labre 200 on the map.

Joel is a master at bringing people together and working to achieve a common goal, creating an event that would serve as a great fundraising tool for local charities and be accessible to as many families as possible. The admission to the event is free; all they ask is that you bring a tin for the bin, to help the local Helping Hands food bank.

He comes by his volunteering skills naturally. The Grenier family are renowned for being involved

in local organizations and helping build their community.

Joel is a full-time farmer, husband and father of four. Besides being the chair of the St-Labre 200, he is also an avid volunteer on many community organizations. His unselfishness, personal drive and leadership abilities are a great asset to his community.

As I get to know Joel more and more, I can see his passion and devotion for his family and community. The hundreds of hours he volunteers deserves recognition.

Thank you.

#### EIA Basic Needs Rate

**Mr. Ted Marcelino (Tyndall Park):** Twenty-five dollars a month, that is barely a drop in the bucket for government finances, but that money makes a huge difference in the lives of low-income Manitobans.

Having that \$25 job-seeking allowance means they can afford to take the bus to a job interview instead of walking across the city. It could cover the cost of resumé printing or a haircut or even a meal.

\*(13:40)

Taking away that \$25 from welfare recipients is truly one of this government's most heartless acts. Even worse is their characterization of people who receive the money. They—the claim that the money is a handout, as the minister called it, discounts the lived experiences of people who rely on social assistance.

The PC government is balancing the budget on the backs of the economically marginalized, and they are justifying these cuts by portraying Manitoba's most vulnerable as a drain on society.

This government needs to realize that they are responsible for the well-being of all people in this province, not only the wealthy who vote for them.

Twenty-five dollars, 100 quarters that this government took from the pockets of decent Manitobans whose only mistake is trusting this government who is greedy enough to snatch these coins from their pockets.

Thank you.

**Mr. Deputy Speaker:** Is there any other statements?

### Introduction of Guests

**Mr. Deputy Speaker:** Before we start oral questions, we have seated in the gallery from the Kildonan-East Collegiate 58 grade 9 students from the—under the direction of Elliott Unger and Steve Collier. This group is located in the constituency of the honourable member for Concordia (Mr. Wiebe).

### ORAL QUESTIONS

**Mr. Deputy Speaker:** Time for oral questions.

#### Concordia and Seven Oaks Hospitals Request to Retain ER Services

**Mr. Wab Kinew (Leader of the Official Opposition):** Well, a very good afternoon to you, Mr. Deputy Speaker, and good luck keeping things in order in question period this afternoon.

Health care is the one thing that Manitobans want more even than a respectful dialogue in the Chamber here today. It's the No. 1 priority for people in Manitoba: a strong health-care system. They want to be able to have access to acute care, an emergency room, when they need it, Mr. Speaker.

But the Premier is not able to tell tens of thousands of people across northeast Winnipeg that they'll have access to acute care if he's closing the Concordia emergency room. He won't be able to tell tens of thousands of people across northwest Winnipeg that they'll have access to acute care if he's closing the ER at Seven Oaks.

So I would put the question to the Premier—he seems to be out of touch with the needs of Manitobans.

Will he cancel his plan to close these emergency rooms and tell all the folks in northeast Winnipeg and northwest Winnipeg that he plans to keep the ERs at Seven Oaks and Concordia hospitals open?

**Hon. Brian Pallister (Premier):** First of all, I wanted to offer congratulations to my former colleague, Jason Kenney, on his decisive victory in yesterday's Alberta—

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

**Mr. Pallister:** I've just spoken to the Premier-Elect, and I am excited to work with him and other premiers as we move forward on issues of mutual concern for the betterment of our provinces and also the betterment of Canadians and the Canadian economy. I know that he shares our goals here for better job creation for our citizens. I know that he

shares our goals for better resource development and sustainable environmental policies, and I know also that he shares our goals for better delivery and better care sooner.

Of course, in Calgary, currently there are three emergency rooms and their wait times are far, far lower because they concentrate their resources in that city so people can get the care they need when they need it.

That's the kind of model that the Peachey report recommended to the previous NDP government—

**Mr. Deputy Speaker:** The honourable First Minister's time is up.

The honourable leader of the opposition—official opposition, a supplement question.

**Mr. Kinew:** I know the Premier was going somewhere with that answer, but he didn't quite land the plane, as they say.

We know that what he is doing each and every day to the health-care system in Manitoba is causing a lot of chaos, a lot of chaos for the patients who used to be able to rely on acute care, primary care, emergency rooms, clinics right across the province, but also a lot of chaos for the nurses who work in the health-care system. We know that mandatory overtime at St. Boniface Hospital has gone through the roof. This means nurses work a full shift, and then at the end of it they're told they can't go home. They have no choice but to stay and work another shift. That's leading to worse quality health care for the patients. It's also creating a great deal of stress for the nurses themselves.

What's the response from this government been? Well, it's to cut supports for nurses and to cut spaces in nursing programs.

On this side of the House we say that's the wrong approach and we're calling on the government today to take a new direction with respect to health care.

Can the Premier commit to such a plan that would begin by committing to keeping the emergency rooms at Concordia and Seven Oaks open?

**Mr. Pallister:** We know that change is hard. It's hard for the member. It's hard for nurses in our system as well. Perhaps one in five nurses is directly impacted by a number of the reforms that we're making to improve the system. But the nurses that I have

spoken with, and many have told me they would like to work in a system that works better for patients, they want patient-centred care and they want it to be delivered to people in a timely manner.

I recognize the member is all doom and gloom on these issues, Madam Speaker—or, Mr. Speaker, I'm sorry—but the fact remains that Manitobans don't share that doom and gloom. What they share is an optimism that the mess that the NDP made can be cleaned up, and we are in the process of doing exactly that.

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

**Mr. Kinew:** Mr. Deputy Speaker, the nurses that we hear from tell us that the health-care system is worse under this Premier than it has ever been in Manitoba, and we know why. It's because the Premier's starting point is not asking himself how he can improve health care, it's always him asking himself how can he cut costs, how can he reduce the amount of money spent in government.

Now, the consequence in the real world for that cost cutting and those cutting of services are that we've seen many cancelled heart surgeries. We can think of few procedures as serious as a heart surgery, and yet those have seen many skyrocketing cancellations under this Premier. In addition, we know that other surgeries are seeing their wait times increase, whether that's for hips, for knees or, indeed, for cataract surgeries.

So that's the record that this Premier has put into place over his brief time in office, Mr. Deputy Speaker, and we know that it is time for a change. It's time to improve health care and fix the damage that this government is doing.

Will the Premier commit to paving the way for such a change by keeping the emergency rooms in Winnipeg open?

**Mr. Pallister:** In the case of MLAs and caucus size, of course more is better, and our caucus demonstrates that every day in the work they do.

But in the case of emergency rooms more is not necessarily better, and that is why so many cities across the country, so many provinces have acted appropriately and according to expert recommendation, to centralize all their testing and capacities, their expertise and their services in areas where they can be provided effectively to patients

without moving them from one facility to another as the NDP did with thousands of Manitobans.

The NDP had this advice. They failed to listen to it. They created a mess where we had the longest wait times in Canada, and thousands of Manitoba families can attest to the fact they had to wait far too long for health care, Madam Speaker—or, Mr. Speaker.

The fact remains that the NDP created a massive mess in health care: 10th out of 10 and falling further behind ninth, and we are cleaning up that mess. And Canadian institute of health information says we're the only province making real progress.

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

#### **Small Class Sizes Government Position**

**Mr. Wab Kinew (Leader of the Official Opposition):** You know, when I talk to parents who have school-aged kids in Manitoba, they tell me that they want their child to have as much one-on-one time with their teacher as possible. That's because that's when—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Kinew:** —the real learning happens. It's through individualized attention and the ability to help tailor the educational experience to a young person's need that we can prepare our youth in this province for their bright and hopeful futures.

However, we know what this government has done in the education system: they have taken the caps off the class-size initiative. Now, we know that that's a mistake, that particularly in the early years, when we're talking about kindergarten to grade 3 especially, that it's very important to ensure that class sizes remain small so that teachers can devote more individualized attention, more one-on-one time with the teacher.

So I'd ask the Premier simply to show us one parent in the province who would rather have their kid have less one-on-one time with their teacher.

**Hon. Brian Pallister (Premier):** Well, given that class sizes are maintained at the same ratio as they were when the NDP were in power, I think the premise of the member's lies—falls flat.

\* (13:50)

I would also say that showing him a parent who was satisfied or dissatisfied with a teacher would probably depend on the teacher, and so, Mr. Speaker, I would say to the member, teachers are key to influencing the education productivity and the outputs of students and their performance. *[interjection]* We recognize that, and none of us would be here without the support of teachers.

If the member would like to ask me another question while I'm answering this one, I'd appreciate if he'd speak a little more loudly so I could hear it.

But the fact remains, Mr. Chair, educational system in our province is strong and a priority for us. That's why we're investing over \$400 million more—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Pallister:** —in the educational system than the NDP ever did.

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

**Mr. Kinew:** Six thousand, three hundred and forty-five—6,345—that's how many more kids there are in Manitoba classrooms over the last three years. But we know that the Pallister government's funding—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Kinew:** —for education has not increased—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Kinew:** —with inflation, never mind with the growth of the number of students in classrooms right across the province.

Again, class sizes matter. That's what teachers tell us. That's what students tell us, and we know that even when the Premier and these Cabinet ministers were in opposition they also agreed that class sizes were important.

Now, apparently, something changed in their ideology when they moved over to government, but we still believe that keeping class sizes small is very, very important for the students in Manitoba.

So will the Premier please reconsider the cut that he's made and commit to keeping class sizes small in Manitoba?

**Mr. Pallister:** Seven, that's the number of new schools we're building to help students. Tenth, that's

where our students ranked in performance under the NDP in reading; tenth, that's where our students ranked across Canada in science; tenth, that's where our children ranked in terms of math results.

The member is standing here today trying to defend the system that the NDP broke. I welcome him in his attempt. But what they broke, we will fix.

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

**Mr. Kinew:** The amount of people who believe this Premier's answers on education: zero, Madam Speaker—Mr. Deputy Speaker, rather.

Now, we know that this government actually went out and asked teachers, how can we improve the education system? And they were told, well, address the barriers that kids are facing before they enter the classroom. That means focusing on poverty, focusing on mental health and helping kids overcome the other forms of adversity they face outside of the schoolyard.

The Premier didn't like that answer, so he's not pursuing any sort of action that would address those outside-of-the-classroom barriers which would produce real results in terms of education for kids in Manitoba. Instead, he's hopped into the Wayback Machine and they're pulling out the Conservative Cabinet of the 90s to come back and make cuts to the education system of 2019.

We say that that's the wrong approach, Mr. Deputy Speaker.

Would the Premier simply abandon this misguided commission—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Kinew:** —and instead commit to keeping class sizes small?

**Mr. Pallister:** Throwing people under the bus seems to be a specialty for the NDP leader. He did it to his former premier. He does it to his colleagues frequently as well, I'm told, and he's now doing it to the former NDP minister who serves as co-chair of the panel, Janice McKinnon, and the expert panel that's been assembled.

Regardless of partisan interests, Madam Speaker—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Pallister:** –or Mr. Speaker, I do think that impugning the integrity of expert panel participants who are opening consultations to all Manitobans is pretty low, even for the member for Fort Rouge (Mr. Kinew).

The number of government members who believe the member when he makes assertions is zero, too, Madam Speaker, but I expect the number of his own caucus colleagues who believe him is less than three as well.

### **Safe Consumption Site Request for Government Support**

**Mrs. Bernadette Smith (Point Douglas):** The individuals who form–*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mrs. Smith:** –'overdirt'–Overdose Awareness Manitoba have, unfortunately, had the experience of dealing with the loss of a loved one waiting to get into a treatment facility. They have now dedicated their lives to preventing any other families from having to deal with a loved one dying. This group is calling on this government to create a medically assisted detox facility, a safe consumption site and support public education on overdose awareness, among other things.

Will the minister today get up and support this group and open a safe consumption site here in Manitoba so that no more Manitobans have to die?

**Hon. Cameron Friesen (Minister of Health, Seniors and Active Living):** Mr. Deputy Speaker, it was only a few days ago that that member was harshly criticized by the Manitoba media for misleading all Manitobans about our recent paper, both the veracity of the methodology and what the paper actually suggested.

But today there's a real report out by CIHI, and it indicates that, whereas the member continues to say things are getting worse by the day, it says it's getting better: 62 per cent of all patients across the country say that they had a very good experience in a hospital experience, but it's even better in Manitoba.

**Mr. Deputy Speaker:** The honourable member for Point Douglas, on a secondary question.

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

**Mr. Deputy Speaker:** Order.

The honourable member for Point Douglas, on a secondary question.

**Mrs. Smith:** Safe consumption sites save lives, but people wanting to access these services simply can't because this government's ideology. People have difficulty navigating the complex system. In many cases, people need detox actually prior to going into a treatment centre, and the wait-lists continue to grow to even get into these treatment centres.

The petition currently being circulated by Overdose Awareness Manitoba—again, parents whose loved ones have passed away—is calling on this government to open a safe—

**Mr. Deputy Speaker:** The honourable member's time is up.

**Mr. Friesen:** The CIHI report goes on to say it's actually a full 64 per cent of Manitoba patients who said about their experience in the hospital: a very good experience; but another 23 said: of—a good experience. That's 87 per cent of all Manitobans, and that information is based not on 35 responses, but on 10,000.

**Mr. Deputy Speaker:** The honourable member for Point Douglas, on a third question.

**Mrs. Smith:** It's clear that this government and this minister doesn't care about Manitobans and—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mrs. Smith:** –the families who are—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mrs. Smith:** –struggling with addictions in this province. They sit idly by and do nothing while families are dealing with their loved ones having to navigate a system where there's not enough treatment centres, and what does this government do? Nothing.

So we're calling on them today to open a safe consumption site here in Manitoba. This is what Manitobans want. Twenty-five thousand Manitobans are struggling with addictions, not to mention their families, and this government does nothing. Shame on them.

**Mr. Friesen:** While the member's statement didn't have a question, I would say this to her. *[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Friesen:** She never has a question—*[interjection]*

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



**Mr. Friesen:** That member never asks a question about the additional capacity in-facility that we have created by doubling that capacity for women at the Health Sciences Centre. She never asks a question about the RAAM clinics that are meeting thousands of Manitobans at the point of the need. She pretends everything is simple. She says there's one magic solution.

Who says there isn't? Shannon Phillips, the NDP candidate in Lethbridge. There are no easy fixes. You are living in a fantasy world, she says, if you think you can unlock this where-with one or two easy things.

**Mr. Deputy Speaker:** Honourable minister's time is up.

\* (14:00)

### **Provincial Crime Rate Increase Judicial System Staff Levels**

**Ms. Nahanni Fontaine (St. Johns):** There's a wave of crime occurring across Winnipeg and certainly across Manitoba. *[interjection]*

**Mr. Deputy Speaker:** Order.

**Ms. Fontaine:** In 2018 property crimes in Winnipeg increased by 28 per cent. The most recent data from Stats Canada shows a similar province for the province: robberies increased by 40 per cent in just the last two years. Yet in the midst of this wave of crime, the Pallister government is cutting positions that administer justice.

How is it that crime can be way up and yet the Province is cutting custody corrections and court operations? How does this make any sense, Deputy Speaker?

**Hon. Cliff Cullen (Minister of Justice and Attorney General):** The member is just factually incorrect in her comments.

Madam-Mr. Speaker, the real crime was the mess that we were left-we inherited-by the NDP government-*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Cullen:** -previously. Mr. Speaker, the budget in Justice was completely out of control, results were not obtained. We have actually got the budget under control in Justice so we can make strategic investments like an increase on \$6.8 million for policing across Manitoba just this past year.

**Mr. Deputy Speaker:** The honourable member for St. Johns, on a second supplement question.

**Ms. Fontaine:** The minister knows what he just put on the record is absolutely wrong.

In the last three years Manitoba Justice-*[interjection]*

**Mr. Deputy Speaker:** Order.

**Ms. Fontaine:** -has cut 87 positions, Deputy Speaker. This year's Estimates say that the minister will cut over 40 positions in court operations and in custody corrections.

The minister is cutting the administration of justice in the middle of a crime crisis and wave. This doesn't make any sense, Deputy Speaker.

We already know the Pallister government isn't interested in addressing the root causes of why people become in conflict with the law. Their poverty plan is inadequate. But now they're not interested in addressing the crisis in the justice system.

When will this minister actually do something and start doing his job?

**Mr. Cullen:** Clearly, we are making changes within Justice, and we actually, contrary to what the NDP had, we actually have a plan. We have a criminal justice modernization-*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Cullen:** -strategy in place and we're achieving very positive results.

We have better access to justice for Manitobans than ever under the NDP. We're making very positive steps forward. We have 16 transformation capital projects under way which are 'a'choosing'-achieving very positive results for Manitobans.

**Mr. Deputy Speaker:** The honourable member for St. Johns, on a final supplement question.

**Ms. Fontaine:** The Premier's (Mr. Pallister) poverty plan is inadequate and there's a lack of provincial leadership in dealing with the meth crisis.

Now we know that crime is way up. Winnipeg police say the numbers of firearms they encounter, and I quote, are numbers they've never seen before, end quote, with the problem only getting worse. In a streak of violence last year there were 12 separate gun incidents in just over four days, including a

random shooting, a shotgun attack and two police standoffs.

But in the midst of this crime wave the minister has cut 87 positions from people that administer justice in our province.

When will he start taking this issue seriously and start doing his job?

**Mr. Cullen:** I will indicate to the House that we've—in this year's budget we've set aside \$2.3 million specifically to deal with the illicit drug trade here in Manitoba, and we will continue to invest in police resources.

In fact, our proceeds of crime, we invested millions of dollars back to make sure that police officers have the resources they need. We've also added money to Victim Services supports as well. We're working with communities, in terms of community mobilization, to make sure that people have the resources they need, Madam Speaker.

We are getting the job done on behalf of Manitobans.

**Mr. Deputy Speaker:** The honourable official opposition—the Leader of the Second Opposition.

#### **Manitoba's Senior Citizens Consumer Protection**

**Mr. Dougald Lamont (Leader of the Second Opposition):** Our caucus routinely welcomes delegations from consumer groups who want us to do more to protect Manitobans because of this province's weak regulations.

For many years, seniors in Manitoba have been getting swindled by door-to-door sales people who are, in fact, only selling scams. These are not just aggressive sales tactics; these are predators.

Complaints to the provincial office have doubled in the past year and Hydro received 200 complaints about one particular company, Prairie Home Comfort. This government has been sadly silent while Manitoba seniors and our most vulnerable are being duped.

This government has the ability to end this practice, yet they seem to have only one priority, and it's not protecting seniors.

Can the Premier tell the House: Is the government planning to do anything at all to protect seniors from these types of scams?

**Hon. Cliff Cullen (Minister of Justice and Attorney General):** I thank the member opposite for that question.

We realize that too many Manitobans are falling victim to the high-pressure sales tactics that are being used. Certainly, people can report that to our Consumer Protection Office. Our consumer protection people are dealing with a number of cases across Manitoba and investigating this—cases. In fact, some of these situations have been resolved quite successfully.

**Mr. Deputy Speaker:** The honourable Leader of the Second Opposition, on a supplement question.

#### **Community Supports and PCH Beds**

**Mr. Lamont:** Mr. Speaker, seniors in Manitoba are being abandoned by this government. They—the Premier has promised big on PCH beds, but won't put his money where his mouth is, and they seem to be walking back on every announcement they've made unless it's being fully funded by the federal government.

They've scrapped the special drugs program. They've—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Lamont:** —raised costs or outright cancelled seniors community programming and information organizations, and they have raised property taxes. *[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Lamont:** While I was disappointed, I wasn't all that surprised to hear this government is planning to close down the 65 transitional beds at River Ridge II that they only opened two years ago.

How can the Premier justify these cuts?

**Hon. Brian Pallister (Premier):** Speaking of swindling seniors, Madam Speaker, the federal carbon tax, which the member supports so avidly, will do exactly that. It will actually make it more expensive for seniors in Manitoba to volunteer or travel to a store to shop, and then, once they get to the store, to shop at the store. They will also—it will also make it more expensive for seniors in many parts of the province to heat their homes. The member supports these things.

Swindling seniors is not a good idea, Madam Speaker, and I don't know why he supports it when his federal colleagues do it.

**Mr. Deputy Speaker:** The honourable Leader of the Second Opposition, on a final supplement.

**Mr. Lamont:** It's really terrible, Madam—Mr. Speaker, that the Premier believes that caring for our seniors is a burden for his bottom line.

Seniors need protections from predatory sales-people. They need safe, affordable housing with supports based on their needs, and not just empty promises of personal-care-home beds without the funding to actually build them. They need community programming and advocacy groups to help them stay healthy and navigate our complicated systems. But instead this government is dismantling the health-care system. They're delivering higher property taxes and hydro bills. They're decimating community supports. There's a lack of supportive housing and no protections from predatory sales tax-tactics, and now they are closing transitional beds for—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Lamont:** —seniors.

Why does this government have no regard for our seniors, and why won't they step up and stop these cuts?

**Mr. Pallister:** Well, in addition to the absolute inaccuracy of the preamble, I think what the member is missing is the fact that we're making life better for Manitoba seniors.

We've erased the wait times—erased the wait times—for getting into personal-care-home beds that plagued seniors across this province, in many regions of this province for years, and when—and that issue was not addressed by the previous government at all.

We've shortened waits for services like knee replacements, like cataracts. We've increased the availability of MRIs. We've made significant improvements that have been noted by national experts as being better than other provinces have made and, in addition, we have cut ambulance fees, which affects seniors, of course, profoundly, in half. We're making great progress to assist seniors in having a better health-care system that gives them better care sooner, and the member should recognize that as more and more seniors across the province are certainly recognizing it first-hand in their own homes.

### Action on Climate Change Greenhouse Gas Emissions

**Mr. Rob Altemeyer (Wolseley):** Tragically and sadly, the green scam in Manitoba continues.

Climate change is the single largest threat that humanity has ever faced, and new numbers are out today showing just how bad the situation is becoming in Manitoba. Rather than emissions going down, as climate science is insisting must happen if we are to survive, emissions in Manitoba are up.

Would the Premier, the man who promised all Manitobans we'd be the cleanest province in Canada, does he have the courage—

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

\* (14:10)

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

**Mr. Altemeyer:** Does the Premier have the—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Altemeyer:** —courage to stand up today and inform all of his backbenchers just how wrong they were to believe him, or do I have to provide the data in my next question?

**Hon. Rochelle Squires (Minister of Sustainable Development):** Green scam: I believe that that's what Manitobans called the NDP plan on climate action. The green scam: I believe that that's what Manitobans called Gary Doer's statement that—when he said that, if I don't reduce carbon emissions in Manitoba, I'll put my job on the line. And I would note for the House that Gary Doer's no longer here.

Our government is committed to cleaning up the mess that the NDP did. We're reducing carbon emissions. We announced a historic \$102-million Conservation Trust the other day to do—to deal with carbon 'sequestration' projects on the—in wetlands restoration and carbon sequestration projects all throughout Manitoba to lower our carbon footprint.

I wish members opposite would get on board.

**Mr. Deputy Speaker:** The honourable member for Wolseley, on a second supplement question. *[interjection]* Order.

**Mr. Altemeyer:** Predictably, Mr. Acting Speaker, I have to do this government's work for them. I would like to table the documents. *[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Altemeyer:** These come directly from the United Nations. They show quite clearly—*[interjection]*

**Mr. Deputy Speaker:** Order. It's starting to get a little loud in here, and we need some decorum in here so we can hear the individual speaker.

**Mr. Altemeyer:** Thank you for stepping in, Mr. Acting Deputy Speaker. I know they don't want this information to be on the record, but here's the truth.

Contrary to the vitriol from the other side, last year emissions in Manitoba increased by 700,000 metric tons of CO<sub>2</sub> in Manitoba. In contrast, the previous four years, they increased by 0.1 per cent per year. This year alone: 3.3 per cent. Cleanest and greenest? Not even true.

**Mr. Deputy Speaker:** The honourable member's time is up.

**Ms. Squires:** You know, Madam Speaker, I understand why member opposite is confused. He doesn't understand what a real clean, green environment plan looks like.

He sat idly by for years while his government did actually nothing. And when the Auditor General reported that his government had absolutely no plan and then they turned around and put a plan on the back of a napkin that the Auditor General rejected, the member opposite said absolutely nothing.

Our government is committed to working with all user groups. We're working with all Manitobans to lower our carbon footprint and to all transition together to a low-carbon economy.

Where we're getting action for the environment, members opposite failed year after year after year.

**Mr. Deputy Speaker:** The honourable member for Wolseley, on a third, supplementary question.

**Mr. Altemeyer:** Seven-hundred-thousand-metric-ton increase in just their first full year in office. Mr. Acting Speaker, this is nothing to do with the minister. This is the Premier driving this agenda, and it's going to get worse in 2018—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Altemeyer:** —because in 2018, as of January 1st, bus fares went up in Winnipeg and routes were cancelled in Brandon because of this government. The solar subsidy ended. Power smart was forbidden to do any public education. Our electric buses

were taken away from us in October, and there's 6,000 more buildings using natural gas now than when he became Premier.

He needs to realize climate change is not going away, neither are the voices outside this building, and he owes it to future—

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

**Mr. Deputy Speaker:** Time for question is expired.

I just want to call the member from Wolseley that—parliamentary language, I just wanted to make sure that when he said the, not even true, it's basically unparliamentary, so

**Hon. Brian Pallister (Premier):** In terms of conservation and respect for future generations, the member was part of a government that doubled our provincial debt in six years. That's disrespectful to the future children who will have to pay back all those taxes and the interest on them.

The previous government had absolutely no gains made on social programs such as education, where they were dead last; health care, where they were dead last; social services and dealing with poverty, where they were dead last across the country. *[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Pallister:** The legacy of that government—if you're concerned about legacy, as the member claims to be—is that they were dead last and not serving the needs of today's generations or the future. And when it came to environmental stewardship, they were dead last, too. They didn't have a plan: no plan, no action, no progress.

I don't need advice from that member. Nobody on this side of the House needs advice from that member on getting results. We'll get results because we believe climate change is real and we're going to address the challenge of facing it head-on.

### **Fiscal Stabilization Account Balance Update**

**Mrs. Sarah Guillemard (Fort Richmond):** My mother always taught me that louder is not always righter and typically reveals that you're not really fact-based when you're speaking. But that would explain—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mrs. Guillemard:** —why the NDP left Manitobans a legacy of debt, decay and decline, and, of course,

higher taxes. The NDP government withdrew funds from the Fiscal Stabilization Account, also known as the rainy day account, to pay for their reckless spending.

Can the Minister of Finance please provide an update to the House on the current state of the Fiscal Stabilization Account?

**Hon. Scott Fielding (Minister of Finance):** Of course, it was a previous PC government here in Manitoba that had the wisdom to set up the rainy day fund, Madam—Mr. Deputy Speaker. The fund is a fiscal shock absorber to deal with things like floods, as well as things like downturns in the economy.

One thing that all Manitobans know is that the NDP drained that fund by over \$750 million. *[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Fielding:** Our government is not going to make that same mistake. We have put over \$50 million last year in the rainy day fund, over \$50 million this year. There's over \$265 million more in that rainy day fund.

We are going to protect Manitobans, while the NDP left them the cold.

#### **Indigenous Communities Suicide Rate**

**Ms. Judy Klassen (Kewatinook):** During yesterday's health announcement between my federal cousins and this government, I was shocked to hear the Minister for Health state that there had been zero losses in this province when he was questioned about his delaying of the signing of the health agreement.

As the Minister of Health, he should be very aware that in my riding we have faced many suicides while he and his government sat back and did nothing.

Can the minister tell this House how many suicides occurred in the time they sat idly by?

**Hon. Cameron Friesen (Minister of Health, Seniors and Active Living):** Mr. Deputy Speaker, with respect to the member, she is choosing to mischaracterize what was said yesterday.

That member knows that when it came to the bilateral agreement on shared health priorities, Manitoba was clear. We stood up to get a better deal

for Manitobans in mental health, addictions and home-care investments. What we said is that there was nothing lost in the time it took to negotiate that better deal for Manitobans that we did get.

**Mr. Deputy Speaker:** The honourable member for Kewatinook, on a supplementary question.

**Ms. Klassen:** Yes, I was there. I heard, my very own ears, what he said.

Mr. Deputy Speaker, well-balanced people do not commit suicide. We have repeatedly asked for mental health resources and facilities for our indigenous and northern regions. If this government gave a thought to all indigenous people and the crisis we have been facing, it would not have taken them so long to sign.

How dare he say zero losses in this province. It was such a slap in the face.

Do indigenous lives matter to this minister? How many suicides have occurred since that party took government in 2016?

**Hon. Brian Pallister (Premier):** It's absolutely, totally inappropriate and unjustified; suicide is obviously one of the most hurtful events that can occur in a family's life and a community's life, and to try to link it to a federal funding negotiation is deplorable.

I know the member is anxious to move to Ottawa with her political career, and I understand and accept her desire to do so. She can now work with a federal government that has responsibilities to her communities. We are willing to be partners, and that is why we have worked with the federal government diligently on mental health issues, and we'll continue to do that.

But to try to link these two things is totally inappropriate, and I don't think the member should do anything except reconsider the linkage that she's making today. It's hurtful to assert and to attack a person on the basis of these types of things. I think it's unjustified and, frankly, I think it's deplorable.

**Mr. Deputy Speaker:** The honourable member for Kewatinook, on a final supplementary question.

#### **Bilateral Health Agreement**

**Ms. Klassen:** I know it's pointless to ask for an apology from any member on that side of the House.

\* (14:20)

We've seen time and time again when the federal government invests additional targeted funds here in the province, any associated organizations face cuts. Even our reporters were trying to discern this information from the minister and he did not respond.

Can the minister tell us how much of these additional dollars will be given to help better the lives of my people in the North or—his department already making the associated cuts?

**Mr. Pallister:** This government takes the issues facing indigenous Manitobans totally seriously. We're focusing on helping direct, not only resources, but better outcomes to communities. We're working in every capacity co-operatively with indigenous leadership around the province.

The member should recognize that the federal government, in changing its funding formula, will take \$2.2 billion away from Manitoba over the next decade. She needs to understand that this is not and never should be a partisan issue, but rather should be something we can join hands together in addressing. That is exactly the approach we'll continue to take.

#### **Home Energy Products Door-to-Door Sales Ban**

**Mr. Jim Maloway (Elmwood):** Mr. Deputy Speaker, my question—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Maloway:** —is to the Premier.

Manitoba's Consumer Protection Office reports that there's been a huge increase in high-pressure and unethical door-to-door sales practices. Complaints to their office doubled in just one year and a recent—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Maloway:** —investigative report by the media reported an explosion of complaints by the sales of home energy products—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Maloway:** —which is furnaces and the air filters.

Will the Premier follow the lead of provinces like Alberta and Ontario and ban door-to-door sales of home energy products?

**Hon. Brian Pallister (Premier):** We're committed to strengthening the legislation, Mr. Acting Speaker, to strengthen the protections for Manitobans.

Unfortunately, I don't believe that the member is speaking from a position of strength, given the fact that the NDP went door-to-door around the province, knocked, looked people right in the eye and promised them they wouldn't raise their taxes. Talk about swindling, talk about misrepresentation, talk about all—and, frankly, thievery from the kitchen tables of Manitoba families.

That member was part of it. He was so embarrassed about it that in the next election he actually took the NDP right off his yard sign. It led to a rebellion among the NDP members. They fought each other over it and they were all embarrassed and ashamed, and, Mr. Acting Speaker, they should have been ashamed for that kind of swindling behaviour and thievery.

**Mr. Deputy Speaker:** Time for oral questions has expired.

#### **PETITIONS**

**Mr. Deputy Speaker:** Time for petitions.

##### **Early Learning and Child-Care Programs**

**Ms. Amanda Lathlin (The Pas):** The background to the petition is as follows:

(1) Early learning and child-care programs in Manitoba require increased funding to stabilize and support a system that is in jeopardy.

(2) Licensed, not-for-profit early learning and child-care programs have received no new operating funding in over three years, while the cost of living has continued to increase annually.

(3) High-quality licensed child care has a lasting, positive impact on children's development, is a fundamental need for Manitoba families and contributes to a strong economy.

(4) The financial viability of these programs is in jeopardy if they cannot meet the fiscal responsibility of achieving a balanced budget, as all operating expenses continue to increase.

(5) The workforce shortage of trained early childhood educators has continued to increase; quality child care is dependent on a workforce that is skilled and adequately remunerated.

(6) Accessible, affordable and quality early learning and child-care programs must be available to all children and families in Manitoba.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to increase funding for licensed, not-for-profit child-care programs in recognition of the importance of early learning and child care in Manitoba, which will also improve quality and stability in the workforce.

This petition has been signed by fine—many, many Manitobans.

**Mr. Deputy Speaker:** In accordance with rule 133-6, when petitions are read they are deemed to be received by this House.

#### Lake Winnipeg Fisheries Consultation

**Mr. Rob Altemeyer (Wolseley):** Yes, Mr. Deputy Speaker, I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

On March 11th, 2019, the Manitoba government announced steps to address the sustainability of the Lake Winnipeg fishery. As part of this initiative, the Manitoba government offered the option of voluntary individual quota entitlement buybacks to fishers working on Lake Winnipeg. Fishers were given until March 21st, 2019, (11 days, eight business days) to decide whether to voluntarily surrender their individual quota entitlement. The deadline for completed documentation is March 31st, 2019, (21 days or 15 business days). The quota entitlement surrender is permanent.

(2) The Manitoba Department of Sustainable Development states that it is committed to "develop comprehensive shared management strategies in consultation with First Nations, Metis and licensed hunters and anglers to give local communities a greater voice and ensure long-term sustainability of our fish and wildlife populations."

(3) The Manitoba government did not consult with fishers prior to the March 11th announcement. A 30-day consultation period was announced at the same time as the voluntary quota entitlement buyback initiative.

(4) Fishers did not receive copies of the documentation and data regarding the state fish stocks in Lake Winnipeg that were the basis of the Manitoba government's decision to proceed with the quota entitlement buyback initiative.

(5) The quota entitlement buyback will have a significant impact on the economy and well-being of the Fisher River Cree Nation and other First Nations communities.

We petition the Legislative Assembly of Manitoba as follows:

In support of the Fisher River Cree Nation, we request that the government of Manitoba begin a process of consultation with indigenous peoples about the future of commercial fisheries on Lake Winnipeg.

Signed by Richard Baschell, Mary Gerec [*phonetic*] and Gunther Carmen [*phonetic*].

#### Daylight Saving Time

**Mr. Cliff Graydon (Emerson):** I wish to present the following petition to the Legislative Assembly.

And this is the background to this petition:

The loss of sleep associated with the beginning of daylight saving time has serious consequences for physical and mental health and has been linked to increases in traffic accidents and workplace injuries.

(2) According to the Manitoba Public Insurance news release, collision data collected in 2014 showed that there was a 20 per cent increase in collisions on Manitoba roadways following the spring daylight savings time change when compared to all other Mondays in 2014.

(3) Daylight saving time is associated with a decrease in productivity the day after the clocks are turned forward with no corresponding increase in productivity when the clocks are turned back.

(4) There is no conclusive evidence that daylight saving time is effective in reducing energy consumption.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to amend The Official Time Act to abolish daylight saving time in Manitoba effective November 4th, 2019, resulting in Manitoba remaining on Central Standard Time, throughout the year and in perpetuity.

And this petition is signed by Day Donbrowski [*phonetic*], Tiffany Fell, Brian Duval and many, many more fine Manitobans.

#### Early Learning and Child-Care Programs

**Ms. Flor Marcelino (Logan):** I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to the petition is as follows:

(1) Early learning and child-care programs in Manitoba require increased funding to stabilize and support a system that is in jeopardy.

(2) Licensed, not-for-profit early learning and child-care programs have received no new operating funding in over three years, while the cost of living has continued to increase annually.

(3) High-quality licensed child care has a lasting, positive impact on children's development, is a fundamental need for Manitoba families and contributes to a strong economy.

(4) The financial viability of these programs is in jeopardy if they cannot meet the fiscal responsibility of achieving a balanced budget, as all operating expenses continue to increase.

(5) The workforce shortage of trained early childhood educators has continued to increase; quality child care is dependent on a workforce that is skilled and adequately remunerated.

\* (14:30)

(6) Accessible, affordable and quality early learning and child-care programs must be available to all children and families in Manitoba.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to increase funding for licensed, not-for-profit child-care programs in recognition of the importance of early learning and child care in Manitoba, which will also improve and—improve quality and stability in the workforce.

Signed by many, many Manitobans. Thank you, Mr. Deputy Speaker.

**Ms. Cindy Lamoureux (Burrows):** Mr. Deputy Speaker, I wish to present the following petition to the Legislative Assembly.

To the Legislative Assembly of Manitoba, the background to this petition as—is as follows:

(1) Early learning and child-care programs in Manitoba require increased funding to stabilize and support a system that is in jeopardy.

(2) Licensed, not-for-profit early learning and child-care programs have received no new operating funding in over three years, while the cost of living has continued to increase annually.

(3) High-quality licensed child care has a lasting, positive impact on children's development, is a fundamental need for Manitoba families and contributes to a strong economy.

(4) The financial viability of these programs is in jeopardy if they cannot meet the fiscal responsibility of achieving a balanced budget, as all operating expenses continue to increase.

(5) The workforce shortage of trained early childhood educators has continued to increase; quality child care is dependent on a workforce that is skilled and adequately 'remunerated'.

(6) Accessible, affordable and quality early learning and child-care programs must be available to all children and families in Manitoba.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to increase funding for licensed, not-for-profit child-care programs in recognition of the importance of early learning and child care in Manitoba, which will also improve quality and stability in the workforce.

This petition is signed by many, many Manitobans.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

The background to the petition is as follows:

Early learning and child-care programs in Manitoba require increased funding to stabilize and support a system that is in jeopardy.

Licensed, not-for-profit early learning and child-care programs have received no new operating funding in over three years, while the cost of living has continued to increase annually.

High-quality licensed child care has a lasting, positive impact on children's development, is a fundamental need for Manitoba families and contributes to a strong economy.

The financial viability of these programs is in jeopardy if they cannot meet the fiscal responsibility of achieving a balanced budget, as all operating expenses continue to increase.

The workforce shortage of trained early childhood educators has continued to increase;



quality child care is dependent on a workforce that is skilled and adequately remunerated.

Accessible, affordable and quality early learning and child-care programs must be available to all children and families in Manitoba.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to increase funding for licensed, not-for-profit child-care programs in recognition of the importance of early learning and child care in Manitoba, which will also improve quality and stability in the workforce.

Signed by Wanda Villers, Dave Villers, Brooke Villers and many, many others.

**Mr. Deputy Speaker:** Any further petitions? Grievances?

## ORDERS OF THE DAY

### GOVERNMENT BUSINESS

#### House Business

**Mr. Deputy Speaker:** Order.

I'm now advising the House that the Speaker received a letter from the Official Opposition House Leader (Ms. Fontaine) regarding the official opposition's second selected bill for this section.

As a reminder of the House, rule 24 permits each recognized party to select up to three private member bills per session to proceed to a second reading vote. According to the House, we'll resume second reading debate on Bill 228, The Sikh Heritage Month Act, starting at 10 a.m. tomorrow, April 18, 2019, with the question to be put forward at 10:50 a.m. that morning.

**Hon. Kelvin Goertzen (Government House Leader):** Mr. Deputy Speaker, on House business.

Could you please canvass the House for leave to allow the following:

(1) waiving the provisions in rule 2(9) and 2(10) so that instead of announcing the official opposition's designated bills and proceeding to consider the specified bills now, the House will instead immediately resolve into the Committee of the Whole to complete consideration of Bill 16, The Budget Implementation and Tax Statutes Amendment Act, 2019 and,

(2) following the committee consideration, Bill 16 shall then be reported to the House, immediately after which the House shall immediately proceed to the steps identified in rule 2(9) and 2(10) related to the designated and specified bills.

**Mr. Deputy Speaker:** Is there leave for the House to follow—allow the following:

(1) waiving the provision of rules 2.9 and 2.10 so that the—instead of announcing the official opposition designated bills and proceeding to consider the specified bills now, the House is instead resolved into the Committee of the Whole to complete the consideration of Bill 16, the budget 'impetation' and tax statutes amendment act, 2019.

The following committee's considered—Bill 16 shall then be reported to the House immediately after which the House shall immediately proceed to the steps identified in the rules 2.9 and 2(10) related to designated and specific bills.

Agreed? [*Agreed*]

As agreed, then, the House will now resolve into the Committee of the Whole.

Mr. Deputy Speaker, will you please take the Chair.

\* (14:40)

### COMMITTEE OF THE WHOLE

**Mr. Deputy Chairperson (Dennis Smook):** Good afternoon. Will the Committee of the Whole please come to order.

As previously agreed, the Chair will call clauses in blocks that conform to pages, with the understanding that we will stop at any particular clause or clauses where members may have comments, questions or amendments to propose.

#### Bill 16—The Budget Implementation and Tax Statutes Amendment Act, 2019

**Mr. Deputy Chairperson:** Currently under debate—*[interjection]*

For clarification, we are considering continuing consideration of The Budget Implementation and Tax Statutes Amendment Act, 2019, Bill 16.

Currently under debate is the amendment to clause 18, moved by the honourable opposition House leader. The floor is open for debate.

Hearing no further comments, is the committee ready for the question?

**An Honourable Member:** Question.

**Mr. Deputy Chairperson:** The question before the committee is as follows: moved by the honourable opposition House leader

*THAT Clause 18 of the Bill be replaced with the following:*

*18 The first paragraph of the overview to Part 10 is amended by striking out "10%" wherever it occurs and substituting "5%"—substituting "5%".*

Amendment—pass; clause 18 as amended—pass.

**Ms. Nahanni Fontaine (Official Opposition House Leader):** Mr. Chair, could you please canvass the committee for leave to revert to consideration of clauses 13 through 17, to allow the questions to be put again on those clauses?

**Mr. Deputy Chairperson:** Is there leave of the committee to revert to consideration of clauses 13 through 17, to allow the questions to be put again on those clauses? *[Agreed]*

As agreed then, we will now reconsider clauses 13 through 17 of this bill.

As agreed, we shall—as agreed then, shall clauses 13 through 17 pass?

**An Honourable Member:** No.

**Mr. Deputy Chairperson:** I hear a no.

Clauses 13 through 17 are accordingly defeated.

Shall clause 19 pass?

**An Honourable Member:** No.

**Ms. Fontaine (St. Johns):** I have an amendment, Mr. Chair.

I move

*THAT Clause 19 of the Bill be replaced with the following:*

*19(1) Subsection 73(1) is amended by striking out "10%" wherever it occurs and substituting "5%".*

*19(2) Subsection 73(2) is amended in the description of E in the formula by striking out "50%" wherever it occurs and substituting "25%".*

**Mr. Deputy Chairperson:** Committee will pause while we distribute copies of the amendment.

It has been moved by the opposition House leader

*THAT—*

**An Honourable Member:** Dispense.

**Mr. Deputy Chairperson:** The amendment is in order. The floor is now open for questions.

Seeing as no questions, is the committee ready for the question?

**Some Honourable Members:** Question.

**Mr. Deputy Chairperson:** The question before the committee is as follows:

*THAT Clause 19 of the Bill be replaced with the following—*

**An Honourable Member:** Dispense.

**Mr. Deputy Chairperson:** Dispense.

Amendment—pass.

Clause 19 as amended—pass.

Shall clause 20 pass as amended? *[interjection]*  
Oh, sorry. Shall clause 20 pass?

**An Honourable Member:** No.

**Ms. Fontaine:** I move

*THAT Clause 20 of the Bill is replaced with the following:*

*20(1) Subsection 74(1) is amended by striking out "10%" and substituting "5%".*

*20(2) Subsection 74(2) is amended in the formula by striking out "50%" and substituting "25%".*

Miigwech.

**Mr. Deputy Chairperson:** We'll pause while we distribute the amendment.

\* (14:50)

The amendment is in order. The floor is open for questions.

It has been moved by the opposition House leader

*THAT Clause 20 of the Bill is replaced—*

**An Honourable Member:** Dispense.

**Mr. Deputy Chairperson:** Dispense.

The amendment is in order. The floor is open for questions.

Is the committee ready for the question?

**Some Honourable Members:** Question.

**Mr. Deputy Chairperson:** Amendment—pass.

Shall clause 19 as—oh, sorry.

Clause 20 as amended—pass.

Shall clauses 21 through 23 pass?

**Some Honourable Members:** Pass.

**Some Honourable Members:** No.

**Mr. Deputy Chairperson:** I hear a no. Then clauses 21 through 23 are accordingly defeated.

Clause 24—pass; clause 25—pass; enacting clause—pass; title—pass. Bill as amended be reported.

This concludes the business of the committee.

Call in the Speaker.

### IN SESSION

#### Committee Report

**Mr. Dennis Smook (Deputy Chairperson):** The Committee of the Whole has considered Bill 16, The Budget Implementation and Tax Statutes Amendment Act, 2019, and reports the same with amendments.

I move, seconded by the honourable member for Brandon West (Mr. Helwer), that the report of the committee be received.

*Motion agreed to.*

#### House Business

**Ms. Nahanni Fontaine (Official Opposition House Leader):** On House business.

**Mr. Deputy Speaker:** On House business.

**Ms. Fontaine:** In accordance with rule 2(9), I would like to table a list of the four bills designated by the official opposition for this Fourth Session of the 41st Legislature.

We had previously designated Bill 10, The Regional Health Authorities Amendment Act (Health System Governance and Accountability); and Bill 4, The Public Sector Construction Projects (Tendering) Act.

Today, I am designating Bill 3, The Liquor, Gaming and Cannabis Control Amendment Act (Cannabis Social Responsibility Fee); and Bill 18, The Labour Relations Amendment Act.

Miigwech.

**Mr. Deputy Speaker:** It has been announced by the honourable member for opposition House leader that

four bills will be designated as official opposition and the bills are Bill 10, Bill 4, Bill 3 and Bill 18.

**Hon. Kelvin Goertzen (Government House Leader):** On House business, I'm announcing that in accordance with rule 2(10), the following bills will be considered by the government as specified bills for this Fourth Session of the 41st Legislature: bills 2, 5, 6, 7, 8, 9, 11, 13, 14, 15, 16, 17, 19, 20 and 21.

I'd also note that bills 5 and 16 have already had second reading stage completed.

**Mr. Deputy Speaker:** It has been announced that—by the Government House Leader that, in accordance to rule 2, the following bills will be considered by the government as a specified bills for the Third Session of the 41st Legislature: bills 2, 5, 6, 7, 8, 9, 11, 13, 14, 15, 16, 17, 19, 20 and 21.

\* \* \*

\*(15:00)

**Mr. Deputy Speaker:** Order.

As this is the 14th sitting day of the first reading completion day, today is specified bill second reading day. Government bills that have first reading moved to the 20 sitting days of the Throne Speech and have been identified by the governments as the specified but not identified by the opposition as designated bills are eligible to have second reading moved today.

For each bill, the minister will move the motion and then may speak for a maximum of 10 minutes, followed by question period for up to 15 minutes. Critics of recognized parties and independent members may then speak for a maximum of 10 minutes per bill.

For the specified bills which have been previously called for debate, any of the eligible speakers who have not yet spoken shall be heard.

At the conclusion of the speeches, all of each bill be debated shall remain open, pending and putting to the question on all bills tomorrow.

The House shall not adjourn today until these actions have been completed for each specified bill.

The first bills that will follow this process is as follows: bills 2, 5, 6, 7, 8, 9, 11, 13, 14, 15, 16, 17, 19, 20 and 21.

I will now call these bills for debate in numerical order.

## DEBATE ON SECOND READINGS

### Bill 2—The Municipal Amendment Act (Strengthening Codes of Conduct for Council Members)

**Mr. Deputy Speaker:** I will now call Bill 2, The Municipal Amendment Act (Strengthening Codes of Conduct for Council Members). The honourable minister—the minister and critics of each opposition party have already spoken to this bill but independent members have not yet spoken. The floor is open for debate.

Any speakers?

Is it the pleasure of the House to adopt the—the question—the debate will remain open.

## SECOND READINGS

### Bill 6—The Statutes Correction and Minor Amendments Act, 2018

**Mr. Deputy Speaker:** I will now call on Bill 6, The Statutes Correction and Minor Amendments Act, 2018, recognizing the honourable Minister of Justice to move and speak to the second reading motion.

**Hon. Cliff Cullen (Minister of Justice and Attorney General):** I move, seconded by the Minister of Education, that Bill 6, The Statutes Correction and Minor Amendments Act, 2018, be now read a second time and referred to a committee of this House.

*Motion presented.*

**Mr. Cullen:** I'm pleased to speak on Bill 6, the statutes correction and minor amendments act.

This bill corrects typographical, numbering and minor drafting and translation errors. This bill also contains minor amendments to a variety of acts and repeals two municipal acts that are outdated.

I would like to bring two matters in the bill to the attention of members that involve changes requested by third parties. The first is an amendment to The Advanced Education Administration Act to give the Red River College the same deadline for submitting its annual report as universities throughout Manitoba. The college requested this amendment because it has changed to a March 31st fiscal year, which is the same as the universities.

The second is the bill's repeal of The Winnipeg School Division No. 1 Sinking Fund Trustees Act. The Winnipeg School Division requested the

repeal. It allows the division more flexibility in administering the pension plan for non-teaching employees. The repeal is also supported by the non-teaching employee groups of the division.

Mr. Speaker, that concludes my remarks on Bill 6, and I'd be pleased to discuss the bill further at committee stage. Thank you.

## Questions

**Mr. Deputy Speaker:** A question period up to 15 minutes will be held. The questions may be addressed by the—to the minister by members of the following sequence: first question by the official opposition critic or designate; subsequent questions may be asked by the critic or designate of another recognized opposition party; subsequent questions asked, each independent member; remaining questions be asked by any opposition member; and no questions and answers shall exceed 45 seconds.

**Ms. Nahanni Fontaine (St. Johns):** Part of The Environment Act that this bill repeals requires the Clean Environment Commission to submit an annual report containing (E) a description of activities undertaken jointly by the commission and the council.

Disclosure of activities is important. Why is this bill allowing for less disclosure and less transparency?

**Hon. Cliff Cullen (Minister of Justice and Attorney General):** I'd just like to—if the member could reference the—which statute in here—what number it was, I could provide her some background to that.

**Ms. Fontaine:** Unfortunately, I don't have it on me right now. It is in the act.

**Mr. Cullen:** Mr. Speaker, I will take that question under advisement and certainly provide the member the response to that question in committee.

**Hon. Jon Gerrard (River Heights):** Yes, I would like to know in terms of the change to the clean environment commission act, what consultations were done with regard to the changes and who was talked to?

**Mr. Cullen:** So this particular amendment repeals a clause that requires the Clean Environment Commission to report in its annual report on any joint activities undertaken with the Manitoba Environment Council. The amendment is minor because this clause is no longer operative. The

Environment Act was amended in 2000 to eliminate the council itself.

**Ms. Fontaine:** Is the Clean Environment Commission in agreement with this amendment?

\* (15:10)

**Mr. Cullen:** I'm—assume they would be in agreement with this because the environmental—Manitoba Environmental Council no longer exists. So, in recognition of this council no longer to be in existence, that's why this clause was implemented.

**Mr. Deputy Speaker:** Is there any further questions?

#### Debate

**Mr. Deputy Speaker:** So we'll move on to—the floor is open for debate. Any speakers?

**Ms. Nahanni Fontaine (St. Johns):** Deputy Speaker, I won't take much time on this statutes correction and minor amendments act.

I have had the opportunity to sit down with legal counsel several months ago, and some of our respective staff, and so I do understand that the bill attempts to just rectify, in a variety of different statutes and amendments, things that are no longer applicable or do not make sense, including French translation—to ensure that we have proper French translations within our Manitoba statutes and amendments—or, our acts.

So I think with that will be comments for right now.

Thank you, Deputy Speaker.

**Hon. Jon Gerrard (River Heights):** Yes, Mr. Speaker, we will support this bill and these changes.

Most of these are small. The change to the Clean Environment Commission, which deals with the joint activities with the Manitoba environmental council, is a reminder of the terrible mistake that was made in 2000 in getting rid of the Manitoba environmental council, which had done a great job in terms of keeping an eye on environmental activities.

Thank you, Mr. Speaker.

**Mr. Deputy Speaker:** Is there any further speakers?

The debate remaining open, and we'll go on to Bill 7.

#### Bill 7—The Highway Traffic Amendment Act (Immediate Roadside Prohibitions)

**Mr. Deputy Speaker:** We will now call on Bill 7, the highway traffic amendment act (immediate roadside 'probitations'—'prohibitions').

Minister and critic of each opposition party has already spoken on this bill, but the independent members have not yet spoken.

The floor is open for debate. Any speakers?

Debate will remain open.

#### Bill 8—The Referendum Act

**Mr. Deputy Speaker:** And now we'll go on to Bill 8.

I will now call on Bill 8 and recognize the honourable minister of—I will call on Bill 8 and recognize the honourable member for Justice to move and speak on the second reading motion.

**Hon. Cliff Cullen (Minister of Justice and Attorney General):** I move, seconded by the Minister of Education, that Bill 8, The Referendum Act, be now read a second time and be referred to a committee of the House.

Her Honour the Lieutenant Governor has been advised of the bill, and I table the message.

**Mr. Deputy Speaker:** It has been moved by the honourable member—Minister for Justice, second by the honourable Minister for Education, that Bill 8, The Referendum Act, be—now be read for the second time and now referred to the committee of this House.

Her Honour the Lieutenant Governor has been advised of this bill, and is—has been—tabled the message.

**Mr. Cullen:** I am pleased to speak today on Bill 8, The Referendum Act.

Mr. Speaker, we all know that the previous NDP government ignored balanced-budget legislation so they could increase the PST, provincial sales tax, on Manitobans without a referendum.

That's why our government committed to the creation of a stand-alone referendum law to restore Manitobans' right to vote on major tax increases. Bill 8 fulfills that commitment once and for all.

Presently, a referendum must be held before a government can increase major taxes or take steps to privatize Manitoba Hydro or the Manitoba Public

Insurance Corporation. Madam Speaker, this bill will not change those requirements. Instead, Bill 8 adds two new situations where a referendum must be held in Manitoba.

Under this legislation a referendum will be required before implementing a significant change to our province's voting scheme and before the Legislative Assembly can vote on authorizing an amendment to the Canadian Constitution.

The law also allows for government to frame its own question on a topic not prescribed in the legislation and establishes rigorous public consultation to help frame any such question.

The Referendum Act sets out the rules for conducting referendums in Manitoba, including how a referendum is called, conducted and financed. This includes restrictions on spending limits and advertising, as well as rules that ensure the referendum voting is conducted in the same manner as voting in a provincial general election.

A stand-alone referendum law has been recommended by the Chief Electoral Officer for nearly two decades. I am proud to stand with her, and I believe strongly that The Referendum Act will ensure that future referendums are held in a way that is fair, accountable and transparent for all Manitobans.

I hope that all members of this House will join our government to support this important legislation.

Thank you, Mr. Speaker.

### Questions

**Mr. Deputy Speaker:** A question period up to 15 minutes will be held.

Anyone—the honourable member for River Heights.

**Hon. Jon Gerrard (River Heights):** Yes, I would just ask the minister to clarify the precise role of Elections Manitoba in conducting the referendum.

**Hon. Cliff Cullen (Minister of Justice and Attorney General):** I thank the member for that question.

This particular legislation is mirrored after The Elections Financing Act, so Elections Manitoba will have the same responsibilities as they would undertake in an election. So, certainly, that's their role in this. They also have the ability under this legislation to approve which committees will be on

the yes or no side of the particular situation that's being asked in the referendum.

**Ms. Nahanni Fontaine (St. Johns):** I would ask the minister, through you, Deputy Speaker, are there any other Canadian jurisdictions that have similar procedures around referendums?

**Mr. Cullen:** Yes, there are a number of other jurisdictions—provincial jurisdictions that have similar referendums. Certainly, a recent BC referendum just—it was undertaken. It's—it was a stand-alone referendum. Certainly, we looked at legislation in terms of what other provinces were doing, and we think this will be, certainly, a made-in-Manitoba solution that quite often will mirror what other provinces are doing as well.

**Mr. Dougald Lamont (Leader of the Second Opposition):** When the Premier (Mr. Pallister) had a lawsuit against the government over their refusal to have a referendum on the PST, the finding of the court at the time was that it was unconstitutional to pass decisions over a money bill to anyone other than the government.

So has this legislation been subject to a review that confirms that it is constitutional?

**Mr. Cullen:** So in terms of other provinces with referendum laws—which we obviously reviewed—Ontario, Saskatchewan, Alberta, British Columbia, Quebec, Prince Edward Island all have a referendum laws in place. We certainly discussed this with the Chief Electoral Officer and their staff in terms of moving forward. So a lot of the—this legislation in this particular bill does mirror elections financing rules. So, certainly, we believe it will certainly meet the constitutional challenge.

**Mr. Lamont:** The question is more specific, partly because the—that The Referendum Act is going to refer to the abilities to tax, which is essentially money bills, which is a power that is reserved for government and limited to government.

\* (15:20)

As the second opposition, we are not allowed to propose or pass money bills, and that is part of the process that was raised as being unconstitutional, that it's actually not within the power of government to pass that decision to somebody else.

So has this been subjected to a constitutional review, especially in the light of the Premier's (Mr. Pallister) failed lawsuit?

**Mr. Cullen:** What I will say is this legislation really speaks to clarity.

I know there's federal legislation around clarity, around referendums. We've tried to make sure that we have a process in place that provides clarity to Manitobans. So any referendum question that is put would be put—brought forward by a member, and then that particular referendum question would go to a committee of government where it would allow for public input as well.

Then the question, or the input from that standing committee, would be brought back to the Chamber so the Legislative Assembly could vote on whether they would accept the question as written.

**Ms. Fontaine:** Deputy Speaker, will this government—will this Pallister government admit that they are trying to price out other political parties by slipping in an allowance to spend up to 25 per cent more while holding a referendum for an election?

**Mr. Cullen:** To the member's question, that particular clause relates to if we're having a referendum question at the same time as an election, so—recognizing that a political party would have difficulty in terms of differentiating their expenses between the actual election and the question regarding the referendum. So, as a means around that, having—to avoid paperwork, we thought it would be easier to just allow the political party to spend an extra 25 per cent of their existing allocation under the existing Elections Financing Act.

**Ms. Fontaine:** Well, I guess to follow up in respect of the minister's response to the question, I would like him, in greater detail, to provide us with how was the 25 per cent increase in spending while holding a referendum reached, and does this parallel other jurisdictions?

**Mr. Cullen:** I just will say that I can't speak specifically to 'whother' jurisdictions are doing in that particular front; I'm sure each one of them would be different. We just felt this was a way to overcome unnecessary red tape that would be applicable to political parties, at the same time having in—a general election—as having a referendum and trying to ascertain which funds were used for the portion of the referendum versus which funds were allocated to the actual general election before.

If the member wants to get into the analysis of what each jurisdiction's doing, clearly I would have to do some research on that.

**Ms. Fontaine:** The question, Deputy Speaker, is, why is the Premier attempting to make our elections more like the US elections by bringing in more money into our politics?

**Mr. Cullen:** Well, our view is this particular legislation actually adds transparency and accountability to the process in Manitoba.

In regards to existing legislation as it is, whether it be Manitoba Public Insurance or Manitoba Hydro, existing legislation says that we would—should have a referendum before selling any of those Crown agencies. What this particular legislation does is provides the mechanism for a referendum to happen so that Manitobans can be engaged in that process.

Additionally, if we as a government wanted to increase—

**Mr. Deputy Speaker:** The honourable minister's time is up.

Is there any other further questions?

#### Debate

**Mr. Deputy Speaker:** The floor is open for debate.

**Ms. Nahanni Fontaine (St. Johns):** You know, we've spent a couple of weeks in the House, Deputy Speaker, as you are well aware, talking about the importance of democracy here in Manitoba. And so I want to put on—a couple more words in respect to democracy, because in democracy—in executing democracy rules matter, and I would suggest to you, I would suggest to members of the House that rules should not be subject to partisan decision-making. Changes to our rules should be made through a consensus of the whole House and of members, all members.

And Bill 8 is an attempt by the Premier to introduce a new rule into House procedures without the approval of the House as a whole, Deputy Speaker. The rule change would implement steps for the Speaker to interrupt House proceedings and to put the question of a referendum before the House, certainly taking away time from other essential legislation to be debated in the House.

To that end, though, Deputy Speaker, I would say that we haven't seen a really robust legislative agenda by this Pallister government. So perhaps that is what the members opposite would want to do because they haven't really put anything forward that is substantial or mean—or worthwhile.

The Pallister government's current majority will allow them to push through this legislation without input through—with opposition parties. We also know that the Premier (Mr. Pallister) also hid within Bill 8 a provision to increase the amount of money that they can spend on elections by 25 per cent. Deputy Speaker, as I'm sure you are well aware—you are a business owner, I believe—you would gather and understand that an extra \$25,000 is hundreds of thousands of dollars that we're talking extra per election, should the Premier decide to also hold a referendum.

And as we have shared in the House for a couple of weeks now, in the legislative framework that the Pallister government—that the Premier has attempted to situate here in Manitoba which tilts elections towards members opposite and towards the PC party in its totality, this extra 25 per cent of hundreds of thousands of dollars to be spent in addition would essentially price out political parties who represent low-income and marginalized folks who cannot raise the same amount of money as the Pallister government, as PC's candidates who we know and as we have shared many times in this House are backed by wealthy donors.

Now, I know that that doesn't mean anything—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Ms. Fontaine:** —to members opposite. It means a lot to this side of the House—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Ms. Fontaine:** —and to the folks that we represent. We are proud to represent Manitoba—*[interjection]*

I don't know what the member opposite is yammering about, about unions. *[interjection]*

**Mr. Deputy Speaker:** Order.

**Ms. Fontaine:** We're proud to represent Manitobans who despite their struggle have a desire to be able to participate in our political processes. Whether it's attending rallies or reaching out for memberships or attending constituency meetings, I'm proud to be able to say that these folks are our relatives and we're proud to represent them.

And I know that members opposite think very, very little of them, because if they did think highly of these individuals—of individuals that we represent on this side of the House—they wouldn't sit by idly while their Premier, their boss, their guru puts into a

legislation a democratic process that absolutely ensures that there isn't a level playing field here in Manitoba to participate in democracy.

You know, and I'm going to take this opportunity, Deputy House Speaker, to say to members opposite, once again, as I've stated previously, you know, for—you know, their inaction while their boss—their Premier, again, their guru, their leader, all of these things—while he systematically dismantles democracy in this province and tilts further elections towards his favour and they sit by.

\* (15:30)

Manitobans will know. If people want to come back in 10 or 15 years, they're going to ask and they're going to research to see who was sitting in this House and they're going to research the member for Morris (Mr. Martin). They're going to research the member for Fort Richmond (Mrs. Guillemard). They're going to research the member for St. Vital (Mrs. Mayer). They're going to look at how they voted on these egregious bills.

And so, you know, I would suggest to members they have an opportunity to rectify things. If they really do care about democracy, they can stand up to their boss, to their leader, to their—and actually demand changes. They can actually demand from their boss—I know that they're a little skittish around him, they're a little scared, little walking-on-eggshells around him. I get it—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Ms. Fontaine:** —but I would suggest that they stand up for democracy. They stand up for democracy, not only for themselves, but—many of us are mothers and fathers in this House. You know, the work that we do on this side of the House, we don't only think about ourselves. We think about our children, our grandchildren—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Ms. Fontaine:** We think about their children and their grandchildren for seven generations to come.

So I encourage members opposite to get a little bit of courage and to stand up to their boss and say, you know what? This Bill 8 is undemocratic. It simply tilts things in our favour. That's not fair. That's not right. And while you're at it, Mr. Premier, we are asking you to commit to democracy in this province and actually go back and fix the legislations that you've put into place since taking government



three years ago. They can do it. There are so many courageous people in the world and these folks opposite can do the same thing for democracy in Manitoba.

So, you know, I'm running out of time here. I'd like to be able to—I didn't, as the member—the Government House Leader (Mr. Goertzen) knows, I wasn't able to finish my unlimited speaking time. I was looking forward to that. We could spend so many hours talking about democracy but at the end of the day, I'm proud to stand up on this side of the House and fight for individuals who are not yet represented in this House.

And, again, Deputy House Speaker, I will put it on the record that on this side of the House, it's very hard to wrap our heads around why members opposite just choose to stand by while democracy is dismantled. And why they choose to stand by or sit by and yammer on as they do and should out their whatever, their ridiculousness, while they are effectively ensuring that the most marginalized and vulnerable of our society will never be able to have a space or seat in this House.

I don't know why they're so proud of that. How are you proud to be able to effectively keep out and maintain status quo and what is the status quo, Deputy Speaker? It is what we see across the opposite side of this House.

And as I've said before, I do not see diversity when I look across—when I choose to look across because, as you know, I don't really look across very often. I don't see diversity. I don't see diversity in respect of gender. I certainly don't see diversity in respect of the beautiful mosaic of communities that we have in Manitoba that have a right to be in this House and in this Chamber, representing communities that have historically not been in this space.

Let me just say this in the 50 seconds that I have left. I will continue to speak on this. I am very, very passionate about this. Political representation matters. It may not matter to members opposite, but it matters to Manitobans. It matters when then don't see themselves reflected in this House.

How do we expect to engage Manitobans when they don't see themselves reflected in this House? Political representation matters. I'm proud to stand

with my caucus in opposition and also in the antithesis to what members opposite choose to execute their roles as MLAs here.

Miigwech, Deputy Speaker.

**Hon. Jon Gerrard (River Heights):** This legislation needs to be looked at very carefully, and I think it will be important, when it gets to committee stage, to make sure that we've got some people who are presenting who are experts on constitutional and referendum issues.

There have been referendum in the—referenda in the past which have been declared unconstitutional. We have to be aware of that. There is also an issue here of what needs to be decided by referendum and what really is the purview of the government to make the decisions.

There is an issue of the fact that, in the past, there was a requirement for a referendum in terms of raising the PST, but the legislation which was existing at the time was disregarded. What is the evidence that this legislation would not be disregarded in the same way at some point in the future?

These are important questions which need to be looked at very carefully. We have concerns about the fact that we have seen successive NDP and Conservative governments changing legislation so that they will not lose their salary monies.

We have seen that one of the first things that the government did when they came to power was to increase the salaries of Cabinet ministers. It happened, and it happened, in part, because of the way the legislation was crafted, right?

And what I'm pointing out is that you have to be careful about how the legislation is crafted because it may do things or you may end up having results that you don't necessarily want or that results that really look bad on the government or the opposition.

I think that we need a referendum bill if we're going to have a referendum bill that is fair, that is clearer in terms of when it is required and when it is not required. And I look forward to the discussion, Mr. Speaker, at what happens at committee stage.  
*[interjection]*

All right, let me—*[interjection]* I have a few more minutes here and I will take a little bit more time.

When you have a question which is a central question within an election, do, in fact, you need to have a referendum on that issue afterwards? And, presumably, that if you have had this debated thoroughly at the time of an election, you would not need to have a referendum afterwards.

Mind you, we have seen the current government muddy the waters with issues that it raised during the election and then subsequently claiming that they did or didn't campaign on those, but that is another point here that this is too important to let slide carefully through. It needs to be looked at with great care, and we need to consider this measure very carefully.

Thank you, Mr. Speaker.

**Mr. Deputy Speaker:** Any further speakers on this bill?

The debate will remain open, and now I will now call on Bill 9. Oh—9, yes, sorry. I will call No. 11. *[interjection]*

No, that was 8.

\* (15:40)

#### **Bill 9—The Family Law Modernization Act**

**Mr. Deputy Speaker:** Okay, I will call on Bill 9, The Family Law Modernization Act.

**Hon. Cliff Cullen (Minister of Justice and Attorney General):** I move, seconded by the Minister of Finance (Mr. Fielding), that Bill 9, The Family Law Modernization Act, be now read a second time and be referred to a committee of this House.

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

**Mr. Deputy Speaker:** It has been moved by the honour Minister of Justice, second by the honour Minister of Finance, that Bill 9, The Family Law Modernization Act, be now read for second time and referred to the committee of this House.

Her Honour the Lieutenant Governor has now been advised and she—and has—of this bill, and she has received it. Oh, the message has been tabled.

**Mr. Cullen:** I'm certainly pleased to rise today to speak about Bill 9. We as a government are excited about bringing Bill 9 forward for Manitoba families.

Bill 9 introduces significant reforms to the family law system in order to increase access to justice for families as they restructure and make

decisions about matters such as 'custody' and access to children, child support and property. I would like to thank Allan Fineblit and other members of the Family Law Reform Committee for their work on reviewing the family law system and setting out a framework for its modernization.

This bill both creates new legislation and amends a number of existing acts, and I will highlight the key changes in each.

Schedule A is The Family Dispute Resolution (Pilot Project) Act. This act establishes the framework for the family law pilot project. The out-of-court family dispute resolution service is to be piloted over the next three years and will have two phases. Parties will start with the facilitated resolution phase and work with a resolution officer to try to reach a mutually satisfactory agreement.

If a dispute cannot be resolved at the first phase, it will move into the adjudication phase, where an adjudicator will hold a hearing and make a recommended order. The pilot project will be mandatory for all disputes under the provincial law which—such as custody of and access to children, support for children, spouses and common law partners and property.

Some exceptions include situations where relief is required on an urgent basis, where court proceedings commenced before the pilot project starts, where a party resides outside Manitoba and where an existing order prevents the parties from communicating with one another because of a domestic violence situation.

Schedule B is The Child Support Service Act. So Bill 9 continues the child support service under its own act and gives it additional responsibilities. The child support service is given expanded authority to make 'annitional' administrative child support decisions, recalculate all Manitoba child support orders and certain child support agreements and determine when adult children are no longer eligible for recalculation. These changes will make a significant difference to family in the time—in—to families in the time, speed and cost of processing child support decisions.

Schedule C is The Arbitration Amendment Act. And this legislation amends the arbitration act to include specific provisions to regulate arbitration between parties to family law disputes. Family arbitration awards will now be enforceable in the same way as court orders, including orders by the

Maintenance Enforcement Program. Child support awards will be eligible for recalculation by the child support service.

Awards respecting parenting arrangements or custody will be enforceable in the same way as court orders. Awards respecting property or other issues related to the family law dispute will be enforceable by a streamlined court application.

Schedule D is The Provincial Court Amendment and Court of Queen's Bench Amendment Act. This bill creates new provisions respecting factors that a court is to consider when deciding whether to order an evaluation, as well as factors related to the appointment of family evaluators, social workers or other professionals to evaluate custody, access or related matters that are included in The Provincial Court Act and The Court of Queen's Bench Act. The court may apportion the cost of the evaluation between the parties. This assists the service—with service sustainability and timely access.

Schedule E is The Family Maintenance Amendment Act. This bill amends and expands the administrative authority of the Maintenance Enforcement Program, which enforces the payment of maintenance under court orders and agreements. It permits Maintenance Enforcement Program to make administrative decisions in appropriate circumstances and to gather information more effectively.

Examples of such administrative decision making include MEP may suspend enforcement of support in appropriate circumstances. Parties are permitted to enter into an agreement to change the amount of court-ordered support to be enforced by MEP without having to go to court.

MEP may undertake reviews to determine the status of adult children and may cease enforcing support for them in appropriate circumstances, and may enforce reduced child support if certain criteria are met; for example, when the eldest child is no longer dependant, but support continues for the younger dependant siblings.

And M-E-T may cancel or reduce penalties or costs in certain circumstances, and to enable more effective enforcement, MEP may require a debtor to appear and provide information.

Schedule F: The Inter-jurisdictional Support Orders Amendment Act, and this act eliminates the need for copies of support orders from other jurisdictions to be certified before they can be filed in a Manitoba court and enforced. This will

streamline processes for MEP to commence enforcement in certain cases.

Under the previous NDP government, access to courts and justice worsened, making it difficult for families to receive decisions on key issues, such as child custody orders, in a timely fashion.

The family law system has become increasingly complex, and our legislative reform will assist families in making consensus-based decisions about their family law matters through the use of facilitation officers, with the option to access out-of-court adjudication.

The aim of The Family Law Modernization Act is to provide Manitobans with an expeditious, informal and inexpensive way to settle family disputes in a fair and just manner. The pilot project will include all of the supports that were committed in the Speech from the Throne, 2018, and will deliver efficient and effective dispute resolution processes for Manitoba families.

I look forward to all members of the House supporting this important legislation.

### Questions

**Mr. Deputy Speaker:** A question period of the 15 minutes will be held; time for questions.

**Ms. Nahanni Fontaine (St. Johns):** Will the minister guarantee—sorry, pardon me—guarantee that Legal Aid coverage for family law will include coverage for cases in this pilot procedure?

**Hon. Cliff Cullen (Minister of Justice and Attorney General):** I will—I want to point out, first of all, this is groundbreaking legislation. No other jurisdiction in the country has tried this approach. We will be learning as we go through this approach, and the concept here is to make the process easier for Manitoba families.

And we're optimistic going through the facilitated phase, possibly an adjudication phase, that we can provide a resolution to that. Certainly, resources will be made available to Manitobans when and if they are needed.

**Hon. Jon Gerrard (River Heights):** Yes, Mr. Speaker, the question wasn't fully answered, and it's important that people know whether or not there is a potential for Legal Aid to be involved.

And if Legal Aid is involved, will that be appropriately funded so that it is really accessible support to those in this progress?

**Mr. Cullen:** The intent is to make this as easy as possible to—for families to move through the process. We're hoping we don't need as much legal advice for families. Ultimately, this certainly could happen. We recognize there are some challenges as you move through this particular system, but we certainly want to make sure we do support, certainly, family—Legal Aid in Manitoba. We certainly do support Legal Aid Manitoba financially.

\*(15:50)

We expect that there may be cases where family—where Legal Aid is required, and certainly we are committed to supporting Legal Aid for Manitoba families.

**Ms. Fontaine:** So I think that this is a very important topic to—or, questions to be answered fully and robustly, so I do want to ask the minister:

He mentioned in his answer to the question that I asked, he referenced resources, so, could the Minister of Justice outline what particular resources he was referring to that would be provided to Manitoba families going through this pilot project?

**Mr. Cullen:** Clearly, we're charting new territory here and we were trying to make this pilot project work within our existing budget.

Clearly, there will be a reallocation of resources. Clearly, we will need people who are involved in the facilitation phase. We're working on, hopefully, on a technology component to this so that Manitobans can work through the facilitation phase and be assisted on a technology front.

Clearly, we'll have resources available to Manitobans to—for facilitators to help Manitobans. The next stage could be the arbitration phase and, obviously, we will need arbitrators available and be trained—

**Mr. Deputy Speaker:** The honourable minister's time is up—time's up.

**Mr. Gerrard:** The minister is talking about this as a pilot program.

Is it envisaged that anybody who could be eligible can get into this program, or is it going to be restricted to certain people, and how many individuals does the minister expect will pass through this pilot program?

**Mr. Cullen:** In Manitoba, there's between three to five thousand families are impacted by divorce each and every year. Clearly, it's time-consuming, it's

expensive, it's a very adversarial process. We're looking at a mechanism to take that away and make it easier for Manitobans.

So, certainly, there's a lot of Manitobans go through this particular process. Hopefully, this is a mechanism where we can resolve some of those disputes quicker without all the anxiety and with less cost as well.

**Ms. Fontaine:** Will the minister guarantee that family conciliatory services will continue to provide reports and assessments in family law proceedings free of charge to Manitobans?

**Mr. Cullen:** And further, to add to the previous question, our view is this would be a mandatory process where applicable. Obviously, there's situations that I mentioned that were—where an expedited nature has to come into play. Where there's domestic violence at play, and, certainly, if people are already involved in the federal divorce act process, they will be diverted outside of this particular process.

In terms of the accountability, obviously, we will be learning as we go through this particular dispute resolution and our undertaking would be to make sure that we are transparent to Manitobans.

**Mr. Gerrard:** Mr. Speaker, because this is a pilot program, it's going to be very important to have clear outcome measures that can be followed to see whether people who go through this program consider it a success, whether or not it is a success.

What are those outcome measures going to be, and how will the minister determine whether the pilot program has been successful or not?

**Mr. Cullen:** And I do appreciate that question from the member.

When we looked at making this fundamental change, we wanted to make sure that we took it, sort of, step by step. That's why the concept of a pilot project was brought forward.

We don't expect we're going to get this right right off the hop as a pilot, and we can change midstream. Obviously, there will be ongoing evaluation as we move through the process.

Our view as a government is—one of our priorities is to make sure that there is timely access to justice, and that is something that we'll be—certainly we'll be watching as we work through this pilot project.

We recognize the adversarial nature in going through a divorce situation such as this—

**Mr. Deputy Speaker:** The honourable minister's time is up.

**Ms. Fontaine:** Deputy Speaker, I don't think that I got a full answer in respect of my last question. So the minister talked about transparency, but, in fact, let me just reiterate my question because it wasn't answered.

Will the Minister of Justice guarantee that family 'conciliatory' services will continue to provide reports and assessments in family law proceedings free of charge to Manitobans? I know that the minister talked about transparency, and I think that that's wonderful if that could actually occur, but, actually, what we're talking about is those services that are currently available to Manitobans.

Will that continue under the pilot project?

**Mr. Cullen:** There is certainly no intent under this legislation to take away anything from Manitoba families. The intent of this legislation is actually to make it easier for Manitoba families to move through the process. The intent is to make it less costly for Manitobans, to expedite the process for Manitobans and to not make the process as adversarial as it is. So by trying to take the process out of the court system, we think this will expedite processes for Manitobans. It is never the intent to take away any services from Manitobans, only enhance services for Manitobans.

**Mr. Gerrard:** Mr. Speaker, you know, there's a lot of outcome measures in addition to the timeliness of the process. Clearly, we need to be aware and measuring the quality of the outcome of the results, whether it works for people or whether it doesn't, and what happens to families afterwards. The second would be the costs, both to people and to government. There's too many situations where we've seen the current government consider only the costs to themselves and increase the cost to others. So we need to know the costs for both.

And, lastly, there's been a lot of pilot programs which went for two years or three years or even longer—

**Mr. Deputy Speaker:** The honourable member's time is up.

**Mr. Cullen:** I want to point out to the member that our dispute resolution process, we still have work to do; we still have consultation with Manitobans. You will hear more about in the very near future. Part of

that consultation will provide an opportunity for Manitobans to reflect on what type of outcomes they want to achieve. So it may be a year from now before we actually get into the actual dispute resolution process, but once this legislation is passed, we can also move on some pieces of the legislation sooner than later, such things as child support services and arbitration which will make a meaningful improvements in terms of access to justice for Manitobans, and we hope to move on that—

**Mr. Deputy Speaker:** The honourable minister's time is up.

**Ms. Fontaine:** Do the changes to the Maintenance Enforcement Program—will it provide more penalties for non-payment to the payer?

**Mr. Cullen:** The changes under the maintenance enforcement provision hopefully allow the—that particular component of disputes to be handled more efficiently. The changes around that piece of the legislation do deal with administrative changes. So it's our hope that this will expedite the process for Manitobans, avoid a lot of court orders and avoid court delays in terms of the Maintenance Enforcement Program. Certainly, we know there's a lot of issues out there now in terms of families not having their issues addressed in a timely fashion. We hope this will expedite—

**Mr. Deputy Speaker:** The honourable minister's time is up.

**Mr. Gerrard:** The minister mentioned that aspects of child support are going to be implemented first and quickly. What outcome measures are going to be measured to know whether it's working? I think this is absolutely critical.

\* (16:00)

And second, the minister describes this as a pilot project. There have been lots of pilot projects which have implemented and then they've fallen off the table and ended in two years or three years.

Is there a sunset clause to this pilot project or will it just continue?

**Mr. Cullen:** And I want to clarify for the member that the dispute resolution component of this legislation is the only component that is a three-year pilot project. We will evaluate that pilot as we go through. Conceptually, if things are successful, obviously that will—we'll move forward with that particular pilot and legislate that into law.

The other pieces that he mentions, such as child support, arbitration, maintenance enforcement: we can actually implement them as soon as we get royal assent on this particular legislation.

Obviously, there would be a lot of internal work that has to be done but I certainly appreciate his comments about outcomes for Manitobans.

**Ms. Fontaine:** Can the minister provide the House with the details of who he consulted with in crafting this bill?

**Mr. Cullen:** I would be more than happy to. We had a review commissioned by Allan Fineblit. He produced a document back in June of 2018, *Modernizing Our Family Law System*, and there was certainly a number of committee members on that particular committee and we have a list of 20 stakeholders and contributors to this particular document. I will try to list as many as I can.

The immigrant and refugee service providers, Law Society of Manitoba, public legal education services, mediation services, the Canadian Bar Association, Manitoba Association of Women's Shelters, Legal Help Centre, The Comprehensive Co-mediation program, Family Conciliation Service and the family mediation of Manitoba—

**Mr. Deputy Speaker:** The honourable minister's time is up.

**Mr. Gerrard:** Just a little more clarity. At the end of three years, how will a decision be made to continue? Will it require new legislation or will it continue automatically in order to proceed?

**Mr. Cullen:** I do appreciate the member's question. That's something maybe we can discuss when we get these legislation to committee.

**Mr. Deputy Speaker:** The time for question period has expired.

### Debate

**Mr. Deputy Speaker:** The floor is open to any speakers.

**Ms. Nahanni Fontaine (St. Johns):** I'm glad to put some words on the record in respect to Bill 9, *The Family Law Modernization Act*. Certainly, let me be perfectly clear that the NDP and members on this side of the House, you know, support measures that take into account the difficulties in navigating our justice system and, certainly, welcome changes to enhance the judicial processes for Manitoba families, particularly when we're talking about family law and

in the cases of divorce and, certainly, custody arrangements.

I'll share with the House that, certainly, myself had to, many, many years ago, go through the court processes in respect of my youngest son and attempting to navigate custody and maintenance arrangements. And I—we had actually chosen to go through a case conference.

And I have to say and put it before the courts, that it was actually a lot better than going through the court system. Already, as a single mom with him, you're already in a place in your life where you are facing an enormous amount of stress parenting a young child by yourself, not to mention the financial difficulties in respect of parenting a young child by yourself.

And as well, in the midst of career change—I had just graduated with my master's degree and was attempting to find my footing in respect of not always being in non-profit and community work and trying to get into that professional piece. So, at the time, it was a lot of stress. In fact, I was a lot, lot skinnier back in those days because of the amount of stress that I was actually under.

And I have to say that the case conference procedures that I went through felt very safe and 'unchaotic' and provided an opportunity to be able to share some of the pieces that you wouldn't necessarily want to share publicly at the time.

So, of course, as I indicated, you know, us on this side of the House and, obviously, from a personal perspective, appreciate when we can take some of those contentious moments and stresses out of people's life and try to expedite a resolution in respect of divorce proceedings or custody arrangements, I think that that's always positive.

What I will put on the record, Deputy Speaker, is that I'm concerned with some of the minister's answers and some of the things that he's put on the record today.

So (1) you know, often with pilot projects there's additional dollars that are attached to those private—or pilot projects—but, actually, the minister indicated today that they're, you know, in the process of charting this new territory, and I get that and I respect that. I get that pilot projects are always a new territory and we kind of learn as we go along. But typically, you know, those are attached to dollars, and we heard the minister say that they are using existing dollars.

So my concern lies in where those dollars are being taken from, why there's not additional dollars to what could be—once maybe those hiccups in respect of maybe some of those gaps that the minister can't see just right now, which is, I would say, and fair to say, normal in respect of a pilot project—but where are those dollars to be able to ensure that this pilot project actually is successful? And where are those dollars to ensure that should there be an analysis and an environmental scan that, you know what, we're missing on this side in respect of gaps, we need additional resources. Where are the dollars that will be able to be put towards those concerns as this continues along?

So, you know, I would hope that the minister would be very diligent in watching as this pilot project rolls out to ensure that the resources that are needed for this pilot project to be successful are allocated to that, including if that means going back to Treasury to ensure that Manitoba families have the resources as they are navigating, you know, this new system—or as the minister has said, as they're participating in the minister's charting of new territory—which, again, I don't think is a bad thing. I think that all of us in this House recognize that the system is—can always operate better, always. I think that we owe it to Manitobans to always try to make things better for—as we move along.

I do want to put it on the record, Deputy Speaker, that, you know, there are concerns on this side of the House in respect of legal aid coverage. And so, you know, the concern is that if you take it out of this process, have you then just omitted or—the ability for Manitoba families to be able to access legal aid. I think that I—you know, that is an important question to be asked. It's an important question for the minister to ask himself and his department as they move along here, ensuring that Manitobans who participate in this new process have access to legal representation which is, as you know, a right of Manitobans to be able to access. I don't think that anybody in this House would want an individual to participate in a legal processing.

However, whether it's in the court or in a case conference or in this piloted project, I think that everybody in this House would understand an individual's right to legal representation either through personal means or through legal aid. And so I would hope that the minister is committed to this principle and will continue to look as he goes ahead.

Equally important or coupled with that—in concert with that—is, again, what we put on the record in respect of family conciliatory services. Will the minister continue to provide those reports and assessments in family law proceedings free of charge to Manitobans? We know already, Deputy Speaker, and you know this as well, that Manitobans now are facing a variety of new costs and life is harder for Manitobans now under this government, under the Pallister government.

\*(16:10)

So to add additional costs to Manitobans that are coming before the courts, I think, is unfair. And it's, quite frankly, Deputy Speaker, I would suggest to you it's irresponsible to apply additional costs to a single mother, let's say, who is attempting to resolve and seek custody and maintenance agreements. You know that—as I shared—as I began, that single mother is already dealing with the stress of raising a child—you know, one or two or how many children on her own.

And so to put that financial—additional financial burden on a single mom, I think, is irresponsible. And I'm in no way, shape or form implying that the Minister of Justice (Mr. Cullen) is actually doing that. I—what I am saying is that I want to put our concerns on the record and hope that the minister takes these concerns and ensures that this, in fact, is not happening.

You know, I wanted to chat a little bit—oh, in the limited time that I have—about family maintenance. So, the maintenance program. I think that, again, I want to say that we can do better in respect of the maintenance program. I know myself, again, have gone through—or, still, actually, am in that program. And we can always do better to ensure that women—and, I guess, parents in general, but predominantly it is women that have those court orders where they're supposed to be able to access or get those dollars to be able to help raise their children—can be enhanced.

I know that even for myself, my youngest son's biological dad was in quite a bit of arrears and there was never anything done. And I found it very frustrating myself as the sole provider to my son in respect of all of his bills. And now he's 17 and a half and the—he still has a lot of things that I need to provide for him. And it was, quite honestly, very frustrating to be able to go through that where his father wouldn't give the dollars that he was supposed to.

So I think that we can still enhance that. I know that I've met with many Manitobans that are looking to enhance maintenance enforcement so that children have the funds that they are supposed to be allocated as directed by the courts. And, you know—and, again, I think that we all have a responsibility in this House to make sure that that happens on behalf of Manitoba children and behalf of, as I said, parents who are single—or, parenting—

**Mr. Deputy Speaker:** The honourable member's time is up.

**Ms. Cindy Lamoureux (Burrows):** I'd like to thank the minister for bringing forward Bill 9, The Family Law Modernization Act.

We know what currently is going on is not working, so we are in support of a pilot project idea to discuss custody and property as long as it's done correctly. It can be very, very nerve-racking because it is a pilot project. We're not mirroring or learning from a different province or territory; it's the first time this is being done, Mr. Deputy Speaker. And we're curious exactly how it's going to play out. So three years down the road, how are we going to take our findings and implement them?

It is nice to see adaption, because we want to see resolution, and we want to have a functioning law modernization act. There are a lot of details here that definitely need to be debated and discussed, and we are going to be supporting Bill 9, the act, to committee, because we want to hear about these details. We want to hear from Manitobans and what people have to say so we can learn more and make an informative vote.

Thank you, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** Any further speakers?

The debate will be—remain open.

And now we'll go on to Bill 11, which would be The Regional Health Authority Amendment Act—oh, that's 10, sorry; 11, sorry. My mistake.

**Bill 11—The Liquor, Gaming and  
Cannabis Control Amendment Act  
(Cider and Cooler Sales at Beer Vendors)**

**Mr. Deputy Speaker:** Well now we'll go on to Bill 11, the liquor, gaming and cannabis control amendment act. The honourable member for Crown Services.

**Hon. Colleen Mayer (Minister of Crown Services):** I move, seconded by the Minister of

Justice (Mr. Cullen), that Bill 11, The Liquor, Gaming and Cannabis Control Amendment Act (Cider and Cooler Sales at Beer Vendors), now be read a second time and be referred to a committee of this House.

***Motion presented.***

**Mrs. Mayer:** This bill amends The Liquor, Gaming and Cannabis Control Act to expand retail opportunities for all retail beer vendors to sell cider and spirit-based coolers. The bill amends The Liquor, Gaming and Cannabis Control Act, which will permit an additional 137 hotel beer vendors to sell cider and spirited-based coolers.

In addition, Manitoba Liquor & Lotteries plans to extend permission to private rural liquor vendors to sell single-serve domestic beer, previously only sold by hotel beer vendors and some rural liquor vendors granted an exception.

Customers across Manitoba will benefit from greater consumer choice and convenience from a small—from this small legislative change. It will provide the opportunity for private businesses to expand their product assortments to 'satisfy' customer demand and increase their revenues.

Currently, hotel beer vendors are restricted to selling beer and malt-based coolers, and can only sell spirited-based coolers and ciders under certain conditions, such as being located a specific distance from a liquor vendor.

This initiative is part of our government's priority to reducing red tape to provide more choice and convenience for the consumer and greater opportunity and flexibility for businesses.

Thank you, Mr. Deputy Speaker.

**Questions**

**Mr. Deputy Speaker:** A question period up to 15 minutes will be held. We're ready for questions?

**Mr. Tom Lindsey (Flin Flon):** Did the government consult with rural and remote liquor store owners on how this bill might affect them?

**Hon. Colleen Mayer (Minister of Crown Services):** We were—we consulted with the Manitoba Hotel Association, and the Liquor Vendors Association were also consulted, and both were in support of this proposal.



**Mr. Lindsey:** Has the minister analyzed the potential impact on remote liquor stores and beer vendors in lost business?

**Mrs. Mayer:** What I will say is the Manitoba Hotel Association has been requesting the ability for hotel beer vendors to sell different products online for several years. In addition, there are approximately 172 rural liquor vendors who are permitted to sell all products warehoused and distributed by the Manitoba Liquor & Lotteries through a formal liquor vendor agreement.

To address the concerns from liquor vendors regarding potential impacts of loss of sales through hotel beer vendors of spirit-based coolers and ciders, Manitoba Liquor & Lotteries would amend the liquor vendor operating agreements to allow liquor vendors to also sell privately-distributed single-serve beer.

**Mr. Lindsey:** So I take it the short answer that—the short version of the answer she just give me was no. So can the minister ensure Manitobans that no rural liquor stores and beer vendor businesses will be impacted by these changes?

**Mrs. Mayer:** Those businesses in question, those represented by the Manitoba Hotel Association and the Liquor Vendors Association, have been discussing this for several years. This is a request that they have brought forward in many different avenues and have been ignored over several years. I can tell you that there are many constituents who—in rural Manitoba who have been asking for this change, support this change, and we're happy to help them out.

**Mr. Deputy Speaker:** The—any other further questions?

#### Debate

**Mr. Deputy Speaker:** The floor is open for debate. Any speakers?

**Mr. Tom Lindsey (Flin Flon):** I just have a few comments on this bill.

I guess our primary concern is that by expanding in one place, you're taking away from another place, which, in some of these small communities, the people, the businesses that presently sell that product probably have pretty slim profit margins already, and taking that away is going to hurt them.

\* (16:20)

Certainly, what we've heard is—from some of the rural hotels—is one of the comments was that they've

given us something, but they're also taking something away, and that was a quote from Angelo Mondragon, the association president and owner of the Notre Dame Hotel in Notre Dame de Lourdes.

So, while it seems the minister said they've consulted with the hotel association, apparently there are some concerns. So I guess the difference between consultation and listening is, perhaps, part of the downfall of this government, is they may talk to people but they don't necessarily hear what they have to say.

*Madam Speaker in the Chair*

I guess some of the concerns that we may have fall into local rural grocery stores that now will be able to sell the king cans to make sure that those communities that now have kids working in grocery stores, to make sure that they know that they can't be the ones that are selling alcohol and to make sure that the people that are selling alcohol in a rural grocery store that may not have been used to doing that get some kind of training so that they understand what their roles and responsibilities are when it comes to the sale of alcohol.

So this government often talks about being open and transparent, and some of the questions around open and transparent from this minister, when it comes to things like cannabis revenues that the government has said that, well, they claim cannabis won't generate any profits. I think we all know that that's probably not correct.

And then they introduce a 6 per cent social responsibility fee, which really is a 6 per cent tax. But they wanted to get away from calling it a tax, so they call it something else. And, really, you know, a tax is a tax is a tax. If you're going to put a tax on something, at least have the backbone to stand up and talk about it and claim—say what it is.

So, really, I guess, overall we've touched on some of what our concerns are with this particular bill and how it will impact existing businesses, and, certainly, there may be some benefits to some citizens that have the ability to purchase alcoholic products more readily than what they have now. But the concern, of course, is this a step towards chipping away at publicly owned liquor stores to suggest at some point down the road that after they've chipped here and cut there and snipped a little bit off here, that the publicly owned liquor stores aren't making money anymore because they've taken all that business and given it to somebody else.

So with those very few words I'll cede my place to the next speaker.

**Madam Speaker:** Are there any further speakers on debate?

If there are no further speakers, then, the floor is now open—*[interjection]*—or that was it? *[interjection]* Oh, the debate is left open.

### **Bill 13—The Private Vocational Institutions Act**

**Madam Speaker:** We will now move to Bill 13, so I will call Bill 13, and recognize the honourable Minister of Education to move and speak to the second reading motion.

**Hon. Kelvin Goertzen (Minister of Education and Training):** Madam Speaker, I move, seconded by the Minister of Justice (Mr. Cullen), that Bill 13, The Private Vocational Institutions Act, be now read a second time and referred to a committee of this House.

**Madam Speaker:** It has been moved by the honourable Minister of Education and Training, seconded by the honourable Minister of Justice, that Bill 13, The Private Vocational Institutions Act, be now read a second time and be referred to a committee of this House.

Her Honour the Lieutenant Governor has been advised to the bill, and the message is tabled.

**Mr. Goertzen:** The private vocational institutions are an important part of the post-secondary education system and play a critical role in Manitoba's labour market by offering convenient, flexible, career-focused training.

The Private Vocational Institutions Act has not been meaningfully updated in over 15 years. The bill being introduced will modernize the way PVIs are regulated in Manitoba by relying more heavily on consumer choice in a competitive marketplace, rather than strict government oversight.

The existing system is not outcomes-orientated and does not provide consumers with the information they need to make informed choices. The bill introduces performance reporting, which will provide valuable information to prospective students making decisions about their education and allow the government to ensure their investment in students attending PVIs is resulting in jobs.

The bill also requires PVIs to make more information publicly available so that consumers can make informed choices about institutions

and programs. The existing system is a very administratively burdensome system. There is significant opportunity to reduce red tape. We've already been working closely with the PVI sector to streamline the process.

Reforms will remove ineffective regulatory requirements and allow PVIs to focus on more important things, like making their programs better and keeping up with the changing labour market needs. The majority of PVIs have offered their support and some—for some degree of oversight, recognizing that it helps protect the integrity of the sector.

The bill establishes a wider range of compliance tools that will allow staff to more effectively enforce the act.

Madam Speaker, the bill will modernize the PVI sector by focusing on transparency and outcomes and reducing red tape. It will increase consumer protection by ensuring students will be able to make well-informed decisions and provide PVIs with the ability to focus on delivering results, as opposed to unnecessary paperwork.

Thank you, Madam Speaker.

### **Questions**

**Madam Speaker:** A question period of up to 15 minutes will now be held.

**Mr. Matt Wiebe (Concordia):** The minister mentioned the majority of PVIs were in support of the legislation. Can he outline those that are not?

**Hon. Kelvin Goertzen (Minister of Education and Training):** We have had consultation with the PVI industry, Madam Speaker. There's broad-based support for the legislation. I don't know that it would be inappropriate for me to speak on behalf of the individual institutions and each of their individual views, but I can assure the member that there is broad-based support within the PVI sector for the legislation.

**Hon. Jon Gerrard (River Heights):** Yes, the minister has said that he wants to get outcome measures. I believe that one of the measures that he's mentioned was graduation rates.

Will there be a measure like how many—what proportion of the students end up getting employment and in—within the next, you know, six months or a year or two years or what have you?

What are the outcome measures that students will be able to go to the institution's website and see?

**Mr. Goertzen:** I thank the member for the question. It's a good question.

The outcome measurements will be determined through consultation, but certainly, initially, with the discussions that have been had, certainly one of them would be not only graduation rates but, more specifically, as the member references, employment after graduation and probably, in particular, employment in a relevant field to the occupation.

And so that would be my expectation, that that would be one of the outcomes that would be measured.

**Mr. Wiebe:** Maybe the minister could just mention some of the concerns that the PVIs have. I can take his point that he may not want to identify those here in the Chamber, but maybe just identify some of the concerns that they had with the legislation that he's bringing forward.

**Mr. Goertzen:** There is broad-based support for the legislation. We've had significant consultation. The PVI sector recognizes, I believe, that transparency and measurement in terms of outcomes will benefit them as well.

\* (16:30)

Potential students who are looking to go into—whether it's a PVI or any other post-secondary institution, will look to those measurements to see whether or not they're getting value for money. Of course, education is in itself, I believe, a reward. That was certainly my experience, but for the vast majority who are going into post-secondary education that reward also equates to an economic future and a job after the graduation.

And so the PVIs have indicated they are supportive of providing—

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

**Mr. Gerrard:** I would ask the minister, to what extent this applies to foreign students, how will the evaluation be done on foreign students who may go back to their home country to get jobs or who may stay here. What—and I know that a number of years ago there were some changes made in terms of institutions which are accepting foreign international students. What is the basis, or what is the intent here with this with regard to international students?

**Mr. Goertzen:** I thank the member for the question.

There's no doubt that international students are a significant part of the post-secondary education system. We had a 'recking' number—record number of international students last year despite some of the unnecessary and obviously unwarranted fear mongering from some members of the opposition, a record number of international students came to Manitoba. They voted with their feet while some members opposite voiced with their heckling, Madam Speaker.

But the member's question is not unwarranted. It may be obviously more difficult to measure an international student that goes back to their home country, but I think that that'd be worked out in terms of the measurement process. But it would probably be more challenging to measure employability for those who are leaving Canada.

**Mr. Wiebe:** Maybe the minister could just outline the consultation process that he undertook when coming up with this bill?

**Mr. Goertzen:** I thank the member for the question.

My understanding is that staff had a number of consultations with the industry, that all PVIs were solicited for their views in terms of what potential legislation could look like. That's taken place over the last number of months. So it's not a bill that would catch the sector by surprise, and I think after the—after it was introduced there were a number of those involved in the sector who stated exactly that.

**Mr. Gerrard:** I just wanted to ask you a question about the section that relates to sexual violence and whether that's intimate partner violence, whether that's between students or between students and faculty. Just how in detail is the policy got to be—and one of the critical questions is that there is somewhere, someone, some independent person who students can go to or the faculty member can go to when there is an issue like this. How—what is that door going to be for a student who's got a concern?

**Mr. Goertzen:** It's a good question and one that our government has tackled on a number of different levels and, certainly, been led by our very capable Minister responsible for the Status of Women (Ms. Squires), Madam Speaker, and when it comes to post-secondary institutions, the vast majority of them—or they all will have their own policies in place when it comes to relationships or violence that happens between students and faculty or relationships that happen between students and faculties. Those policies exist at the individual basis

of the institution. They're not all exactly the same, but they are similar between institutions.

**Mr. Gerrard:** Just to follow-up, what's the assurance that each institution will have a door or that that door, wherever it is, will be independent enough that there are not conflicts? I mean, you're going to be having situations where it's students and staff, and students and students and, you know, various combinations. What's the requirement in terms of where people go?

**Mr. Goertzen:** Again, Madam Speaker, institutions have their own policies. The department is aware, obviously, of the policies. We are more than willing to listen to different recommendations regarding whether or not the policies are sufficient enough. I know there's been significant public discourse regarding a couple of incidents that have happened within public institutions. We're open to looking at whether or not there's enough consistency among the different post-secondary institutions, including PVIs for the policy, but clearly, the individual institutions have responsibility in that as well.

**Mr. Gerrard:** Yes, let me go a little bit further. It's not clear that in this legislation or in the government's plan, there's enough specified about what an institution has to have in terms of the door that people go into when they have a concern that they want to raise. If a student goes into that door and doesn't get a—what they feel is fair treatment or a fair hearing, is there a place that the students can go—to the Ombudsman, the faculty can go to the Ombudsman, or somewhere else in order to be able to be sure that this issue—

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

**Mr. Goertzen:** Again, each individual institution has policies that are specific to their institutions. They may not be exactly the same between the individual post-secondary institutions or PVIs, but their individual policies are intended to ensure that students and others are free from harassment or free from violence, Madam Speaker. I know the member's not talking about different criminal code or other possibilities in terms of filing for concerns or 'aggrievances', but there are individual policies in the individual institutions.

**Mr. Gerrard:** You know, clearly, from what I'm learning from the minister, there's a gaping hole in this bill. Clearly, if a student or faculty member is not able to get their issue looked at reasonably within the institution, there has to be somewhere that that

student or that staff, faculty can go, and whether it is a provincial integrity commissioner, as we have talked about, or whether it is the Ombudsman, or whether it is somebody else, there needs to be a place that the student can go in terms of getting a second opinion, a second look—

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

**Mr. Goertzen:** The member is making a blanket assertion that the policies that exist within post-secondary education institutions are somehow insufficient. I don't know if he's intending to label every post-secondary institution in Manitoba as having an insufficient policy. I certainly hope that that's not what he's doing. I would accept, though, as—is instructive criticism or suggestion that there could be a look at the different policies to see if there lacks consistency between the institutions—whether or not there should be consistency so the same type of protection or process exists between institutions.

**Mr. Gerrard:** What I was trying to suggest in my last comments was not that the institutions' approach is deficient, but that no matter how good an institution's approach is, and some may be equivalent to the best in the world, but there will always be situations where students or staff feel that they have not been treated fairly, and there needs to be somewhere akin to an appeal process that students can go to, someone like an integrity commissioner that a student or staff can go to when they feel that they are not being treated fairly and adequately.

\* (16:40)

**Mr. Goertzen:** The member presupposes that if—that everybody is satisfied when they get to appeal to another place and that they feel that that is an appropriate appeal. I can say, whether that's in the legal sense or other forms, that there is no final body where everybody is satisfied with the outcome or that they feel that they've been properly heard. But we are certainly committed to is ensuring that there is a process, and a fair process, in place for those who feel that they've been harassed or otherwise done badly upon, Madam Speaker. And certainly the individual institutions have their policies in place. If he wants to point out to an institution that is failing in that regard, I'm more than happy for him to do that.

**Madam Speaker:** Member's time has expired.

**Mr. Gerrard:** I'm not trying to imply that everybody's going to be always satisfied, but there does need to be somewhere that people can go as

where an appeal process—if the process doesn't seem to be working well in the institution. And that, I think, is, from what we've seen at a municipal level, from what we've seen in a variety of circumstances, it's fundamentally important to have some sort of an appeal mechanism. And, when there is such an appeal mechanism that can be put in place in a way that is fair and independent, then people will accept that decision, even if they don't always—

**Madam Speaker:** Member's time is expired.

**Mr. Goertzen:** I think the member is sort of trying to compare different situations that have happened in some jurisdictions or levels of government where perhaps there was no real process in place, and he's trying to take that example and to overlay it onto a post-secondary institution where they do have processes that are in place, both in legislation and through their own individual policies, Madam Speaker. And so I don't think he should be drawing a moral equivalency between two different scenarios and two different types of institutions. Again, if he has a particular situation or institution which he thinks is failing, I'm certainly willing to take a look at that.

**Mr. Gerrard:** Madam Speaker, we're talking about private vocational institutions. There are many of them, and there are different sizes. I would suggest that it is more likely that there could be issues of internal concern or concern with the situation with smaller institutions in dealing with this, just like smaller municipalities have had more problems. And I still believe that there needs to be some change to this act in order to get this addressed. Thank you.

**Mr. Goertzen:** I don't take the member's comments lightly, nor am I trying to appear that I'm dismissing his comments. I think that they are brought forward with the right intention and the intention that this government has demonstrated when it comes to protecting those who might find themselves in a situation where they are being treated badly and inappropriately. So I'm not being dismissive of his comments, and I take them to heart.

**Madam Speaker:** The time for this question period has now ended.

### Debate

**Madam Speaker:** The floor is now open for debate.

**Mr. Matt Wiebe (Concordia):** I appreciate the opportunity to rise on Bill 13, The Private Vocational

Institutions Act, and spent some time this afternoon in debate.

Of course, we know that this bill was brought forward in order to set forth the responsibilities of people who own and control private vocational institutions, referred to as registrants, and to clarify those roles. We know that a program of instruction offered by a private vocational institution is a subject to the act—sorry, is subject to the act if the fees changed and if the program length meets the criteria set forth by the regulation. The director of private vocational institutions is continued. The director's compliance and enforcement powers are expanded to include the ability to impose terms and conditions on registrations and program approvals, issue compliance orders and impose administrative penalties.

Appeals from decisions of the director are now heard by an appeal board formed for the purpose of each appeal. The penalty provisions are also modernized. Measures designated to protect students, which is training completion—the training completion fund and the requirement for sexual violence policies, are continued.

Currently, we know in this province, Madam Speaker, that there are more than 40 private vocational institutions that operate and more than 2,800 students who attend these schools each year. It's important that students have access to information about the schools that they're planning to attend and schools that are to be receiving their tuition that they pay.

This bill will require private vocational schools to post more information publicly in an effort to enhance student protection. Institutions will have to post information, including tuition fees and employment rates of students and give government a compliance framework to ensure program quality.

We as the NDP caucus support measures that improve schools' accountability and give more transparency and information to prospective students. We also support measures that require more transparency across the educational sector and, therefore, we do support this bill moving forward.

With this bill the government claims that they are attempting to protect students, but at the same time, Madam Speaker, this government continues to weaken the state of education and, in particular, post-secondary education here in the province. Obviously, we've talked many times in this Chamber about this

government's cutting of programs and funding cuts, along with the ability of institutions to now raise tuition in a way that we don't believe is sustainable.

The Premier (Mr. Pallister) and his government are making deep cuts and causing chaos for teachers and kids across the province. With this proposed budget they continue to weaken the state of education in Manitoba by cutting programs and raising tuition, causing chaos, again, for teachers and for kids.

In particular, when it comes to post-secondary education, Madam Speaker, we feel that this Premier is attacking students and families, and is making it harder for people to get a quality education and a good job here in this province. For the second year in a row now, they are cutting funding for universities and colleges and they have frozen the capital funding of those institutions.

In 2017, they eliminated the cap on tuition fee increases and the following year, of course, we know that Manitoba students were hit with the largest tuition fee increase in the entire country. Students at the University of Winnipeg and Manitoba saw their tuitions rise by 6.6 per cent this year and it's expected to rise another 6 per cent this upcoming September. The average U of W student will pay \$188 more in tuition this year. At the U of M, the fee increase means that the average student will pay \$260 more for domestic students who are taking a full course load at the university this upcoming year.

Red River College had a hike to tuition of \$250 to every program due to the Province's slashing of the college's operating budget by almost a million dollars.

The government cut the Manitoba Tuition Fee Income Tax Rebate which allowed students to claim up to 60 per cent of eligible tuition fees, and this further made post-secondary education out of reach and inaccessible for many students in this province. The rebate, when it was in place, returned approximately \$54 million annually to approximately 48,000 claimants. These claimants, of course, were students who studied in Manitoba and then chose to stay in this province and chose to contribute to our economy and to our province and further their education potentially. This, of course, was cut and this was a major blow to accessibility here in the province.

These cuts and restrictions and reductions put post-secondary education further out of reach for so

many Manitobans. We believe that investments in quality education from early years all the way to adulthood is critical to ensure the success of Manitoba children and to meet the growing needs of a skilled workforce for today and for the years to come.

Madam Speaker, I appreciate that there may be others that wish to speak, so I won't take too much time.

\* (16:50)

But I did want to end just briefly, you know, on this minister's assertion that he has reached out and made sure that he consulted on Bill 13. Now I don't call that into dispute, but what I will say is, is that when it comes to this particular bill he saw it fit to seek the input of post-secondary institutions.

I wonder if he took the same care and took the same steps when he decided to cut funding to universities here in this province. I wonder if he consulted with them when he planned to take away the tuition cap and the impact that that would have on their student population.

I wonder if he consulted with those institutions when he proposed to pull away the tuition rebate program, and despite even the advice of his own hand-picked consultants who said, take that money; reinvest that into post-secondary education. Instead, he took that money and put it into the pockets of the Premier and general revenue.

I wonder if the minister had the same consultation process when it came to investing in vocational programs at our high schools and the many programs that we have and the capital investments that were made in the past to support those vocational programs which directly feed into these institutions that we're talking about today.

I wonder if he consulted with Manitoba Education on those.

And, finally, Madam Speaker, did the minister take the time and the same care of consultation when he decided to cut the curriculum resource library for teachers here in this province? Did he go out? Did he talk to those teachers? Did he talk to those educators? Did he talk to librarians? Did he talk to students? Did he take the time to find out if that cut was something that would enhance education in this province or whether it would be something that would hurt?

Well, I can tell you, Madam Speaker, that I've consulted with those parents and teachers and educators and librarians, and the clear message is that it does hurt, and so do all of these cuts when it comes to either our K-to-12 education system or the post-secondary education in this province.

So, while the minister may have spent the time to consult on this particular bill, and I do appreciate the opportunity to spend some time in committee to move forward with this bill and look at it more closely, I do want to very clearly put on the record that these cuts make a—have a lasting effect on our education system, and without the proper funding and without the proper accessibility for all students in Manitoba, I feel that education in this province is getting short-changed.

So, as I said, we are supportive of this bill moving forward, but I did want to put some words on the record with regards to the overall funding situation and the overall lack of consultation when it comes to improving education in this province.

Thank you, Madam Speaker.

**Hon. Jon Gerrard (River Heights):** Madam Speaker, I have several comments on this bill.

I will start by saying that we all should be thankful to the post-secondary education students who work so hard to educate and train the young people and, in some cases, older people in our province.

This is a very important activity, making sure that Manitobans and in—certainly also international students are learning well and that they are well prepared to have a job or employment opportunity or to start a business, because starting a business and making jobs is just as important as finding a job. In fact, when you start a business and make a job you may create quite a number of jobs, and so in respect to the number of people who are employed it can actually be much more important when we are training people to be able to start and grow businesses.

So, of concern to me in the discussion, in the question and answer session that we've had, is, yes, I appreciate the minister's desire to have outcome measures, but I was disappointed that he was not able to list specifically the outcome measures that would be needed for an institution to be able to show on their website so that students could see clearly and openly how that institution compares with other institutions.

And I would suggest to the minister that there are a number of outcome measures that are important. The minister mentioned graduation rates. Those are important. I would suggest to the minister that one of the important measures is the proportion of students who actually complete the program, because I think we've all seen programs in the past which weren't very good and ended up with 50 per cent completion rates or 25 per cent completion rates, and, certainly, a completion rate which is much higher is important.

I think we are aware of post-secondary education institutions who rush to get students in the door, but don't do as good a job of helping those students and make sure that they actually complete their program of training and complete their degree.

So the proportion of students who complete the program from those who enter is a really important measure and it is important that that be one of outcomes up on the website of an institution to be able—so that students can have a look.

Getting a job in the field of study or getting any job, they're probably two different measures, and we know—I certainly know of many who have started out in one field and got a job. Sometimes it can be a McJob. But not infrequently it can be a phenomenal job, a high-paying job in another field than they actually were trained in but the training that they got helped them with—whether it was language or math or whether it was critical thinking, and these are skills which can be applicable across many areas of employment.

And so having a measure of the proportion of students, as I believe Red River College does currently, they provide a proportion of students who end up being employed and we should have this as a requirement. And with Red River College already showing the way to how to do this, it shouldn't be all that hard to do.

I think that there are—from discussions we've had within this Chamber and from experience outside the Chamber—that it is important to recognize both Manitobans and Manitoba residents who are attending, but also international students. And, you know, some vocational institutes, private vocational institutes may cater primarily to international students and some may cater primarily to Manitoba students. And it will be important to be able to look at the outcome measures in a slightly different way for international students compared with students

here in Manitoba who are from and staying in Manitoba.

I suggest it would be also important not only to know whether they're employed, but, in fact, whether they got jobs in Manitoba. There were years, as the Minister of Education well knows, when a high proportion of post-secondary education students were looking elsewhere for jobs because there weren't enough jobs here.

And we need to make sure that we are actually having an education system. We don't want it to be exclusive. We don't want to limit students in terms of where they go, but we do want to know whether the programs that we are putting forward and developing are actually contributing to Manitoba's economy and to the needs that we have here in Manitoba.

The other issue that I want to deal with is the issue of dealing with sexual violence and harassment, and as we all know, these are not always easy areas to be dealing with. But they need to be dealt with well and with considerable sensitivity and understanding, and this is not always easy.

\* (17:00)

And that's one of the reasons why we have advocated, in other circumstances, to have an integrity commissioner, which would be a place where people could go and know that there would be somebody independent who could look over the concern.

And I would suggest it's going to be important, whether people have a direct line to the integrity commissioner, or whether there is a process within the institution first, but clearly, there needs to be some sort of appeal mechanism where the things are not looked at in a way that is satisfactory to those who bring forward the complaints.

And that is fundamentally important if we're going to have a system which works. We in the Liberal Party have talked about the importance of having somebody who would be an integrity commissioner, and we have talked about the importance of putting that person in place, and here would potentially be another useful role for such a person.

When there is a situation which a person has brought forward a complaint, and it can't be dealt with satisfactorily to them internally, that they should have the ability, then, to appeal to an integrity

commissioner to have it looked at it by somebody who is clearly independent from the institution itself.

So, while we certainly support, you know, having a better framework for private vocational institutions and considerable elements of this bill as it comes forward, we believe that it would be smart to make some additional changes to clarify these areas that I've talked about.

So, with those words, Madam Speaker, I thank those for listening. Merci. Miigwech.

**Madam Speaker:** The debate will remain open.

### **Bill 14—The Reducing Red Tape and Improving Services Act, 2019**

**Madam Speaker:** And I will now call Bill 14, and recognize the honourable Minister of Finance to move and speak to the second reading motion.

**Hon. Scott Fielding (Minister of Finance):** I move, seconded by the Minister of Sustainable Development (Ms. Squires), that Bill 14, The Reducing Red Tape and Improving Services Act, 2019, be now read a second time and referred to the committee of the House—this House.

*Motion presented.*

**Mr. Fielding:** I am pleased to rise today for the second reading of Bill 14, The Reducing Red Tape and Improving Services Act. In my mandate letter, reducing the burden of red tape is a central goal. It's work. This work is vital to our mission of fixing the finances of the Province of Manitoba, repairing the services and rebuilding the economy.

Removing red tape helps improve the lives of small business owners, families, community organizations and all Manitobans. In the three years since we took office, we have removed over 24,000—repeat, again, Madam Speaker, 24,000 regulatory requirements, or 2.6 per cent of regulatory requirements in force in Manitoba.

This has led Manitoba to being recognized as having the best regulatory accountability system in North America. We are continuing this work by eliminating over 300 regulatory requirements in this bill alone, Madam Speaker.

In this year's bill, we are making meaningful changes across many, many departments. These changes include: enabling nurse practitioners to sign death certificates, which will make it easier for families to focus on their grief in their difficult times, and helping our doctors focus on the work that only



they can do; making 'canaday' a fixed, statutory holiday for retailers; removing the licences, licensing and fee regiment for oil and gas lease agents; and standardizing the size of Crown corporation boards, Madam Speaker.

These are merely a few of the changes we are making to improve services and reduce the burden of red tape for Manitobans. These changes will show that Manitoba is, once again, open for business, and we are truly Canada's most improved province, Madam Speaker.

Through many of these changes are technical—well, many of these changes are technical—they'll make a tremendous difference for those people that work with them every day. Red tape reduction is about accumulative effort of reducing the burden of red tape for all Manitobans. I'm happy to say that we have the support of many groups and individuals, including the Manitoba Dental Association, the Association of Manitoba Municipalities, Madam Speaker, Keystone Agricultural Producers, the Retail Council of Canada and the College of Registered Nurses of Manitoba.

Many of these items have been brought to our attention by these groups, and I'm proud that we are listening to stakeholders and making much-needed changes where the previous government did not.

In closing, Madam Speaker, I hope all members would join in supporting the bill and reducing the burden of red tape in Manitoba. Thank you.

### Questions

**Madam Speaker:** A question period of up to 15 minutes will now be held.

**Mr. Andrew Swan (Minto):** Could the minister say—we went into Bill 14. Was it hundreds of hours or is it thousands of hours of civil servant time when, instead of serving Manitobans, they were delegated by this minister to try to come up with ideas for Bill 14?

**Hon. Scott Fielding (Minister of Finance):** One thing is clear, that Manitobans who are accessing our services or businesses would spend hundreds of hours navigating all the red tape, the orange red tape that was brought forth by the former NDP government. We're here to fix that, Madam Speaker. We're making progress. The Canadian Federation of Independent Business suggests that we're on the right path. We're taking leadership role in North America,

and we're very proud of the work we're done in terms of red tape.

**Mr. Swan:** I was interested to see the explanatory notes talk about changes to The Regulatory Accountability Act, The Statutes and Regulations Act, and it says that regulatory requirements and demonstrating compliance are considered to be, and I quote: administrative burdens.

Does the minister really believe that provisions dealing with food safety, with keeping seniors safe, keeping children safe, that those things are all administrative burdens?

**Mr. Fielding:** Absolutely not, Madam Speaker. What we want to do is ensure that red tape isn't hindering businesses. We want to make sure that safety standards are in place. That's the utmost essence of when we did this. We want to make sure standards are clearly in place. We want to also want to make sure that businesses, when they're looking to come to Manitoba, to reinvest in Manitoba, or people that are using our services aren't hindered by all the red tape that's there. So we want to make sure that standards are in place, but there's not the red tape that will kill jobs here in the province of Manitoba.

**Mr. Swan:** Now one of the things that's going to happen is this will standardize a number of members on the boards of The Manitoba Centennial Centre Corporation Act, The Efficiency Manitoba Act, The Manitoba Hydro Act, The Manitoba Liquor and Lotteries Corporation Act and The Manitoba Public Insurance Corporation Act.

Is there anything here that's going to standardize how quickly these members have to be replaced next time we have mass resignations because of this government?

**Mr. Fielding:** We—look, we have important people working on these for us. There's always turnover that happens on boards. We want to standardize this process to make sure that the same amount of people that serve on these boards—there's always thousands, hundreds of Manitobans that serve on these boards.

One thing that our government is very proud of, and I think was reported in the media just over the last six months, that our boards are very diverse, more diverse than the opposition ever had on their boards. We want to make sure that our boards are very diverse, that represents Manitoba, and we're proud of that, and this will help to ensure that boards are diverse and the same amount of individuals on all these particular boards.

**Mr. Swan:** Well, it's interesting the minister should say that. What are the additional costs, then, of having a board for this new Crown corporation under The Efficiency Manitoba Act?

**Mr. Fielding:** Well, we think it's extremely efficient, and we also think that it's important that Manitobans are able to save money. If you're able to put together emphasis where people don't spend all the money or are using energy and electricity in a more efficient and effective way, it's going to save taxpayers money; it's going to save ratepayers money. We think that's important.

It's all about residents that live not just in the city of Winnipeg but out in the—all over the province. That's what we're thinking about in terms of this—making sure it's efficient and effective, and we're ensuring that our environment and the amount of energy we're using in so many different ways is appropriate.

\* (17:10)

**Mr. Dougald Lamont (Leader of the Second Opposition):** It's a question about Efficiency Manitoba. It used to be bundled in as part of Manitoba Hydro and hydro-smart. As a result there was a business. Revenues from Hydro would be applied to it. As far as I can tell, their—Efficiency Manitoba will be spending money, but will not actually be bringing it in.

So could the Minister of Finance (Mr. Fielding) please explain what the business model of Efficiency Manitoba is, or whether it will just always spend money?

**Mr. Fielding:** Well, I think—and in taking light of the fact that we're trying to have people conserve themselves in terms of the amount of energy, electricity they're using is a noble cause—not only noble, but it makes sense for individuals.

What we focused in on this side of the House is putting a little bit more money in everyone's pockets, and that just doesn't consist of cutting taxes that I know the opposition are opposed to, or increasing other taxes, supporting things like the carbon tax. We also think that being more energy efficient in so many different ways is going to put a little bit more money in the pockets of Manitobans.

**Mr. Swan:** I was somewhat surprised to see the proposed changes to The Retail Businesses Holiday Closing Act, which would provide that if a July the 1st falls on a Sunday, there will be no holiday for

retail employees or for many others in January—or, July 2nd. Why does the minister want to destroy the July long weekend once every seven years?

**Mr. Fielding:** We are making changes to make Canada Day, July 1st, as a fixed statutory holiday. We'll reduce the loss that retailer—retail businesses occur when they have to close their shops on, let's say on July 2nd, which is declared as a holiday when Canada Day falls on a Sunday.

The retail council of 'canado'—'canatut'—let me repeat that, Madam Speaker. The Retail Council of Canada requested this change. We want to listen to important stakeholders that represent businesses. The next instance of Canada Day falling on a Sunday is 2029. That will be the third mandate of this government.

**Mr. Swan:** Well, it is a strange answer by the minister that the—apparently, the only group he talked to was the retail council. Did the minister talk to Travel Manitoba? Did he talk to the hotel association, the restaurant association of what the impact would be of losing what I think most Manitobans consider to be the first major long weekend of the summer when Canada Day falls on a Sunday?

**Mr. Fielding:** Well, clearly, that is in—10 years away where the first day would be implemented by this. As I mentioned, 2029 is the day. The major stakeholder group that we consulted that has a say—and, by the way, are part of the retail council—are the retail council of Manitoba. So we did some consultation. This idea came forward from them, Madam Speaker.

**Mr. Lamont:** I mentioned earlier today, one of the things that I am surprised by is the number of delegations we receive from people who are actually looking to see better or improved protections. So it's not actually clear to me what the actual monetary savings that any of these are going to be, especially with things like appointments to boards. Does—there any kind of estimate for what the economic benefit or impact of any of this is going to be?

**Mr. Fielding:** It's—no. It's not surprising to me that the Liberals, you know, aren't worried about finances. We know how they're running the finances of the federal government.

What this emphasizes is getting the fundamentals of government right. It's something why the Canadian Federation of Independent Business has suggested we're a leader in North America in

reducing red tape. We've reduced over 24,000 pieces of job-killing red tape that's—associated with our government. That's a dramatic step forward.

What's important about these bills is that going forward there's an annual process where we bring additional bills. There's 300 additional pieces that are here that make sense for businesses and residents that use our services.

**Mr. Lamont:** Again, Madam Speaker, there's sort of a hodgepodge of regulations that are being cancelled. For example, there is an—in the previous red tape reduction act, it made it easier for companies to start a waste—a hazardous waste disposal site.

And it's not enough to just say that these jobs are some—that these are all job-killing regulations when, you know, the question is, is it a job-killing regulation to have a nurse be able to declare a death in—or most of these other ones have nothing to do—they don't seem to have that much of an economic impact. Is there any kind of economic impact estimate on in terms of what this is going to provide?

**Mr. Fielding:** When you have someone that doesn't identify that there is a problem, it's hard for them to understand the cause of why we do this. Why we have done this as a government is we've heard clearly from businesses over the course of the last 17 years with the NDP that our systems had way too much red tape.

So what we've done is we've initiated a process where we cut over 24,000 pieces of job-killing regulation that's there. This is regulation that did not need to be in the book. A lot of times they're things like duplications, in-processes that are there. The Canadian Federation of Independent Business has recognized us as a North American leader in terms of red tape reduction. So we think that's important—to get the fundamentals of businesses so people come to our province.

**Mr. Lamont:** Again, Madam Speaker, one of the points is that regulation is sometimes protection and that's clearly the case that these—when I'm approached, I'm often approached by people who are looking for better protection because there are fly-by-night organizations, people who are frauds, people who are essentially predators preying on Manitobans, and there's a whole variety of regulations that are not being implemented in Manitoba that are essentially putting people at risk.

So I know that this is a big emphasis but why, if there's a huge emphasis on red tape reduction, but

where are the protections, for example, protections for seniors who are being preyed upon by door-to-door scams?

**Mr. Fielding:** We recognize as government there will be always times where you need to protect citizens more. More regulations are the part of it, but what we want to ensure—a part of our process in terms of reducing red tape is any time there is a piece of regulation that needs to happen—maybe to protect individuals, their safety—you have to find two other job-killing pieces of red tape to eliminate it. So it doesn't prevent you from adding additional regulations when it makes sense. That's a process of government.

But what we want to ensure is that two pieces of job-killing regulation is taken off the books for every one that's implemented.

**Mr. Lamont:** Given that there is new technology and there are new chemicals, all sorts of new things that are being introduced all the time, I really have trouble understanding the basis of the idea that you're just simply going to get rid of two rules for every one that you're going to implement.

When it comes to issues like the Efficiency Manitoba, I mean, how many more new rules are going to be implemented in terms of Efficiency Manitoba coming in?

**Mr. Fielding:** Well, clearly, Madam Speaker, there's another difference not just on tax policy, where we know this area of the government wants to put a little bit more money in the pockets of Manitobans, and other opposition parties like the Liberals are for more taxes, whether they'd be PST, whether they'd be the carbon tax.

That's another very significant difference between ourselves and members of the NDP and members of the Liberals—that we think that we're overregulated. We think that it's important to reduce the amount of job-killing red tape that's a part of it. We've got the support of a number of different agencies that were a part of this.

As I mentioned earlier on, the Manitoba Dental Association supports our changes. The Association of Manitoba Municipalities supports our changes. The Keystone Agricultural Producers support our changes. The retail council of Manitoba support our changes—

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

### Debate

**Madam Speaker:** Are there any further questions? If there are no further questions, the floor is now open for debate.

**Mr. Andrew Swan (Minto):** It's always amazing how these ministers seem to come unglued under—with 10 minutes a question. I don't think the Leader of the Liberal Party and I were being unreasonable in what we asked, but instead we had the Minister of Finance (Mr. Fielding) flying off the handle when he couldn't even justify what's contained in this bill.

You know, this is pure evidence of a government that has talked big and talked tough but has really, really, really run out of gas. Here they say, we're going to reduce red tape, it's going to be thousands and thousands.

And then, of course, we have a look at what's contained in this bill and look, there's some things in here that make sense. There's some things that are so minor that I'd be embarrassed to stand up as a minister and have a bill separately for this. And there's other things in here which actually could be seen as a concern.

But you know, I suppose it's no surprise and I'm glad to hear the minister today talk with the Canadian Federation of Independent Business because I remember being a minister of Competitiveness, Training and Trade, and I used to get lobbied constantly by the then-head of the CFIB in Manitoba and that was the member from Morris. And he would come in and he would say, you know, minister, we've got to deal with all these—this red tape, all these regulations. And every time I would say, well, you know, I'm really interested to hear that; why don't you tell me which regulations are a problem and I will take that up with my staff and we'll deal with it?

\* (17:20)

Well, I'm still waiting, actually, 10 years later, for that member to ever have brought anything forward because he didn't want to do the work. He didn't want to do any of that work. He just wanted to complain about it. I've waited 10 years for the member from Morris to ever have brought anything back. But, like many other things he does, we never heard a single thing. And I'll be delighted when he's knocking on doors around the Seven Oaks hospital in a couple of months or in a year and a half, whenever that might be, and we'll see how things go.

You know, his last—just last year that this government introduced Bill 12, slightly different name, The Red Tape Reduction and Government Efficiency Act. In that bill they took away renters' rights under The Residential Tenancies Act. Under that bill they took away oversight requirements of municipal spending, and now, of course, we find out that they want to—by this bill—take a day off from hard-working Manitobans.

This government actually wants to kill, once every couple of years, a long weekend for Manitobans by not allowing the July 2nd off when Canada Day falls on a Sunday—and what was the only defence that this minister had? Well, it doesn't happen until 2029. Wow, what an exciting act. You're talking about something that doesn't even happen until 2029.

You know, Manitobans work hard. They deserve days off. I know that the CFIB people, the Retail Council people and this Minister of Finance doesn't agree with that. But, you know, you talk to people who know how short Manitoba summers are. Look, having summers off, having weekends off, a long weekend in the summer is something that most Manitobans enjoy, and, frankly, it's something the restaurant industry, the hotel industry, campgrounds, others who provide recreation are very interested in. But this minister has his focus on—he told us himself. He's got his mandate letter. He's got to show the Premier (Mr. Pallister) that he's making a progress, so here we go with this questionable bill.

Everything in this bill could have actually been contained in the statute amendment bill this government brings in. Of course, this government against red tape now has two of those bills plus this bill. So they now have three bills where a government that was actually serious about reducing our time being wasted would have one bill. But that's another story.

Are there things in this bill that are good? Well, as a matter of fact, yes. I think it makes sense. I think it makes sense that nurse practitioners are now going to be able to complete medical certificates of death. I hope that the Minister of Finance (Mr. Fielding) has some time to talk to the Minister of Health; and, hopefully, the Minister of Health can repair the damage done by the previous minister of Health who actually laid off a number of nurse practitioners in Winnipeg when he decided to axe almost all of the QuickCare clinics except for one in Winnipeg—of

course, one in Steinbach and one in Selkirk—*[interjection]* Exactly

And those nurse practitioners are very frustrated because they went and they got additional training. They filled, I think, a very valuable need to try and prevent people from having to attend at the emergency room for things that a nurse practitioner could handle.

But, instead, this government cut their jobs, and some of them have reverted to working as nurses. Some of them have then moved into the private sector, and there are nurse practitioners who are working the private sector for people who are able to pay for those additional services—which we know is the Conservative way: less services in the public sector; less smart investments to try and make things better in the health-care system; cut those positions; and if you're lucky enough to be able to pay for it, well, then, I guess you can get to the front of the line.

But nothing against nurse practitioners who are excellent—and I would hope some day, maybe as early as this summer, maybe a year from now, we'll have a government that recognizes how valuable those nurse practitioners are and hire them instead of firing them.

You know, I did ask the minister questions about some of the various boards. It is interesting, of course, and I—you know, I'm going to sound like the member for Assiniboia (Mr. Fletcher), which kind of frightens me.

But here we have the minister who tells us against—he's red—against red tape, who, of course has brought in some changes to The Efficiency Manitoba Act. Of course, this act set up an entirely new Crown corporation, which is now purporting to do things which Power Smart under Manitoba Hydro had been doing for years and years and years. And, of course, everybody, I'm sure, got their hydro bill just the other day and it had a very sad explanation, actually, from Manitoba Hydro saying: Yes, here's Power Smart; here's the things that it did. We're not doing it anymore.

Now there's a brand new Crown corporation with a brand new board, brand new headquarters, brand new auditors, brand new everything, brand new logo, and they'll now be doing the things that Manitoba Hydro was doing.

You know, it wasn't really that hard when Manitoba Hydro was properly managed to be able to have a company generating power, selling power,

transmitting power, but also helping Manitobans to conserve power.

There was absolutely no conflict with that because everybody knew that the more power that could be saved by Manitobans, the more power that can be sold in the United States, in other Canadian provinces and bring more money into the province.

But that isn't something this government is extremely interested in, among a host of other things the government is not interested in, and here we are.

So we have this red-tape bill which is truly thin gruel. We have the minister trying to justify to the Premier (Mr. Pallister) that he has done everything he's supposed to do in his mandate letter. We know this government has tied down civil servants for not just hundreds, but thousands of hours as they've been working away trying to find things to make this minister look good, trying to somehow generate things which will make him meet the steely glare of his Premier.

Bill 14 really is not much at all. We're prepared to allow it to go ahead to committee. Perhaps the minister can find the odd person who's interested, but by and large this is just evidence of a government that despite all their talk has truly, truly run out of gas.

Thank you, Madam Speaker.

**Madam Speaker:** The honourable member—the honourable Leader of the Second Opposition.

**Mr. Dougald Lamont (Leader of the Second Opposition):** There are some elements of this bill which are worthwhile, but the real question is whether they are actually job filling, and they are not. So my objection to it is, in part, that it's being presented as something that it simply isn't.

The idea that changing The Cemeteries Act, changing The Manitoba Centennial Corporation Act, changing the number of boards and so on, are going to have any kind of effect on job creation or economic growth in Manitoba is nonsense, Madam Speaker, that there's no basis for it. I asked for it and I asked for evidence whether there were any studies to see what the kind of impact would be and there was absolutely nothing.

And that's been—that was the case also with the previous red-tape reduction which included changes to an act, to involving the Dauphin boys and girls club which I don't think was a huge drag on the Manitoba economy.

I know, Madam Speaker, that the Minister of Finance (Mr. Fielding) is keen on pointing to the federal government, but the fact is this is also a government that has never balanced its budget. They've been running deficits and they've been making those deficits deeper and deeper by—and, actually, putting the entire economy at risk through cuts, and through cuts and freezes rather than through making efforts to grow the economy through investment.

It's not simply enough to remove all the obstacles to small business or—and to get rid of all regulation when that is not enough and low taxes are not enough in order to just—to create investment. What is actually required is the promise of opportunity, and that's something that this government isn't offering.

If we're seeing—going to be seeing the huge transformations in terms of the economy, in terms of removing all these regulations, we might expect that economic growth would be stellar; but it's not. It's projected to dip below 1 per cent, Madam Speaker.

So we really have to question what exactly the effect of all these removals are—or removing all the stuff. It's not enough to just remove regulation for the sake of removing regulations. And the idea that these are going to be some sort of boost to the economy, quite frankly, is a massive exaggeration.

There isn't really—and, honestly, there is not that much to object to, that there—I still have to be skeptical about some of the things that have been introduced and scrapped, including things dealing with noxious weeds and—but the fact is is that the purely ideological idea that we just have to keep cutting regulation and a little magic you make everything easier and free everybody is false.

And, in part, because, as I've mentioned, I've often received delegations from people, from—who are concerned because of a lack of regulation, a lack of existing regulation to deal—which means that Manitobans are being put at risk. I've—we've talked with therapists. We've talked with groups who want to be better regulated, investment advisors, the trucking industry.

I mean, the trucking industry, this government did finally act, but we were approached by the trucking industry who were deeply frustrated because it was a wild west in terms of regulations. And it essentially took a tragedy for this government to act.

And the same is also true of people—you know, I think that door-to-door salesmen are relatively harmless. But the fact is that you have people who are preying on seniors and preying on people who are vulnerable and pushing the brink of bankruptcy.

\* (17:30)

And I've heard this over and over and over again. It's—is the—one of the major issues is not that we have too much red tape, but that good actors are frustrated because they're being—their business is being threatened and undermined by bad actors and by people who are undermining and refusing to—and putting people at risk, and that has a real cost, in human terms, and as well as in economic terms, and it would be great if this government would recognize that and see that instead of just focusing on the theatrics of changing regulations which will have no impact whatsoever on the economy, Madam Speaker.

Thank you.

**Madam Speaker:** The debate will remain open on this bill.

**Bill 15—The Liquor, Gaming and Cannabis Control Amendment Act (Cannabis Possession Restrictions)**

**Madam Speaker:** I will now call Bill 15 and recognize the honourable Minister of Justice to move and speak to the second reading motion.

**Hon. Cliff Cullen (Minister of Justice and Attorney General):** Madam Speaker, I move, by the Minister of Families (Mrs. Stefanson), that Bill 15, The Liquor, Gaming and Cannabis Control Amendment Act (Cannabis Possession Restrictions), be now read a second time and referred to a committee of this House.

***Motion presented.***

**Mr. Cullen:** I'm pleased to rise in the House today to put a few words on the record regarding Bill 15. Bill 15 makes amendments to the Liquor, Gaming and Cannabis Control Act to create a new provincial offense prohibiting the possession of more than 30 grams of cannabis in a public place.

It adds an additional offense when that cannabis is also not properly packaged, stamped and labelled according to federal government labelling requirements.

While federal legislation already prohibits public cannabis possession, the creation of the new

provincial offenses will allow more provincial inspectors to fine individuals and seize illicit cannabis.

Bill 15 will also give the police the discretion to ticket an individual for possession over 30 grams rather than go through the more complex process of laying a criminal charge.

The possession provisions in Bill 15 will help to crack down on the illicit cannabis market by allowing provincial inspectors to have the clear ability to seize illicit cannabis.

These provisions will also help to protect the health and safety of Manitobans while preserving the integrity of the retail cannabis system.

Madam Speaker, I hope that all members of the House will support this common-sense legislation today.

Thank you.

### Questions

**Madam Speaker:** A question period of up to 15 minutes will now be held.

**Ms. Nahanni Fontaine (St. Johns):** And welcome back, Madam Speaker.

Madam Speaker, I would ask the minister when does the Premier (Mr. Pallister) and himself and all of his cohorts of ministers plan on joining experts and Manitobans in creating a safe consumption site here in Manitoba?

**Hon. Cliff Cullen (Minister of Justice and Attorney General):** I'm not sure of the relevance of this particular question today relative to Bill 15. I will say, in terms of Bill 15 and other cannabis legislation, we have taken the public safety of Manitobans at the forefront when we craft and draft legislation and, in fact, when we bring forward regulation as well.

We certainly want to make sure we have a robust retail market. Obviously, the fight against the black market and illicit cannabis is always a concern for us as well, but in crafting legislation, we always have the safety of Manitobans first.

**Hon. Jon Gerrard (River Heights):** Madam Speaker, in the definition of public place, I note that public place means a place, building, road, or area to which the public has access and includes a vehicle at such a place, building, road or area.

Now, I mean, one presumes that vehicle would include cars, would include a bus, would include a truck, would include a tractor.

What about a train or an airplane, for instance, a private airplane in a public airport?

**Mr. Cullen:** I thank the member for that question.

Certainly, I'll take that question under advisement. Hopefully, we can give the member a clear answer on that when this particular bill goes to committee.

**Ms. Fontaine:** For the minister's information, the reason why I asked that previous question was because the minister seems to be more concerned with potentially criminalizing or fining Manitobans for possession of cannabis for—something that is actually considered legal—as opposed to actually dealing with the meth crisis that we have today.

So it is entirely relevant to the discussion on Bill 15 when we have Manitobans that are actually dying. The minister could actually spend more time dealing with that than—rather than these regulations.

So, again, I ask the minister, you know, when is the Minister of Justice going to get on side of the right in respect of—

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

**Mr. Cullen:** You know, members opposite try to paint the meth situation before us that impacts so many Manitobans as an easy, simple solution, and nothing could be further from the truth on that regard.

And, Madam Speaker, I've talked to police forces not just across Manitoba, but across the prairie provinces and in British Columbia, and I have not had one police officer tell me the solution for meth is to have an injection site that would allow people to inject meth. *[interjection]*

**Madam Speaker:** Order.

**Mr. Cullen:** Our view is to get meth away from people so that they have safety—

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

**Mr. Gerrard:** I would ask the minister with regard to the use of the dried cannabis standard that, clearly, cannabis may come in oil or in edibles, just exactly how will this be measured. Because, I mean, 30 grams of dried cannabis could have significant differences in the potency of that cannabis.

So can the minister explain how the equivalency is going to be determined?

**Mr. Cullen:** I do appreciate that question from the member, and, certainly, as variations of cannabis come on the market, we will have to deal with that, as well. We're looking forward to the regulations being brought forward by the federal government.

We'll certainly have a look at those, recognizing there is difference in terms of these various byproducts, if you will, of cannabis. I'm understanding there will be federal regulation that will have a formula to recognize the variations. Clearly, we will recognize there would—will be a formula to make sure that we can correlate the various products that are out there.

**Ms. Fontaine:** You know, let me just put on the record here in contradiction of what members opposite, including the Minister of Justice (Mr. Cullen), have tried to peddle to Manitobans, that we on this side of the House seem to think that it's an easy solution just in respect of establishing a safe-consumption site.

Let me be absolutely clear: not once have we ever stood on this side of the House and said that the only solution to the meth crisis is a safe consumption site. It is, certainly, one of the many solutions to deal with the meth crisis, one of many that this side of the House haven't done.

So I—let me put that on the record. I want to make sure that we don't keep peddling erroneous facts here in the House, and—

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

**Mr. Cullen:** Well, maybe the opposition has finally realized that this is a difficult and complex situation we have before us.

Certainly, in talking to the fellow that's in charge of a combined unit in lower mainland in BC, I know they have consumption sites in British Columbia in terms of the opioid situation there. They're still losing 1,500 individuals a year to that particular crisis, Madam Speaker.

We have a focus here in Manitoba in trying to keep illicit drugs out of the hands of people as much as we can. Clearly, I appreciate the work that the Minister of Health has done in term—bringing forward RAAM clinics across our province—

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

\* (17:40)

**Mr. Gerrard:** I want to come back to this issue of the dried cannabis and how 30 grams is going to be measured, and because we know that the cannabis has changed in potency over time and one batch to another may have quite different potencies. If you have a batch which is 10 times as potent as another one, you would have, if you measured the active ingredient, perhaps much more active ingredient in one 30 grams than in another. So I'm trying to understand.

Maybe the minister can simplify this by just telling me how he will be measuring the 30 grams.

**Mr. Cullen:** Well, Madam Speaker, I do appreciate the member's question. And, clearly, this was a federal Liberal initiative to bring legalized cannabis. We as a provincial government are trying to do everything we can within a regulatory framework and, again, to protect Manitobans.

I would suggest maybe the member should have a discussion with his federal cousins in terms where they're going to go in terms of a formula that would—could relate to the various aspects of cannabis.

Clearly, we said to the federal Liberal government, why rush into this when we don't have the answers to so many of these questions. This, Madam Speaker, is a classic example of not having answers yet.

**Ms. Fontaine:** Can the minister advise the House whether or not he has determined the anticipated revenue from cannabis sales since they are planning on introducing a social responsibility fee?

**Mr. Cullen:** I see the opposition has decided to designate that particular bill, which would come—bringing into force a social responsibility fee. We recognized as a government when this initiative was under way there would be social costs to Manitobans; Manitobans will be negatively impacted by cannabis. We want to make sure that we have the resources available to deal with the social implications of cannabis.

That's why we've—are putting forward a social responsibility fee that retailers would remit to government. And we think that's a very important fee to have so that we can address the very important social issues that will come as a result of cannabis.

**Mr. Gerrard:** Madam Speaker, I'm—I would note that this Bill 15 is the minister's bill. It is not the federal government's bill; it is the minister's bill. He



has brought it before this House, and yet the minister seems to be unable to answer this very basic and fundamental question as to what is 30 grams of cannabis and how do you measure it, because, clearly, if the minister's going to be responsible for enforcing or not enforcing this law, the minister should have some idea how he's actually going to measure 30 grams of cannabis.

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

**Mr. Cullen:** Well, Madam Speaker, 30 grams of dry cannabis is 30 grams of dry cannabis. I mean, you get a scale out and you weigh it and it's 30 grams of dry cannabis. We're obviously being instructed, instructed by the federal government, who want to legalize cannabis. We're to provide a framework to provide safety here to Manitobans.

Now, clearly, there will be different products on the market. There will have to be some kind of analysis or formula done in terms of what those other products will look like relative to 30 grams of cannabis. So we look to what the federal government has to say in terms of bringing their regulations forward.

**Ms. Fontaine:** Well, again, Madam Speaker, I would ask the minister because he doesn't seem to ever have an answer when we ask about revenues that will be generated from the sale of cannabis. Not once has he actually ever put any of those dollar amounts or even the potential of any of those dollar amounts on the record.

So, certainly, when we talk about a social responsibility fee, which, I'm sure, we can all agree in this House is nothing more than a tax, an additional tax, on cannabis, it would be important to know how much money we're actually talking about and, more importantly, where those dollars would actually go in respect of supporting social development within Manitoba communities.

**Mr. Cullen:** I—if the members would've chose to debate that particular bill today, we could've had a more wholesome discussion in terms of that particular legislation.

We don't know what the potential revenue will be from the sale of cannabis. Again, the federal government rushed this forward on Canadians. Obviously, there is a shortage of cannabis across the country. People seem to want more. Clearly, that has been identified as an issue. Until that, we don't know what that market is going to look like down the road.

So it's hard for us to assess what revenue from cannabis sales is going to be.

We do know, as a government, that the cannabis will replace beer and alcohol sales. So we know, as a government, we're going to reduce seeing revenue on the beer and alcohol sales.

**Mr. Gerrard:** Madam Speaker, I've spent some time asking about the measurement of the 30 grams of dried cannabis because it becomes even more important how you're going to measure it when we get to oils and when we get to foods with cannabis in because we're not talking about dried stuff. We're talking about what the active ingredient, presumably is, in these oils and in the foods. And so my next question is to the minister, what sort of laboratory setup will there be available to measure the cannabis that—

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

**Mr. Cullen:** Well, Madam Speaker, the member should have been listening my opening comments. This particular legislation actually mirrors federal legislation.

So we know that the federal government has rushed into this process to legalize cannabis. Clearly, they don't have all the answers for this. Maybe the member opposite should phone his cousins in Ottawa and find out the answers to some of his questions on their legislation.

**Ms. Fontaine:** Again, I'm actually going to just stand in solidarity with my brother colleague from River Heights, and just put on the record it is the minister's bill. He should know what his bill is trying to put forward. So—and again, in respect of the social responsibility fee, I would ask the minister again if he has any type of idea of what kind of funds that we're actually talking about, and has the department actually started to map out where those potential dollars would go in—and to what social development agencies would they flow?

**Mr. Cullen:** Now, clearly, we're tracking, as a government, our expenses related to cannabis, introduction of cannabis. We know we've launched a very expensive and comprehensive education campaign, and I will say there is more to come on the educational front. We recognize from a regulatory standpoint there's been a lot of money invested in the regulatory framework and, certainly, that regulatory framework exists and we will have to continue under that vein in terms of regulating this particular product to make sure Manitobans are safe.

**Madam Speaker:** The time for this question period has ended.

### Debate

**Madam Speaker:** The floor is now open for debate.

**Ms. Nahanni Fontaine (St. Johns):** I'm pleased to put a couple of words on the record for Bill 15, The Liquor, Gaming and Cannabis Control Amendment Act (Cannabis Possession Restrictions).

Again, I think that, you know, in respect to some of the questions that we've had during question period, I think that there's certainly a lot of concern in respect of—concern and actually confusion in respect of the revenue that will be generated from the sale of cannabis, which I would suggest to you, Madam Speaker, it seems pretty surprising that the government wouldn't have just a simple sense of how much money we're actually talking about that will come back into the government coffers.

*Mr. Doyle Pivniuk, Deputy Speaker, in the Chair*

I think that that's important when we're talking about any piece of legislation that refers to or deals with cannabis. And it is—I would suggest to you that Manitobans would probably pretty—be pretty shocked if they knew that this minister and his cohort of ministers actually don't have any sense of what the revenue that would be generated from the sale of cannabis.

Unless, I don't know, they just don't want to share it with us, but I think that that's important to know in respect of having a more comprehensive understanding of the legislation that comes—all legislations that come before this House in respect of cannabis.

\* (17:50)

You know, so, certainly, the NDP and those members on this side of the House support changes that will ensure cannabis is sold and consumed responsibly within our province. The NDP support bringing cannabis legislation in Manitoba in line with federal laws, quite obviously, Deputy Speaker.

I know that the minister has referred to our designated bill in respect of the social responsibility fee. And, again, let me put that on the record here that it is a tax, Deputy Speaker. Charging more and getting those dollars back into the government coffers is a tax.

And so we haven't seen—and we will be debating that bill. When it comes up for discussion in the fall,

we will be debating that bill, because I think it's important to have a very robust discussion about the social responsibility fee that the government plans on imposing on businesses because, again, we on this side of the House haven't seen any commitment to dealing with the addictions crisis here in Manitoba.

So we don't know (a) again, what kind of dollars we're talking about. And we certainly don't know where any of those dollars will flow to. It's particularly important, Deputy Speaker, when we know that the present government—the Premier (Mr. Pallister) has, you know, cut dollars from addictions Manitoba in the midst of a meth crisis. Like, I don't know what government across Canada, in the midst of a meth crisis—an addiction crisis—actually cuts dollars and undermines the work of individuals and organizations that are actually trying—are on the front line trying to deal with the meth crisis. It makes absolutely no sense.

And so, here, the minister brings before the House the—an opportunity for the Pallister government to gain more revenue from the sale of cannabis. And yet, we don't know where those dollars are going.

And the minister asked—you know, was a little bit confused in respect of why I would ask about the—you know, when the government is going to get on side with a safe consumption site in concert with the discussion on Bill 15. And it is because we understand that there are revenues coming. We understand that, regardless of where those revenues come, this government does not do anything in 'resay'—in respect of dealing with the meth crisis.

And we've put it on the record a couple of times, a couple of RAAM clinics that are open a couple of days a week, a couple of hours per day doesn't address the statistics that we've seen that have only grown exponentially, including those individuals that are seeking detox and seeking treatment—short- and long-term treatment. So it is important, I would suggest to the minister, that we can't silo our analysis in respect of what we are presently experiencing here on Manitoba—in Manitoba.

As well, Deputy Speaker, we do also question the government's ban on growing cannabis plants at home which is, as you know, not in line with federal government regulations that do allow home growing. So I think that there's still a lot of work that needs to be done.

And I do want to put on the record the minister said that the federal government, you know, rushed this through. I mean, anybody that watches the news and saw the Prime Minister begin his attempt at leadership knew years ago that, if he became Prime Minister, if he—his government took government, that they were going to be legalizing cannabis in Canada.

So I would imagine that the minister watches the news, as I'm sure many of us do in this room, so he would have known. But actually, also, Deputy Speaker, I remember probably about two and a half years ago in a standing committee meeting for Crowns, repeatedly asking the minister at the time whether or not his department has started an environmental scan of what other jurisdictions that have legalized cannabis, what they do in respect of distribution, administration and dollars that come into government coffers.

And actually, as a matter of fact, Deputy Speaker, I asked that question about seven times. And at that time, the minister refused to answer the question—which, I mean, is par for the course for members opposite. They never want to answer our questions. But certainly, he deflected and actually just kept saying that he was going to wait until he saw what the—Canada was doing.

I would suggest to you that's not very proactive. And, I mean, we've seen that on many fronts from this government and from members opposite, that they're not very proactive. And, certainly, we're seeing that in respect of the meth crisis.

So, I don't buy when the minister tries to put on the record that, you know, this was all so fast and haphazard. This government has had plenty of time, as had every other jurisdiction and territory in Canada, to deal with this.

And so, of course, I recognize, Deputy Speaker, that there are hiccups along the way, but this government seems more intent on getting the dollars from the revenue without actually distributing it and flowing it to those organizations that are on the front lines of dealing with the addictions crisis and somehow trying to peddle to Manitobans that they are.

There are not—the costs don't only belong or are associated in respect of policing. There are other costs that this government has chosen not to look at, not to acknowledge and certainly have chosen not to fund, and I think that that's extremely problematic.

So, in respect of the social responsibility fee, you know, I think it is incumbent on us as members in this House to have that discussion alongside other Manitobans about what they're going to be doing with this additional tax or, as they say, fee.

So I think, again, Deputy House Speaker, you know, the minister said that he's spoken with many police chiefs across the country who, I mean, by his accounts, are saying, I mean, the way that it's making it that he's saying is that they're not in support of a safe consumption site, and I would suggest that that's not true.

The member for Point Douglas (Mrs. Smith) and myself, at the beginning—at the end of February, February 29th, to be exact, actually had the opportunity. We travelled to Calgary, and while we were in Calgary we actually met with representatives and administrators of their safe consumption site in Calgary, and I can tell you that the statistics that they shared with us are quite astonishing and actually quite encouraging with the lives that they were able to save. Both the member for Point Douglas and myself were very honoured to meet them and very honoured to be able to see some of the work that they do on behalf of those that are struggling with addictions.

And, you know, the safe consumption site that we had the opportunity to visit actually had measures in place to ensure that workers and participants were safe. So I also disabuse this minister and the Premier (Mr. Pallister) and the Minister of Health every time they get up, and now, in the last couple of weeks, we've seen their narrative shift to the dangers to the neighbourhood of safe consumption sites. That—I don't think Manitobans are going to buy that. They don't buy that. We know that we can put measures to ensure that everybody is safe, including Manitobans that are facing addictions and that have a right to be safe and have a right to survive, regardless of what members opposite may think of them.

Miigwech.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I want to address certain points of this legislation. I thought the questions that I was asking were pretty simple—what is a public place—and yet the minister was not able to tell me whether a train in a public space is a public space. The minister was not able to tell me whether a private airplane on a public aerodrome is a public space under this law.

And, I mean, I was surprised because I thought this was very simple and that the minister would be on top of what was in this bill and have done his homework.

I then asked a question about what is 30 grams of cannabis. It seemed to me a very simple and straightforward question, but it turns out that because of the potency of different batches of cannabis that 30 grams of cannabis is not necessarily equivalent to another 30 grams of cannabis, and this becomes important in terms of when law enforcement would be—how are they going to measure it?

\* (18:00)

Suppose, for example, that the 30 grams of cannabis had some other dried material mixed in with it that was hard to distinguish. How will police enforcement know that what they've got is pure cannabis to be able to say that is was 30 grams of pure cannabis?

Because certainly, when people come before the law and are—and you're—and these matters are enforced, that—this is a fairly straightforward issue, but it is one which needs to be resolved. Otherwise, we will have all sorts of cases being thrown out.

And this—what is 30 grams of cannabis—becomes even more important when we are talking about oils and we are talking about foods with cannabis, or liquids other than oils with cannabis.

And one presumes that what would be measured would be the—some laboratory measurement of the amount of cannabinoid in these foods and oils, but the minister was not sure of what the answer would be, in spite of the fact that he's responsible for this bill and will be responsible for enforcing it.

It becomes important to know whether the minister has the laboratory equipment in his department or contracted out or where available, so that he can actually test this. And the minister was not able to clarify what sort of—whether he has this available, and what sort of equipment he's going to use.

I mean, if it is a simple weigh scale, that may well measure 30 grams, but it is a problem if it is not pure, because then you will need other measures. And it is a problem if the cannabis, in some form, is inside oils or inside cookies or inside foods of any sort, because once again it will be really critical to be able to know how this is going to be measured.

People will want to know, in terms of abiding by the law, what is permitted and what is not permitted.

And clearly the minister, before this bill is proclaimed, needs to do some homework to figure out exactly what the process is. And, hopefully, he has some smart people in his department who will be able to look at this.

It's interesting that we've had legalized marijuana, cannabis, for a number of months now, and this bill is only now coming forward, in terms of regulation of 'aspects' of cannabis. And, even when it does come forward, there are some significant issues—fairly simple issues—which are not yet fully understood or resolved.

I'm looking forward to the minister's opening statement at the committee stage because I'm hopeful that he will be able to talk about and clarify some of these matters, which are quite important. We may also have committee members who can talk on these matters, because it will be important in terms of how the law is applied and how it is enforced and so on.

So we're ready for this bill to go to committee. I had initially thought this was going to be a fairly straightforward matter and that the minister would have the answers, but we're going to have to wait until we get to committee to see if there's some more answers, and whether the bill itself needs some significant improvements before it really should become law.

With those few words, Mr. Speaker, thank you. Merci. Miigwech.

**Mr. Deputy Speaker:** Is there any further speakers?

The debate is—will remain open.

#### **Bill 17—The Police Services Amendment Act (Institutional Safety Officers)**

**Mr. Deputy Speaker:** We'll go on to Bill 17, The Police Services Amendment Act (Institutional Safety Officers).

**Hon. Cliff Cullen (Minister of Justice and Attorney General):** Mr. Speaker, I move, seconded by the Minister for Health, that Bill 17, The Police Services Amendment Act (Institutional Safety Officers), be now read a second time and be referred to a committee of this House.

Her Honour the Lieutenant Governor has been advised of the bill, and I table the message.

**Mr. Deputy Speaker:** It has been moved by the honour Minister for Justice, seconded by the honourable Minister for Health, that Bill 17, The Police Services Amendment Act (Institutional Safety

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

Her Honour the Lieutenant Governor has been advised of the bill, and it has—that it has been tabled—that the message has been tabled.

**Mr. Cullen:** I'm happy to put a few words on the record regarding Bill 17, which is an amendment to The Police Services Act to create a new institutional safety officer appointments. Our government believes strongly that no Manitoban should ever feel unsafe at work or when accessing health care or other needed public services. That is why we are taking real action to keep Manitobans safe.

This bill will address concerns raised by health-care professionals, the MGEU and Manitoba Nurses Union regarding the provision and delivery of security services in our hospitals. It will also allow for enhanced authority for security personnel in other public institutions, including colleges and universities.

This bill will clearly set out the legal authority of this new class of safety officers and clearly define their authorities and duties under the act. It will also establish standardized training, qualifications and other requirements for all institutional safety officers operating in Manitoba.

The primary role of institutional safety officers is to maintain the safety and security of an institution. This includes providing initial response to incidents that pose a threat to safety and security, co-operating with the local police to enhance safety at the institution and alerting local police of any incidents that require a police response.

Like First Nation safety officers and community safety officers, institutional safety officers will also be empowered to enforce certain provincial enactments and perform prescribed duties. While carrying out their duties or exercising their powers, institutional safety officers will have the powers and protections of a peace officer.

Our government is proud to have the support of many stakeholders across Manitoba for this important legislation, including the Health Sciences Centre hospital, the Winnipeg Regional Health Authority—[*interjection*]

**Mr. Deputy Speaker:** Order.

**Mr. Cullen:** —and the Manitoba Nurses Union.

I hope that all members of this House will support this important legislation to help keep our hospitals, universities and other public institutions safer for all Manitobans.

### Questions

**Mr. Deputy Speaker:** A question period up to 15 minutes will be now held.

Any questions?

The honourable member for River—for St. Johns. Because I was—he was standing, too.

**Ms. Nahanni Fontaine (St. Johns):** I would ask the Minister of Justice who he consulted with when developing this bill.

**Hon. Cliff Cullen (Minister of Justice and Attorney General):** I appreciate the question. Certainly, we had discussions within government, with my colleague, the Minister of Health. We also talked with the institutions themselves, including Health Sciences Centre, the regional health authority in Winnipeg.

As well, we've had discussions with the MGEU and, certainly, the Manitoba Nurses Union as well. So, certainly, a lot of interest in this particular legislation in making sure Manitobans stay safe. We think we've provided some opportunity, moving forward, to make sure that 'manitobans' stay safe in the workplaces.

**Mr. Deputy Speaker:** Any further questions?

\* (18:10)

**Hon. Jon Gerrard (River Heights):** Yes, Mr. Speaker, clearly, for the people who will pick up these positions, one of the critical things is that—when we're dealing with an institution, the training with regard to these institutional safety officers.

And I would—because they may be dealing with people with mental illnesses, I would ask the minister whether it will be a requirement that there be training to deal with mental illnesses—people with bipolar disease, schizophrenia and depression and anxiety.

**Mr. Cullen:** I appreciate that question.

Clearly, under the legislation and by regulation, we will enter into these particular agreements. The regulations will stipulate the education, the training required for these respective positions, equipment, uniforms, authority. So a key component of that will

be the education component, in terms of dealing with individuals.

So the regulations will establish rules specific to individual institutional officers. And, clearly, the education component will be addressed under regulation.

**Ms. Fontaine:** Will all security services be standardized throughout the health authorities and universities, or will independents also be hired?

**Mr. Cullen:** I'm not sure I got the full question there, but I will say clearly, this legislation provides the framework to establish these institutional officers in various areas, whether it be in health care, universities, colleges or potentially other government entities.

Clearly, I know the Minister of Health is undertaking a review of safety across the province, in terms of health facilities. Initially, this is—our initial concern is health facilities. And, again, the regulations will identify exactly the roles and responsibilities of these institutional safety officers within that particular institution.

The legislation talks about agreements. There has to be an agreement with the institution itself and with the minister, in terms of what that particular framework will look like, and then each individual institution will have regulations in respect of roles and responsibilities.

**Mr. Gerrard:** I didn't get a clear answer from the minister about whether the regulations would be certain to specify that there was needed training in dealing with people with mental illnesses.

I'm going to move on now and talk about people with developmental—neurodevelopmental disorders. And I would refer to conditions like autism, FASD. These are not mental illnesses. These are neurodevelopmental disorders. And they are very important that people are trained to be able to deal adequately with these because, for example, somebody with Asperger's, if there is experience—

**Mr. Deputy Speaker:** The honourable member's time is up.

**Mr. Cullen:** To the member's point, we passed previous legislation that talks about qualified individuals. And that legislation deals with people in respect of mental health issues.

So previously, we were having police transport people, and we didn't have qualified people to then

take possession of those individuals and monitor them. So previous legislation talks about qualified people, in respect of mental health patients.

We do—have done the training in terms of those qualified people, and so we're just in the process of bringing that forward. So we will have qualified people within these institutions to deal with mental health patients—

**Mr. Deputy Speaker:** The honourable minister's time is up.

**Mr. Gerrard:** I want to finish talking about autism, Asperger's syndrome, because these individuals can appear to be very disruptive and chaotic at times and difficult to deal with but, in fact, somebody with experience in knowing how to deal with this can often do this very easily. So having that training is really critical.

And so I would move on from these areas to dementia. Will there be a requirement that there be specific training in relationship to dealing with individuals with dementia?

**Mr. Cullen:** Clearly, the intent here of this legislation, and other legislation that we have brought forward before, is to make sure that there's safety of individuals that are accessing health care, the people that are working in these facilities are safe as well.

We firmly believe by identifying qualified individuals—in this case, institutional safety officers—that they have the education and background required to make decisions when they're engaging these respective individuals. So, clearly, in our conversations with the respective institutions, we will make that requirement in terms of what the education piece looks like and clearly, those types of situations will be addressed by regulation.

**Mr. Deputy Speaker:** Any other further questions?

**Mr. Gerrard:** Let me continue on, in terms of dementia because there is clearly methods for approaching, dealing with and understanding people with dementia.

One example is an approach described and worked and developed by Naomi Feil called Validation, and it is fascinating to learn about the differences between institutions where Validation is being used and those where they are not. And where they are not, you may have a lot more aggression, violence and problems. And where it is being used,

you have institutions which are much quieter, calmer and people are happier, including the staff.

So will there be training related to Validation?

**Mr. Deputy Speaker:** The honourable member's time is up.

**Mr. Cullen:** Thank you and I appreciate the member's line of questioning. Clearly, people in institutions are dealing with a wide range of clients and obviously those clients have to be dealt with in a responsible manner. And clearly, the education component of that is very important.

Certainly, as I say, we talk about previous legislation that talks about qualified individuals being able to deal with people with mental health. Certainly, from a safety perspective, the institutional safety officers will not replace police. If situations arise that there is concern for public safety, institutional safety officers can bring in police forces, as well. I think it's important to recognize—

**Mr. Deputy Speaker:** The honourable member's time is up.

**Mr. Gerrard:** Can the minister clarify to what extent the institutional safety officers will be able to carry firearms or other—sort of batons or what have you, that are used for control, or pepper spray? To what extent will the institutional safety officers be able to use such technology?

**Mr. Cullen:** Thank you, Mr. Chair, and I want to make it clear for the member that again, institutional safety officers will not be replacing police officers. If a situation arrives that calls for serious situation, they need backup, they can call police for those situations.

This legislation provides authority for institutional safety officers and part of that authority talks about their responsibility and their roles in dealing with people.

Obviously, we will be having discussions with individual institutions, in terms of what type of equipment, what type of uniforms that will be supplied to those individual institutional safety officers at that—

**Mr. Deputy Speaker:** The honourable minister's time is up.

**Mr. Gerrard:** Can the minister tell us whether firearms would be explicitly permitted under some institutions?

**Mr. Cullen:** Well, again that's—I will say to the minister—or the member—that was not the intent of this particular legislation.

\* (18:20)

Again, institutional safety officers will not be replacing police officers and the authority that police officers have. We do not expect them to do the work of police officers. What we're doing with legislation is making sure that we provide the roles, the responsibility, the accountability mechanism for these institutional safety officers.

So we're giving them a certain authority to act within that individual institution. And that's really, again, the discussions that will have to be had with the respective institutions—

**Mr. Deputy Speaker:** The honourable minister's time is up.

**Mr. Gerrard:** Yes, I thank the member—the minister. From what I am hearing, the minister is not saying no, and therefore, I interpret that as that he is saying yes, under some circumstances.

What are those circumstances where people—institutional safety officers—will be able to have firearms?

**Mr. Cullen:** Well, again, I appreciate the member's line of questioning. It's certainly not the intent to have institutional safety officers do the work of police officers. Clearly, police officers have special responsibilities.

The—we will be having conversations, with respect of institutions, as we move forward, in terms of the education required for these safety officers; in terms of the equipment they—we will give those; and in terms of their roles and responsibilities; the accountability framework that these safety officers will have as well.

So it's certainly not our intent, by any stretch of the imagination, that safety officers will be replacing police.

**Mr. Gerrard:** I thank the minister, but the minister is not asking my simple question.

Will there be any circumstances where an institutional safety officer will be allowed to carry a firearm?

**Mr. Cullen:** Well, Mr. Speaker, we have not contemplated where institutional safety officers would have the ability to carry firearms. Clearly, there's

specialized training that would have to take place for that.

That's certainly not the intent of this legislation. It's not prescribed in the legislation as well. We will make sure that we have discussions with institutions as we move forward. And again, I will say for the member, it is not the intent of this legislation to have institutional safety officers replace the good work that the police services do. It's the obligation of these individuals—

**Mr. Deputy Speaker:** The honourable minister's time is up.

**Mr. Gerrard:** Yes, thank the minister for finally providing that clarification. Now, the institutional safety officers presumably will have powers that go above and beyond a commissioner or other person who is there for safety in the current environment.

What specific abilities and powers will the institutional safety officer have that the current commissioner will not have?

**Mr. Cullen:** I think it's important to make sure the members understand about authority for people that may have peace officer designation. Even though someone may think they have peace officer status, legally there has to be legislative authority to give them that authority to work within the scope of a peace officer.

That's what this particular legislation talks about. It talks about providing authority for individuals to act as institutional safety officers. The roles, responsibilities and authority for those individual safety officers—

**Mr. Deputy Speaker:** The honourable minister's time is up.

### Debate

**Mr. Deputy Speaker:** Time for question period has expired. The floor is open for debate.

**Ms. Nahanni Fontaine (St. Johns):** Well, once again I am pleased to get up to put some words on the record on another bill, Bill 17, Police Services Amendment Act.

Deputy Speaker, certainly I think that we have, on this side of the House, been bringing up repeatedly in the House the concerns of front-line health-care providers and nurses, in respect of the concerns of safety that many of the hospitals and organizations have been facing as we are in the midst of a meth crisis.

So we understand that front-line workers provide services that keep our province running smoothly and keep Manitobans healthy. So for their safety and well-being, this is a priority. We support this bill because we understand how important it is for our front-line workers to be safe.

*Madam Speaker in the Chair*

I know that every member in the House, or I would hope, at any rate, every member in the House has had a front-line health-care provider reach out to them in respect of their safety concerns as we've seen, including security guards. We know that Michelle Gawronsky from the MGEU has repeatedly brought up in the media and in—with members of the government safety concerns for security officers and for staff.

So I think it is important, it is incumbent on us as legislators to ensure that workers are safe, not only within our health-care system as we confront this meth crisis but in all places where people work. We have a responsibility to ensure their well-being, Madam Speaker.

I do want to point out that, in a letter to the Health Minister sent in October, the MGEU asked for more supports in diddling—delineating—there we go; it's been a long day, Madam Speaker—*[interjection]*—thank you, thank you—the roles and responsibilities of these security staff in order to prevent legal backlash for officers not holding peace officer status. And we know that that was sent in October of 2018.

So it is good for health-care facilities, for the safety of patients, and for the safety of health-care front-line workers that special security guards be established because, again, as I've stated, we know that nurses are facing increased levels of violence.

We know that violence has escalated at Winnipeg hospitals, and I think it's important to put on the record that, according to the WRHA, there were 444 violent incidents reported at the health science centre—Health Sciences Centre—and 175 at Grace Hospital from October 2016 to October 2018. Also, Madam Speaker, this includes instances of verbal abuse, violent threats and physical aggression.

We know that the Manitoba Nurses Union is also in support of this bill as they have been pushing for provincial safety standards. Darlene Jackson said that she's, I quote, really pleased to see the government finally acknowledging safety issues in the health-care facilities. End quote. We know that



the MNU has been lobbying for a provincial strategy which would address security and safety in all Manitoba health-care facilities.

And so, again, Madam Speaker, we want workers to feel safe. It's important that public buildings remain inviting for the public while also ensuring everybody's safety. University and government facilities need to remain open to the public. No one should feel threatened or unwelcomed in a public facility. Officers should not dissuade people from accessing buildings and resources that exist for the public.

And so, Madam Speaker, those will be my short words put on the record for Bill 17. Miigwech.

**Hon. Jon Gerrard (River Heights):** Madam Speaker, welcome.

I want to say a few words about this legislation. First of all, I was surprised that there was not a little more clarity in terms of the powers envisaged for the institutional safety officers, the uncertainty initially as to whether they might have firearms or not—that seems to be clarified that they would not be expected to have firearms—but the precise powers that they would have, I would have thought that the Minister of Justice would have been able to share that a little bit more.

And I would hope that the Minister of Justice, when it comes to committee stage in his opening statement, can give us a little bit more clarity in where—*[interjection]*—we're not asking everything tonight; we know it's late.

\* (18:30)

And what I do think is important is that we have this sort of clarity and because we are working with institutions—health-care institutions being a primary one, but post-secondary education institutions also important here—that training in dealing with people who have what can be broadly described as brain health issues is going to be tremendously important. We know a lot about de-escalation of situations and that understanding individuals with brain health issues is tremendously important in terms of dealing with these.

Now, the imperative to have this legislation arises from the fact that we've had a lot more violence related to use of meth. And a lot of this, sadly, might have been prevented if, when the meth outbreak really mushroomed in 2017, two years ago, if the government had got really on board with a

major effort to reduce the consumption of meth, to address the meth epidemic, to help treat those who were addicted and to very vigorously act to prevent new people from becoming addicted.

That's the sad part about this, but we are faced with the situation that we have, and we must deal with it. And in order to deal with it, individuals with meth very often have mental health issues or developmental issues, and so it's really important that we are able, under these circumstances, to deal with anybody who has a mental illness, a neurodevelopmental disorder or dementia.

So that—these are broad categories of brain health issues, and it is vital that people have the training. And I am glad to see that there will be training, because that's going to be fundamental. But I would suggest that it's—to the minister that it's going to be very important in the regulations that training and dealing with individuals with mental illness, dealing with individuals with neurodevelopmental disorders, dealing with individuals with addictions and dealing with individuals with dementia, is all a part of what that training is.

Individuals with what has in the past been called Asperger's syndrome is now being called high-functioning autism. Having dealt with many such individuals, it's apparent that they can be accommodated, helped often much more easily by somebody who is trained and has an understanding than somebody who has no training and hasn't have much understanding of the nature of somebody with high-functioning autism. And this is a fact that they have often repetitive patterns of action, that they may talk around in circles, but that they—nevertheless, we need to make sure that people who are institutional safety officers have this sort of training.

When it comes to dementia, as another example, the dramatic differences seen in institutions which are using the Validation training, compared to institutions which are not, is something that we need to learn from. And the minister, in reflecting on this, I would suggest that he reads a book written by Brian Goldman called *The Power of Kindness*.

And in there, there is a chapter by—or about Naomi Feil and the Validation approach. And Brian—Dr. Brian Goldman talks about visiting a care home where Validation was being used and being impressed at how dramatically different it was from most care homes in the calm way that the home was operating, in the ability of individuals who worked

there to deal with people who were upset and difficult to deal with because of their dementia.

And we know that dementia can be associated with aggression and with problematic behaviour. And we need—if we're going to live and operate in a society where we've got institutions which are going to be dealing with—and which are dealing with people with dementia, that they need to be trained appropriately to be able to deal with people with dementia.

I have already had family members of individuals with dementia come to me and talk about the problems within the current health-care system, that individuals with dementia are not often treated in the way that they should be because of their dementia. And it is a change in approach that is needed when you're dealing with somebody with dementia.

Certainly, our people, as they age, should be treated well and with respect. And that means that we need people who are institutional safety officers to be trained to understand the nature of dementia and the process of having to work with, help somebody with dementia who may, for example, become agitated or even aggressive.

The solutions are there, but we will have to make sure that the training is there, it is done, and that these people are able to operate in institutions which may be crowded institutions, which may be institutions where you have people with various sicknesses, illnesses, disabilities, and that it is important that people are treated with respect and that we're able to manage agitation, aggression, violence in a way that doesn't cause us more problems than the original incident which started the whole thing.

So those are my few comments, Madam Speaker. I hope that the minister will take this to heart and make sure that the training includes not just a traditional peace officer sort of training, but training in how to work with, deal with, help situations where there's individuals with mental illness, addictions, neurodevelopmental disorders or dementia.

Thank you.

**Madam Speaker:** The debate on this bill will remain open.

### **Bill 19—The Residential Tenancies Amendment Act**

**Madam Speaker:** I will now call Bill 19 and recognize the honourable Minister of Justice (Mr. Cullen) to move and speak to the second reading motion.

**Hon. Cliff Cullen (Minister of Justice and Attorney General):** I move, seconded by the Minister of Crown Services (Mrs. Mayer), that Bill 19, The Residential Tenancies Amendment Act, be now read a second time and referred to a committee of this House.

#### ***Motion presented.***

**Mr. Cullen:** From the very beginning, our government has been committed to standing up for victims of domestic and social–sexual violence.

Madam Speaker, we know those victims are disproportionately women. That includes women who are trapped in long-term leases with abusive boyfriends or spouses, and it includes women who are the victims of stalking or sexual violence.

Madam Speaker, Bill 19 will protect these women by making it easier to end a tenancy agreement due to violence and abuse.

Under the current law, a tenant can only end a tenancy agreement early if they experience domestic violence or stalking. And when they go to end that agreement, they must show that they have filed a police report and received a no-contact order from the court.

\* (18:40)

Since these provisions were adopted in 2011, we have seen very few women exercise their right to end tenancy agreements early and escape these dangerous situations.

Under this new law, we will expand protections to victims of sexual violence and make it easier for all victims to end their tenancy agreements early. We will do this by no longer requiring that a victim must report violence to police and by no longer requiring a no-contact order.

Instead, victims will be able to provide a statement from a range of professionals who are well-placed to assess danger. These professionals include physicians, psychologists, social workers or individuals employed at a shelter.

Madam Speaker, I'm confident that these simple measures will go a long way to help victims of domestic and sexual violence escape danger and, ultimately, repair the harm they have experienced.

I'm also proud to have the support of women's shelters and other non-profit organizations throughout Manitoba for this legislation, including Willow Place, Survivor's Hope Crisis Centre and Klinik Community Health Centre.

Madam Speaker, our government is proud to stand with them as we work to protect victims of domestic and sexual violence in Manitoba.

### Questions

**Madam Speaker:** A question period of up to 15 minutes will be held.

**Mr. James Allum (Fort Garry-Riverview):** Can the minister help the House to understand what other legislation of this kind exists in other jurisdictions across the country?

**Hon. Cliff Cullen (Minister of Justice and Attorney General):** I appreciate the member's question.

I'm not sure of specifics, in terms of other jurisdictions moving in this direction. I think we're pretty bold, in terms of standing up for victims of domestic and sexual violence. I'm hoping that we will have an education process to go through this to make sure Manitobans are aware of the new rules around this so that they can get out of these very difficult situations.

**Mr. Allum:** Well, I thank the minister for that. It does, however, raise the question in his inability to tell us, sort of, what else is going on across the country, whether other jurisdictions have done as this government has done by taking away the right to appeal a decision made by the Residential Tenancies Commission under this legislation.

**Mr. Cullen:** I will speak specifically to that—the appeal process. Clearly, now what we're doing is individuals can appeal to the Residential Tenancies Branch. They can now—then, after that, appeal to the Residential Tenancies Commission or the board, so there is a two-step process. The two-step process, quite frankly, gets us in line with what other jurisdictions are doing.

**Mr. Allum:** Well, Madam Speaker, that's partly right, but the bill takes away the right for a tenant to

appeal to court if they're not happy with what the Residential Tenancies Commission decides.

Why would the minister take that step and who did he consult with in taking that step?

**Mr. Cullen:** I think it's important to put this particular clause in perspective, Madam Speaker. Current—the current legislation, as it is, does allow an appeal to a court, but the appeal has to be based on jurisdiction or law. That's the only time that actually an appeal to the court can be made, and what we found, over the last number of years, has actually been very, very few appeals actually granted at the court level.

**Mr. Allum:** Well, I appreciate that answer, Madam Speaker, except in the sense that there are circumstances under the current bill which would allow someone to go to court, and that no longer exists under this legislation. The minister's unable to tell us who he talked to when making that decision. He's unable to compare it with other jurisdictions.

So I ask him again: why make that decision, which is consistent with the Conservative government's decision to restrict the rights in many other cases relating to tenants?

**Mr. Cullen:** Madam Speaker, I will indicate to the member opposite that we are in line with other jurisdictions where there is a one-step appeal process. That's in line with pretty well every other jurisdiction across the country. For the member's benefit, again, over the last six years, there was 129 appeals made to the court process. Only 12 of the 129 were accepted, and those 12 all dealt with the same property. So the reality is only one appeal was successful in court out of 129 applications. Those are the facts, and that's the rules that the member should be bearing in mind.

**Mr. Dougald Lamont (Leader of the Second Opposition):** I wanted to ask of the minister: Apparently, in Ontario, they have similar legislative changes, but their legislation is different in that a tenant may personally fill out a tenant statement about sexual or domestic violence and abuse and provide a landlord—notice to their landlord to get out of a lease.

So could the minister explain why it necessarily goes some—through someone to file a complaint through a professional or someone in their employment capacity as opposed to just letting the person file the complaint themselves?

**Mr. Cullen:** I appreciate the member's question. Clearly, what we're seeing now under the existing legislation, individuals would have to file a complaint with the police, make an actual police statement, then go get a non-contact order. This was very tedious, very cumbersome, and it seemed to be an impediment for individuals going to make that happen.

We are relaxing those rules. We think there are individuals in the community that can make that assessment to actually determine that those individuals are suffering some kind of sexual or domestic violence. That's why we've provided quite a range of individuals who have the ability to make that decision.

**Mr. Lamont:** We do see this as a positive bill, Madam Speaker, in that it provides individuals the ability to get out of their leases. However, the question is, of course, where do people go after that. Has there been any thought or consideration given to ensuring that there are places for these individuals to go, for example, emergency shelters or affordable housing?

**Mr. Cullen:** I think, Madam Speaker, and clearly, yes. This process will enable individuals to get those statements easier. Those individuals will then take those statements and they will take them to Victim Services within the Department of Justice. The Victim Services, obviously, will be having one-on-one contact with the individuals that have suffered some kind of abuse, and, obviously, there can be education and they can steer those individuals in the right direction in terms of treatment.

**Madam Speaker:** Are there any further questions?

### Debate

**Madam Speaker:** If there are no further questions, debate is open.

**Mr. James Allum (Fort Garry-Riverview):** I want to thank the minister for bringing this—introducing this legislation into the House for debate today. I think, in large part, we support the provisions that help Manitobans and, particularly, women and girls, escape dangerous and abusive situations so that anything that we can do as a Legislature to ensure the safety of individuals living in this fair province is something that we ought to take seriously, and I think it's fair to say that we support that provision of the bill.

But, as always, always with this government, every time that there's something we're supporting, there's always a poison pill that comes with it.

We asked the minister in the Q & A's just a few minutes ago why there's only one recourse for appeal and why this results in the decision by the RTC as final so that Manitobans don't have the opportunity, as a result, to appeal it to the court, as should be their right.

And the answer that the minister gave, I think, was quite unsatisfactory, certainly lacked the kind of explanation that's required when you are taking away people's rights.

And I have to say, Madam Speaker, on this side of the House, we see this time and again with the government, when it comes to this, with—comes to this act and when it comes to, in relation to tenants living in this province.

It was only a year ago where the government made it impossible for people to appeal to the Social Services Appeal Board in order to hear because the government suggested that the SSAB should no longer hear challenges based on the Charter of Rights and Freedoms.

\* (18:50)

Now, what kind of a government comes up with that kind of a solution for people who are generally in vulnerable situations? It made no sense then; it makes no sense now.

And so consistent with that is the government's decision under this legislation not to allow tenants and renters to be able to appeal to court if they're not satisfied with the RTC's final decision. Again, just last year I believe it was, the government sets new rates under the residential tenancies board. That rate increased, by the way, by 1.1 per cent from—to—from two, 2.2 per cent in two—2019 to—from 1.3 per cent in 2018. And it meant that tenants could not fight a rent increase within the rate set by the RTB even if their suites are in bad shape and falling into disrepair.

Again, this is a kind of insensitivity on the part of the government that shows that they're really not in touch with regular Manitobans, with vulnerable Manitobans, with Manitobans living on the margins or in difficult situations. They always line up with powerful forces. And then, on top of that, they restrict the rights of Manitobans to appeal those decisions to get a remedy that's satisfactory. And that's just—and worth doing.

So time and again we deal with a government here that takes—makes life harder for Manitobans—and certainly renters in Manitoba. On July 1st of this year, low-income renters saw their deductible under the Rent Assist program increase to 30 per cent, an income cap for assistance was lowered. These changes have caused many Manitobans to lose their 'qualikification' for support.

This is the second consecutive year the government has raised the income threshold for eligibility. The government has said they won't save any money from this change. So what is the point?

And we always come back to this, with this government, Madam Speaker. My friend from St. Johns—my sister from St. Johns says this over and over; why do the things you do? If you don't want to govern on behalf of all of the people of Manitoba all of the time, step aside, let somebody else who cares about people do the job.

Thank you, Madam Speaker.

**Madam Speaker:** Are there any further speakers on debate?

**Mr. Dougald Lamont (Leader of the Second Opposition):** I do want to repeat what I mentioned earlier about the fact that Ontario, that there are other provinces that have made similar legislative changes, that Ontario—but what is different about Ontario's legislation is that a tenant may personally fill out a tenant's statement and provide a notice to their landlord to get out of a lease.

I think there can be challenges and obstacles when it comes to trying to deal with people in power or trying to get people to sign off on these things that I would like to suggest that possibly that that's something that should be included as an option, that an individual who's facing these circumstances does not have to go, essentially, through an authority figure to be able to make these changes.

I will echo what the member for Fort Garry said in concerns about—[*interjection*—Fort Garry-Riverview, thank you—that they—that this government has shown a tendency to favour tenants. They brought in a number of changes that have essentially weighted the scales in favour of landlords and against tenants, including stripping people of their right to appeal to the human right—to use their Charter rights, and the elimination of a court to appeal.

I recognize that there may be over a hundred people who made complaints, but the fact is one person had a valid complaint. And if that one person is going to be denied, that is a serious concern, because that is ultimately a miscarriage of justice.

The one thing finally is that, often—very often, in talking with people who are—who have to navigate—people who have been sort of forced to the edges of life and who are dealing with difficult situations have an enormous amount of—they're—they face huge challenges in navigating the systems that may be designed to help them.

And, as a result, it—that—even though a law like this may be in place, it is actually the sort of thing that people cannot—end up not being able to take advantage of.

Or you may have situations where, essentially, people need social navigation in order to be able to understand the things they need to say to get the protection they require.

And if people are not made aware of that, that's extremely serious because that—if people simply don't know or are uninformed or the system—or there aren't essentially measures in place to ensure that everybody who's—who might be involved at any of these points is dealing with somebody who's a victim of violence, that they all need to know and be aware of these measures in order to keep people safe.

So I will say we are basically in favour of this—of the elements of this bill. We do have reservations, especially with cancellation of appeals and, in fact, that we may, though all this does make major steps in making the situation easier, that there are still—that we may still be placing too much of a burden on the individual, that we could actually be streamlining it even further.

So we will support this bill to committee.

Thank you, Madam Speaker.

**Madam Speaker:** The debate on this bill will remain open.

#### **Bill 20—The Courts Modernization Act (Various Acts Amended)**

**Madam Speaker:** I will now call Bill 20 and recognize the honourable Minister of Justice (Mr. Cullen) to move and speak to the second reading motion.

**Hon. Cliff Cullen (Minister of Justice and Attorney General):** I move, seconded by the Minister of culture, heritage and tourism, that Bill 20, The Courts Modernization Act (Various Acts Amended), be now read a second time and be referred to a committee of this House.

**Madam Speaker:** I would just ask the minister—he probably needs to revisit the seconder and include it in the right language related to a name change that did happen a while ago for that ministry.

So, if the minister could just read it again, please.

**Mr. Cullen:** Madam Speaker, I move, seconded by the Minister for Sport, Culture and Heritage, that Bill 20, The Courts Modernization Act (Various Acts Amended), be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Cullen:** After 17 years of NDP mismanagement, Manitoba Justice is taking steps to improve and modernize the services we deliver to Manitobans. These efforts include the establishment of our Criminal Justice System Modernization Strategy and the introduction of Bill 9—[interjection]

**Madam Speaker:** Order.

**Mr. Cullen:** —The Family Law Modernization Act.

Madam Speaker, after over a decade of NDP decay, The Courts Modernization Act is another step we are taking to repair the services Manitobans rely on. This bill updates provisions to address vexatious litigants before the Court of Appeal and the Court of Queen's Bench by ensuring that vexatious litigants can only file future claims with the permission of the court. This will reduce administrative work and backlogs created by unfounded and frivolous court applications.

In addition, Bill 20 includes an annual reporting requirement for the Court of Appeal and the Court of Queen's Bench, enabling the chief justices to report on the activities of each of their courts for the fiscal year. Just as it has with the Provincial Court, this simple measure will enhance public understanding of the work that courts do every year to serve Manitobans.

The amendments contained in this bill will also improve the process of appointing judges, judicial justices of the peace and masters by moving from

having a nominating committee to having a standing committee.

Persons interested in becoming a judge, judicial justice of the peace or master will now apply when they are ready to do so, whether or not there is a current vacancy. Their application will be reviewed and considered by the standing appointment committee and, if successful, will be placed on a list of qualified candidates.

When there is a vacancy in the court, the committee will meet and recommend to the Attorney General, for an appointment, a list of three to six qualified applicants.

Madam Speaker, our government understands the importance of filling judicial vacancies in a timely fashion. This revised process for appointments will allow for vacancies to be filled more quickly and establish a more effective application process for candidates.

Bill 20 will also provide for a mandatory retirement age of 75 years for judges and judicial justices of the peace of the Provincial Court, as well as masters in the Court of Queen's Bench. This is in keeping with the mandatory retirement provisions in other provincial jurisdictions and for federally appointed judges.

\* (19:00)

Finally, the monetary limit for the filing of small civil claims will be increased from \$10,000 to \$15,000, and improvements will be made to the small claims court process, enhancing access to justice for all Manitobans.

Madam Speaker, I'm confident this legislation will make our courts more transparent, more efficient and more effective for Manitobans, and I am hopeful that all members of this House will support the common-sense measures contained in Bill 20.

Thank you.

### Questions

**Madam Speaker:** A question period of up to 15 minutes will now be held.

Are there any questions?

**Ms. Nahanni Fontaine (St. Johns):** How will this proposed legislation make the court process easier for Manitobans?

**Hon. Cliff Cullen (Minister of Justice and Attorney General):** We know there's certainly a

backlog in the court system as it exists. Certainly, one of the key goals of our government is to make sure that we have access to justice in a timely fashion for Manitobans. There's some provisions in this particular legislation that will help that, and I will talk specifically about the vexatious and 'clivilous'—frivolous claims that are brought back repeatedly by certain individuals.

So this particular clause alone will help backlog in the court.

**Hon. Jon Gerrard (River Heights):** Yes, I would ask the minister, in terms of the people who are being labelled vexatious, whether there has been any research to understand who these individuals are, what characteristics they may have and why are they—are being called vexatious?

**Mr. Cullen:** I think I understand where the member's going on this line of questioning.

Clearly, I would say the judges recognize the repeat offenders, in terms of people bringing forward these vexatious and frivolous claims, and they're certainly familiar with them.

In terms of actually doing the analysis on the individuals in terms of may—whether it be a mental health condition or something to that effect. That's something that I—we could—

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

**Madam Speaker:** Order.

I wonder if the table could just stop the clock, please. It's very difficult and very distracting for a member that is trying to respond to questions to have a lot of conversations going around. I know I've been in that position a few times, and it's very hard to concentrate and move forward with coherent thoughts.

So I would ask for everybody's co-operation, please, that when members are asking or answering, that there be a respectful silence in the House so that we can move forward with this.

**Mr. Cullen:** Certainly I think that's worth a discussion with the judges to see if there's some way we can deal with these repeat offenders.

**Ms. Fontaine:** How did the minister make the decision to raise the allowable small claim actions to \$15,000?

**Mr. Cullen:** Again, this—we think it will be a provision to allow more timely access to Manitobans, to the justice system.

We did have a look at what other provinces were doing, in terms of the limits on their small claims court. We looked at other various levels but, at the end of the day, we decided on the \$15,000 amount. I think it gets us in line with what other jurisdictions are and I think, actually, many are actually higher than that, as well.

So we think this will be a reasonable number that we'll put in place for Manitobans, again, subject to you to change at a further date.

**Mr. Gerrard:** I had asked this question about, you know, who the individuals are who are vexatious. My experience that I would guess that some of these individuals may be, as an example, individuals who are high-functioning people with autism. Others could be psychopaths. And that it may be important to at least have some mechanism trying to assess these individuals and to see if there is a way to—

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

**Mr. Cullen:** I certainly will take the member's comments under advisement, and I certainly look forward to having discussions with the justice community to see if there is something we can do to address the concerns that here—he raises here today.

**Ms. Fontaine:** In respect of the permanent panel, I would ask the Minister of Justice, with only one committee to recommend judges whenever the vacancy—wherever the vacancy is, Madam Speaker—The Pas or Flin Flon or Thompson—how will the views of those particular communities be taken into account?

**Mr. Cullen:** Clearly, when we look to select that—select the panel, we have clauses in there respecting the diversity of the panel.

In regard to areas in specific communities, we've also set out provisions, in terms of the evaluation criteria. In section 3.4(4), an assessment of a candidate, its professional excellence, community awareness and personal suitability must be undertaken as well.

So the committee will be evaluating the community and ask to have a discussion with the community to make sure the individual is fit for that particular—suitable for that particular community.

**Mr. Gerrard:** Yes, I'll follow this up with the minister. It would seem to me that it would be important to have some mechanism to evaluate such individuals and to determine whether there is an opportunity to provide some help for them or some alternative approach so that you can decide who is, in fact, really vexatious, and who is somebody with some sort of neurodevelopmental condition or personality disorder.

And, if we could do that, then we could perhaps improve the justice system.

**Mr. Cullen:** I will say that, obviously, a lot of the individuals that are dealing with the justice system do have various issues, a lot of mental health issues for sure.

We're asking judges to interpret the law, and I know it's challenging. We were looking at other mechanisms within courts, whether it be mental health courts or an autism court—or, sorry, FASD court. So we're looking at other opportunities to make sure we can—we have an opportunity to try to evaluate people to make sure that they have the programming that's necessary within the court system.

Again, I will take the member's words under advisement.

**Ms. Fontaine:** In my previous question, in respect of, you know, how the views of the communities will be taken into account, in respect of permanent panels, the minister noted community awareness as a criteria for that process, but that's not the same as actually having community members participate on the panel.

I know from panels that I've participated on, you bring a different perspective and experience and level of knowledge that just having someone spout off what they may or may not know about a particular community, versus somebody that's there to be able to ascertain, really, the candidate's knowledge.

So, again, how will the minister ensure that communities—

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

**Mr. Cullen:** You know, the existing legislation doesn't speak to that now. What we're planning to do, though, is provide a more standing-committee approach to the committee that would review applications for judges, in respect of communities.

We are spelling out, again, we—very diverse groups. We try to put—recognize diversity on the selection panel. We've indicated to them by legislation as well, when they're selecting an individual for a community, that they have to take that into account as well when they're moving forward. So they will have a discussion with the community during that process.

\* (19:10)

**Ms. Fontaine:** How would that process look like? Will that be regulated? How will that process look like in taking into account the communities in which this panel is going to be bringing forward a judge? How would that look like?

**Mr. Cullen:** Clearly, the legislation lays out these requirements. The committee must establish criteria for the evaluation of candidates, which must include assessment of their professional ability, their community awareness and certainly personal suitability. The legislation allows the committee to have discussions with the respective community, see what the issues are in respect of that community and take all of those into account.

So we certainly look forward to this process unfolding. I think it will be a better process for Manitobans.

**Ms. Fontaine:** More specifically, in respect of these permanent panels, will there be spots solely designated for indigenous participants?

**Mr. Cullen:** In terms of this—these particular standing committees, standing panels, if you will, we're looking at three members that would be appointed from time to time. Certainly, we will look at those individuals. Again, the legislation talks about appointing or designated persons and, again, identifying the diversity of Manitoba must be taken into account. So, certainly, when we make the assessment and appoint those individuals, legally we have to look at the diversity of Manitoba, and that has to be taken into account.

**Ms. Fontaine:** Well, as I've indicated many, many times in this House, diversity is not necessarily members opposite level of expertise; that is to be certain.

So, then, how would it work in respect of taking into account the diversity of Manitobans on the standing panels? Because, as I've said, I'm not sure if members opposite actually quite understand what diversity means.



**Mr. Cullen:** Well, Madam Speaker, the NDP had 17 years to bring in a clause such as this to recognize the diversity in terms of appointments. The NDP did not do that. We are bringing forward clauses in here. There's three clauses respecting the appointment of the standing committee, a diversity clause respecting evaluating individual judges. We think that's the right thing to do.

I tell you, Madam Speaker, we have appointed six judges recently, and four of those are women. And, certainly, we recognize diversity in the province and, you know, I will say, we're bringing forward legislation to—that actually puts legislation behind what we're saying.

**Ms. Fontaine:** Well, the minister just proved my point. When we talk about the six judges that were just hired, and he mentions that there's four that were women, that's more of a question of gender parity, not necessarily diversity. So I actually would ask the minister to put on the record what communities those six judges are from.

**Mr. Cullen:** Well, I appreciate the information—the question from the member opposite.

Again, Madam Speaker, we are bringing forward by legislation, making diversity, making a commitment to Manitobans that will make these appointments to the standing committee. Diversity will be recognized. The committee also, then, has to take diversity into account when they select an individual for respective 'comanatees.' We, quite frankly, are making this—bringing this forward in legislation. We are—we've talked about it. We're putting this in legislation. It's the right thing to do.

**Ms. Fontaine:** I'm not sure how the minister thinks not putting any safeguards or protections to ensure that actually the diversity of Manitoba is it protected and enhanced in the hiring of our justices or judges. Again, I am curious, from the minister, what communities these six judges come from and to again reiterate that four judges being hired that are women—which I think is beautiful; I think that that's wonderful—that is a question of gender parity, is not a question of diversity, which, again, I would suggest members opposite do not understand the distinction between.

**Mr. Cullen:** Well, Madam Speaker, we recognize diversity and we've actually written it in legislation.

The NDP had the opportunity to write that in legislation before. They never took that opportunity. We are putting our word on paper, in terms of what

we're saying on paper and in legislation. We believe this addresses diversity, not only at the standing committee level, but also at the appointment stage as well.

**Madam Speaker:** Are there any further questions?

### Debate

**Madam Speaker:** If not, the floor is open for debate.

**Ms. Nahanni Fontaine (St. Johns):** So, of course, I would suspect the minister is going to know where I'm, kind of, going in my few comments that I'm putting on the record.

I—you know, the minister has, again, attempted to kind of, you know, sway or pivot to, you know, their narrative of 17 years, but the fact remains, Madam Speaker, we didn't have to put these measures in place because we had measures in place that recognize that communities have a fundamental right to participate in the hiring of or appointing of a judge or judicial justice of the peace.

Communities have the right to participate in those judicial processes that would see those individuals execute justice within their particular geographical region.

We didn't need to assign these standing panels which, I would suggest to the House, are problematic. There is no guarantee that any of these standing panels will have the—three members is what the minister has indicated—that they will have any diversity reflected on them in, again, appointing a judge or a justice of the peace.

That is problematic, and I would suggest to you, Madam Speaker, that we have heard many, many years that the right for indigenous peoples, in particular in this province, to be able to participate in those processes that affect them and their communities. And so, I don't see that guarantee or that enhancement anywhere in Bill 20, The Courts Modernization Act. So I would suggest to you that is quite problematic.

And so, I do want to just put on the record again, in respect of the minister indicating that just recently there were six judges hired and four of them were women. And for the record, I think that that is beautiful, Madam Speaker. I think that any time we can have as much women hired or appointed as possible is a good day in Manitoba. Certainly, everybody knows that I am super pro-women and girls, so the more the merrier for me.

However, I want to suggest that we don't know what the diversity is, and as I've indicated and as I've put on the record many, many times here, members opposite do not understand what diversity means.

The very fact that their Premier (Mr. Pallister) got up here almost three years ago, or a little less than three years ago, and stated unequivocally that his caucus was the most diverse in the history of Canada highlights that they simply do not understand what diversity means.

And coupled with that, Madam Speaker, the fact that not one single one of their members—not one single member across the way, across the floor, got up and said to their boss, their leader, their guru, their—the individual that they're very scared of and that they walk on eggshells—hey, you know what? That's not what diversity is, and you know what, boss? We think you should apologize to the House for, you know, claiming that we are the most diverse, because if we look around our caucus, like, clearly, we're not diverse. I mean, that is a guarantee. That is a 1 per—100 per cent that we—this, on this side, is not diverse.

Not one single member said to their boss: you should go into the House and apologize. Not one single member said to their guru: you should go and apologize to everybody, all the legislatures across the country, for, in many respects, disrespecting other legislatures and Parliament by claiming that this side of the House, from here to here, is the most diverse in the history of Canada. That is beyond comprehension—not one of them.

So the point of that, Madam Speaker, is that they don't understand what diversity is. Yes, they have, I believe it is eight members, eight female members. They have women that sit on that side of the House, and I lift them up for taking that opportunity to participate in politics, as with my sister colleagues here, but that is not diversity.

\* (19:20)

That is a movement towards some semblance of gender parity, but I would suggest even in that way, members opposite are failing miserably because we know that out of their 40 or 39 seats, there's only eight women. And so, certainly, they can do a lot better there. But the point of that is that that is not diversity.

So, you know, I wouldn't suggest to the minister to go around and—shouting from the rooftops that this Bill 20 somehow is going to capture and enhance the

diversity when appointing judges and justices of the peace, because there's actually nothing in place within this legislation that ensures that. In fact, Madam Speaker, I would suggest to you that it actually gets rid of that. There's no mechanism in Bill 20 that would ensure that communities have a right to participate in those standing panels.

And so let me just say, for the record, that I am very worried about this. I am worried about who will make those decisions on behalf of all of Manitobans and behalf—and on behalf of northern and rural communities and First Nation communities, on who will execute justice in those communities.

And we've seen over the years a move within respect of indigenous understandings of justice and indigenous approaches to seeking justice and rights within justice. There's been a move across the country to be judged by your peers. And so, to that, Madam Speaker, I'm speaking about a jury system.

So we even see a movement within the jury system that indigenous peoples want to be judged by their peers. And so I would suggest to you that there is nothing in this that, should a particular judge be presiding in First Nation communities, which we know occurs—there are dockets in many, many First Nation communities where judges fly in and out—if we don't see more indigenous judges because of this—and I don't know how we are going to see that—I would suggest to you that's problematic.

And not only is that problematic, I would suggest it's in contravention of the Aboriginal Justice Inquiry—which, by the way, Madam Speaker, I would like to put on the record that I don't believe I've actually heard the Minister of Justice (Mr. Cullen) or his predecessor not once bring up the Aboriginal Justice Inquiry from 1991. Nor have we heard them talk about the Aboriginal justice implementation commission. We've never heard them talk about that.

And those are—we are very lucky and blessed that work, that commission from Justice Hamilton and Justice Sinclair, came from and were predicated upon the deaths of J.J. Harper and Helen Betty Osborne, and form the foundation of justice and the path towards justice here in Manitoba.

And not once have we heard those two particular—again, the present Minister of Justice (Mr. Cullen) and the—his predecessor talk about the Aboriginal Justice Inquiry. And I would for sure, Madam Speaker, put it on the record that nowhere in the Aboriginal Justice Inquiry will you ever see the

Aboriginal Justice Inquiry, in all the thousands of indigenous people that input into the creation of that historical document—nowhere in there did they say, you know what, we want to see standing panels and we want to make sure that there's nobody—there's no seats for us on there; there's no indigenous people that will be participating on those standing committees.

I can guarantee you that's not in the Aboriginal Justice Inquiry. In fact, I would guarantee you it's quite the opposite, which is why I'm very proud under our government we ensured that there were places for indigenous peoples to be able to participate in those committees that appointed judges and justices of the peace.

So I know that the minister is trying to make it sound like, oh, you know, that there's some level of diversity here. There is not. I would suggest the member—the minister—I know he's tired; I'm tired; I'm sure we're all tired right now. But I actually would suggest to the Minister of Justice right now to go to his seat, to say to you, you know what, we made a mistake. I want to, you know, honour indigenous peoples. I want to honour all the diverse communities that we have in Manitoba—which, again, are clearly not reflected in my colleagues. I made a mistake; let me walk this legislation back.

Let me take it back, Madam Speaker. Let me say that we will no longer be going forward with Bill 20. That is what I would suggest he do in honour of indigenous peoples, in honour of the Aboriginal Justice Inquiry that certainly would not in any way, shape or form advocate for Bill 20.

Miigwech, Madam Speaker.

**Hon. Jon Gerrard (River Heights):** Madam Speaker, a few comments on Bill 20.

I support the call for a process which will ensure greater diversity. I have heard this call, not just from people in the indigenous community, but from people in the black community, people in various immigrant communities, Philippine community, the Indo-Canadian community. We're recognizing Sikh Heritage Month, so on.

We should have a process in which we are better able to select judges who truly represent the broad nature of our current community. And I don't propose to put forward exactly how that's to be done because I think it's not necessarily easy to do, but I think that we do need some process like that.

I want to comment on the nature of vexatious litigants. And I think it is important, and I want to thank the minister for commenting and taking up my suggestion that we should be trying to understand who these people are who are vexatious litigants.

In my experience, there are people with, as one example, high-functioning autism, who get very fixated on an issue, who feel that they have been wrongly treated by the justice system and will work very, very hard to try and get fair treatment. And in their attempt to get fair treatment, they are called vexatious. And we need to be very careful before we label people who are trying to get fair treatment as vexatious.

There have been too many examples of people who have been mislabelled, misunderstood. David Milgaard was considered guilty for many years until finally the truth came out and it was recognized that he was innocent. And we need to make sure that we are better understanding the personalities of people.

So, too often, the experience that I have had, it is people who have neurodevelopmental disorders, as an example, who are not treated adequately or fairly.

Interestingly, I have found that sometimes people who are psychopaths, who are very smooth talkers, seem to do better before judges than you would predict, even though they are very good at lying and telling stories, because they can do it so smoothly. They can be convincing in a way that somebody who is a—has a neurodevelopmental disorder cannot.

And so we need to work hard to achieve fairness and balance in the judicial system. And I would suggest to the minister that if we have a system for labelling claims and people as vexatious, that we need to be very careful about whether we have gone to the extent that we should have in understanding who they are and why they are repeatedly bringing forward concerns.

So, with those concerns put forward, I look forward to further discussion on this bill at some point. And there is clearly a need for some modernization of the court proceedings, but I think that there are clearly some weaknesses in this bill.

Thank you.

**Madam Speaker:** Debate on this bill will remain open.

**Bill 21—The Legislative Building  
Centennial Restoration and Preservation Act**

**Madam Speaker:** I will now call Bill 21, and recognize the honourable Minister of Finance to move and speak to the second reading motion.

\* (19:30)

**Hon. Scott Fielding (Minister of Finance):** I move, seconded by the Minister of Agriculture (Mr. Eichler), that Bill 21, The Legislative Building Centennial Restoration and Preservation Act, be now read a second time and be referred to the committee of this House.

Her Honour the Lieutenant Governor has been advised of the bill, and I table the message.

**Madam Speaker:** It has been moved by the honourable Minister of Finance, seconded by the honourable Minister of Agriculture, that this bill be now read a second time and be referred to the committee of this House.

Her Honour the Lieutenant Governor has been advised of the bill, and the message has been tabled.

**Mr. Fielding:** It is my pleasure to speak to Bill 21, The Legislative Building Centennial Restoration and Preservation Act. Manitoba Legislative Building opened on—in July of 1920 and truly is a gift to all Manitobans from past generations. As we celebrate Manitoba's 150th anniversary, next year we will also be celebrating hundredth anniversary of the completion of this great historic building.

Today the building is at risk of irreparable heritage loss and requires more than \$150 million of deferred repairs and upgrades. This act establishes a process to ensure the restoration, preservation and maintenance of the Legislative Building and its associated infrastructure.

Bill 21 will achieve this by establishing a legislative building restoration and preservation advisory committee co-chaired by, of course, Madam Speaker of the Legislative Assembly to guide the development of a long-term plan and annual maintenance plan, ensuring the committee's—committee has members with engineering, architectural experience and conducts consultations with members of the Legislative Assembly and other occupants of the building, setting out processes to provide stable and secure funding of \$10 million annually for the next 15 years, commencing in 2019—this year, providing \$2.5 million annually to pay for ongoing maintenance beginning in 2034.

Madam Speaker, the process establishes, and Bill 21 ensures, that we meet our responsibilities to restore and preserve this unique and historic building and its infrastructure for future generations to come.

The government's intention with this bill is to meet the needs of both public and all the stakeholders that use this building on a daily and a weekly and a yearly basis. We want to ensure that everyone has input and we'll be appointing a committee capable—of capable Manitobans to advise Legislative Assembly and government on the restoration projects and consult with those stakeholders as planned—as plans are developed for the restoration of this important building.

Therefore, I recommend Bill 21 to members of the House representing our commitment to ensure the Manitoba Legislative Building stands another 100 years.

Thank you, Madam Speaker.

### Questions

**Madam Speaker:** A question period of up to 15 minutes will now be held.

**Mr. Andrew Swan (Minto):** Certainly, we're interested in making sure the building is renovated, but we're setting up a new committee.

Aren't there any individuals with engineering expertise or architectural experience still working in the government or has this government laid them all off?

**Hon. Scott Fielding (Minister of Finance):** We want to—I'm going to take the high road on this one. Our government wants to ensure that we have people that represent our society as well as people that represent important trades, whether architects, engineers that are part of this to make sure we're getting the best plan to make sure that this building is restored and is in use.

Truly it is a treasure for Manitobans. We want to make sure that is in place to make sure we have experts to guide us on that process, Madam Speaker.

**Mr. Swan:** So, I mean, effectively we're being asked as a Legislature to approve \$150 million being spent over the next 10 years.

Can the minister put on the record what he anticipates the \$150 million will be spent on?

**Mr. Fielding:** Our government did a review—in fact, the government did a review in 2016 that identified

the needs for significant work to restore the maintenance of the building, addressing water leaks that are causing damage to the exterior stonework and causing extensive water leaks inside the building, repairing metalwork along the balconies on the north and south sides, replacing deteriorating and missing mortar on stonewall, cleaning and restoring the building's exterior and reinstalling metal flashing points would be our first bit of business identified as priorities, Madam Speaker.

**Mr. Swan:** None of that's unreasonable, but the minister is asking us effectively to approve \$150 million over the next 10 years, and the minister's mentioned some issues.

Why is this bill even needed? Why wouldn't the minister, whether it's through LAMC or whether it's through Department of Infrastructure—why wouldn't the minister simply bring forward the amount to be allotted for the building each year?

**Mr. Fielding:** Well, that was one of the questions we asked when we came, and we wondered why the deterioration of the building happened for so many years. There was just so many years where important infrastructure was not spent on this building.

I think any—everyone in this Chamber can agree that it is a historic building. It is a treasure for Manitobans. People come here if you're having pictures, you're doing graduations. People use this building on an everyday basis. So we think it's important to make those investments in these, and we're not sure why it wasn't invested in before, but we're going to make sure it's maintained for the future, Madam Speaker.

**Mr. Swan:** I just—I'd like to ask the minister: I mean, is he satisfied it's going to cost \$150 million, or is there a possibility that if there's smart shopping that the amount's going to be less than that? And what does he propose be done with any additional money given all the other capital—

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

**Madam Speaker:** Order.

**Mr. Swan:** —given all the other capital needs from cuts to Health spending, cuts to Education spending, cuts to Infrastructure. Maybe the members opposite could listen to the minister's response. *[interjection]*

**Madam Speaker:** Order.

**Mr. Fielding:** We know that we can do all important infrastructure projects. The reason why we phased

this over 15 years is to make sure we can make appropriate Infrastructure investments.

Our government has increased funding for schools—building schools—seven new schools—by upwards of 30 per cent from last year. We're making important investments in capital infrastructure to the City of Winnipeg, an increase over \$30 million.

And we're also making important investments over—close to \$30 million—or, I'm sorry, thirty—\$45-million investment—further investment than we did last year on the roads infrastructure and administrative—municipal affairs also did another \$10 million for streets and roads.

So we think we can do this project on a long-term basis, get the important work done while having other—

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

**Mr. Dougald Lamont (Leader of the Second Opposition):** On the question of funding, there—questions—there's a section on additional spending where it says, for greater certainty, additional money may be used to pay for such work from money authorized by an act, but also contributions from the Government of Canada or department of agency the Government of Canada, donations, grants, bequests of individuals, foundations, corporations.

So I have two questions. One is whether the appropriateness of the Government of Canada—of whether there's an infrastructure agreement that would make it possible to spend money on this. The other is that, when it comes to bequests from individuals, corporations, are we going to end up with a kind of NASCAR Legislature? It is supposed to be the people's House, but are we going to be completely covered with logos and—that's one of my concerns, Madam Speaker.

**Mr. Fielding:** Madam Speaker, if we're able to get contributions from the federal government, other levels of government that think it's important to contribute to an important historical site here in Manitoba, and an important, really, functioning point for Manitobans, where they come—if people are willing to contribute to this beautiful building, I think there would be willingness to do that.

We want to make sure it's done in an appropriate way. We're going to invest \$10 million over the next 15 years to make sure the work gets done, to make sure the historical nature of this building is maintained. And we're disappointed that it wasn't, to

this date, but we're going to get the job done, Madam Speaker.

**Mr. Lamont:** Again, just on the question of what donations, grants, bequests from individuals, foundations, corporations—*[interjection]*

**Madam Speaker:** Order.

**Mr. Lamont:** —and other organizations—this is an incredible building; it is one of the greatest buildings of its kind in anywhere in Canada. We should all be proud of it. However, when it was built, it was—there was also a scandal, and the contractor ended up going to jail because of various issues with things going missing and payments and so on. So part of that is that my concern is, are we going to face the possibility that we're going to be coming into the Pallister insurance chamber, or—*[interjection]*—it's the name of a company, Madam Speaker.

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

**Mr. Lamont:** No, I know it's a ludicrous situation, Madam Speaker, because the Premier (Mr. Pallister) would—

\* (19:40)

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

**Mr. Fielding:** The provisions include the creation of advisory committee to be co-chaired by Madam Speaker of Legislative Assembly, that will guide the development and the long-term plans and the annual maintenance and restoration of that. They'll form the guidelines of how we do this. We want to make sure it's notable Manitobans that will be appointed by the legislative—LG, essentially through the government, whether we're in power—I assume that will be for a long—very, very long period of time—but oppositions, if they are in government, would be able to appoint members onto this committee as well, as well as notable people of architects and engineers, to make sure it's done in an appropriate way.

**Mr. Swan:** Well, just to clarify that, can the minister put on the record, then, what is the role then of LAMC? Is LAMC ultimately the body that will approve what is and what isn't done, or is that being taken away from LAMC and given to this new body that the minister, who detests red tape, is now going to set up?

**Mr. Fielding:** I'm just going to refer you to my previous comment, just in the last sentence. The provision includes an advisory committee to be co-chaired by the Speaker, as well as noble

Manitobans, to guide the process. We know that the building was left in disrepair for a number of years.

We've identified what the immediate priorities are will happen, but the advisory committee will make recommendations of how we go forward with these types of items. We think that's appropriate. That will guide that, and the government will obviously take into consideration all the recommendations, everything that comes from the advisory committee.

We want make sure that experts are guiding this process. It's not a political process that's there. We want to make sure that the care, maintenance of this building happens, and we think this process will take the politics out of this and making sure we get the job done.

**Mr. Swan:** Just to clarify from what I'm hearing from the minister is that the Legislative Assembly Management Committee, which for a long time has determined how money is spent by the Legislative Assembly, is not going to have a role then and it's going to be this advisory council the minister's going to appoint that is then going to decide which repairs are done, how they're done, who gets the contracts and then how the money's spent.

Is that what the minister's saying?

**Mr. Fielding:** What I'm saying is that the Speaker who co-chairs this committee will represent the legislative authority. There'll be consultations that does happen to LAMC—using the name wrong. We think that's appropriate. This is a statutory appropriation. We want to make sure we take the politics out of it. A large amount of these projects are long-term, multi-year projects. We want to make sure politics stays out of this, that we're able to focus in on fixing this building, make sure we maintain it at the glory that it is without politics happening.

**Mr. Lamont:** I believe that in the 2016 PC election platform there was a promise to basically shift management of the Legislature away from the government and into the hands of the Speaker.

I was wondering if—I mean, this is something that they promised, is there any possibility that that might also be included in this, whether that's something that the government is still considering as a promise or whether they've abandoned it or whether it's something they might be open to adding to this act?

**Mr. Fielding:** We thought—we think it's important that the Speaker co-chairs this process. We think that it's entirely appropriate. We want to make sure the Legislative Assembly—members of the Legislative Assembly. There will be also consultation that happens to committees, to members, to people who use this building. We want to make sure we get feedback and appropriate use of this.

Again, we're looking to take the politics out of this. We want to make sure that long-term plans get done. We know, as the member from River Heights mentioned, there's a history of this building, good and bad from when it was started, but I can tell you that it's a beautiful building and everyone on this side of the House, and I think everyone in the House overall, wants to make sure that we maintain and we preserve the historical natures of this building and ensure that we do this on a long-term basis so we can make sure it doesn't take away from other capital projects. And that's why we're doing—

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

**Mr. Swan:** Please, I want to follow this up just a little bit more because I don't think the Minister of Finance (Mr. Fielding) understands that LAMC is a—it is a non-political body. I mean, Madam Speaker, you chair that committee. There are members from all parties who sit on LAMC.

The Minister of Finance has just put on the record that the committee he's going to create is going to consult with LAMC. Could he just put on the record what does that mean? Does that mean that LAMC is simply going to hear about what's going on, or does that mean that LAMC, which actually provides the direction on the budget, will have no formal role?

Could the minister please clarify that for the record?

**Mr. Fielding:** Well I know the members of the opposition have a hard time understanding what consultation is. We know what their consultation is, and that's why they were thrown out of office after 17 years. I went to some of their budget consultations when I was not in government yet, and I can tell you they were a complete farce.

We're not looking to do that. We want to make sure people are consulted. We want to make sure members of the Legislative Assembly are consulted. We want to make sure that the Speaker's a part of it. We have experts a part of this committee. We also want to make sure that people that use this building—

you have people all the time that come here for weddings, pictures, people that bring relatives that come here that use this building, get consulted. There'll be a massive consultation process that's a part of it. It's a 15-year project. We want to make sure we get the projects done. If we're able to do it over a 15-year period—

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

**Mr. Lamont:** Yes, if I may, Madam Speaker, just for clarification. Is it still the government's intention to shift responsibility for the management of the Legislature to the Speaker as was promised in the 2016 platform?

**Mr. Fielding:** Well, we're talking about a statutory appropriation here, part of the legislative process. The Speaker is part of this. The Speaker represents the legislative members on this committee. We're having other members that's associated with it.

What I can tell you is we want to make sure that the public is consulted, and we, quite frankly, want to make sure the work gets done without some sort of political process, so that's why we're doing it over a 15-year period.

So I'm not sure if that answers your question, but we want to make sure that people are consulted a part of this process.

**Mr. Lamont:** It doesn't answer my question simply because, as it stands, the management of the building is currently under, I believe, the Minister of Infrastructure (Mr. Schuler), and by the government, so if we truly want to make it non-partisan and take it out of the hands—put it into the hands of the Speaker as was promised, that's just what I'm asking, whether that's something that's still the intention of this government to do at some point.

**Mr. Fielding:** Again, we want to make sure that everyone is consulted a part of this. The Speaker is a big part of this, who guides the direction of the Legislative Building. I'm talking about the—in terms of the financial affairs of it. This obviously comes under the Department of Finance in terms of the appropriations of this.

I can tell you that we want to make sure that all members are consulted a part of this process. We want to make sure we take the politics out of it. We think there's the ability to do major capital projects over a 15-year period, and to do this over a long period of time with 15 years will ensure that we're able to build new schools; we're able to put more

money in roads; and we're able to fix the Legislature at the same time, Madam Speaker.

**Madam Speaker:** Are there any further questions? If not, the floor is now open for debate.

### Debate

**Mr. Andrew Swan (Minto):** Well, Madam Speaker, I guess debate on this bill brings it to a close this evening. It's a discussion of what is truly the most weak and vapid legislative agenda that this Legislature has seen probably in decades.

You might even have to go back to a Liberal government to see a complete lack of anything substantial, anything that would actually improve the lives of Manitobans.

I mean, here we have a show bill being presented by the Minister of Finance (Mr. Fielding) saying that there's going to be \$150 million spent over the next 10 years. The minister isn't going to tell us exactly what it's for. He won't tell us exactly how it's going to be spent. He says he'll consult. If the consultation on this building is anything like the form of consultation they're doing, they've already decided what their answer is. They've probably decided who's going to get the contracts. They've probably decided who's going to profit by it.

We support—well, you know, here's a government—here's a government that wants authority today to spend \$150 million, and when we ask the Minister of Finance questions about how LAMC is going to spend the money, he got angry, he got flustered. He got angry because he couldn't answer the question, and he said don't make this about politics.

Well, when you come into the Legislature and you want the authority to spend \$150 million, we, on this side, actually think that there should be some understanding of exactly what's going to happen, which this minister is either refusing to put on the record or doesn't know.

Well—and there's the member for Morris (Mr. Martin) in his—possibly his last days as an MLA who, if he was still with the Canadian Federation of Independent Business—*[interjection]*

**Madam Speaker:** Order.

**Mr. Swan:** —and our government had brought this in, he would have been picketing outside, saying I can't believe that a government would want authority to spend \$150 million on a building.

\* (19:50)

I look forward to this matter going to committee because there's going to be, I think, a lot of people who are not members of this Legislature who are going to want to challenge a government which is quite happy to have a show bill that they want to send on and pass this year at the same time—*[interjection]*

Well, the minister of—*[interjection]* Well, there is the—*[interjection]*

**Madam Speaker:** Order.

**Mr. Swan:** —Minister of Finance, who wants to talk about getting things—*[interjection]*

**Madam Speaker:** Order.

**Mr. Swan:** —done. And you know what, well, the Minister of—*[interjection]*

**Madam Speaker:** Order.

**Mr. Swan:** —Finance answers now that he didn't have when he—*[interjection]*

**Madam Speaker:** Order.

I know it's been a long day. We've only got a few minutes to go, and I would ask for everybody's co-operation as we are trying to wind up the debate for the day. So, if everybody would please calm down, we'll get through the rest of the evening as we respectfully should.

**Mr. Swan:** Thank you, Madam Speaker.

So, you know what, there will be people who'll want to come down to the Legislature, I expect, and say, well, why is it that this government has cut the maintenance budget for Manitoba Housing by 62 per cent? In what world is that okay? Well, in Tory world, I suppose.

And, you know, we'll have people—maybe we'll have the Heavy Construction Association come down and they'll say: Why is it that this government, despite promises that were made before the 2016 election—why is it that this government has cut the highways budget by—was it 40 per cent, 50 per cent? How is it that the government that has no money for capital for roads so people can drive to the Legislature to meet with their representatives, to watch proceedings—good and bad—in this Chamber, and how is it that we have a government that's cut millions of dollars from the health capital budget, health capital spending for expanding things like emergency rooms has been cut by nearly \$259 million by this government? *[interjection]*



**Madam Speaker:** Order.

**Mr. Swan:** That's a 64 per cent decrease.

And I know the former minister of Health is very, very touchy about that, and I know as he watches some of his members are going to go down like ripe wheat when they go out on the doorsteps, whether it's next week or next year—*[interjection]* Well, that's right, they'll knock on the doors around Seven Oaks General Hospital and around Concordia general hospital, and I know what's going to happen when they get to the doors. They're going to get doors slammed in their face.

But what happened with health capital spending?  
*[interjection]*

**Madam Speaker:** Order.

**Mr. Swan:** Well, a decrease of 64 per cent, a cut of nearly \$259 million. *[interjection]*

Well, the Minister of Finance (Mr. Fielding) is right, Steinbach is the only place pretty much in the province that got any spending, so, you know, maybe the minister will win by 90 per cent instead of 88 per cent. But there's a lot of other places in the province that are going to feel very, very differently.

And I know, of course, they get very upset when we've put those kind of numbers on the record and they say fake news, fake news. Well, what's the source? Well, it's their own budget documents; 2016-2017 strategic infrastructure was \$442 million for the year. The 2017-18 actual spending on strategic infrastructure: \$161 million.

And, you know, that's not to say that spending what has to be spent to do—to renovate this building and to make sure this building is around for another 100 years is not valid, but to suggest that this bill is some kind of magic potion while this government tries to throw confetti in everybody's eyes for 150th anniversary and ignores everything else they're doing is not going to wash.

And what about education capital spending? Well, how has that gone under this government? Well, it was cut for new things—*[interjection]* Well, again, the facts are going to be a problem for the Minister of Finance, who continues to yap from his chair. The education capital spending was cut for things like new schools and renovations by 57 per cent. That's \$137 million a year. And what's the source? Well, that Finance Minister's budget, 19—2016-2017 education funding for strategic infrastructure was budgeted at \$241 million. The

2017-2018 Public Accounts, how much did they spend? \$104 million.

I expect we're going to have people that are concerned about their local hospital, about their local emergency room who's going to say, well, that's great, we're happy that the Legislative Building is going to continue to get attention because we think that's important but, you know, how is it that you can magically step up and get \$150 million in appropriations from this Legislature without really telling us who's going to be on the committee, without doing anything other than consulting with the elected members of this Legislature.

Yet you can't find \$4 million a year to keep the Concordia emergency room open. You can't find four or five million dollars a year to keep the Seven Oaks emergency room open. You can't find the money to do proper expansion that your own experts have told you needs to be done at St. Boniface general hospital to make sure that the closure of those two emergency rooms is not going to make the wait times even worse than they are, as those times have been expanding ever since this government started closing rooms in Winnipeg. And, of course, what's going to happen elsewhere in the province when this government rolls out the rest of their program? Well, we can only fear.

And what about other spending? Well, Canada's Parliamentary Budget Office actually confirms the total damage by this government. And, according to the Parliamentary Budget Office, Manitoba's overall capital spending was cut by 32 per cent between 2016-2017 and 2017-2018. That's the biggest cut in capital spending of any province. The next biggest percentage cut after our 32 per cent was Newfoundland, which is basically bankrupt; they cut their spending by 13 per cent.

Well, per capita spending on capital has now dropped to the lowest of any province west of Nova Scotia. Now we were—used to be middle of the pack; now we're the third lowest in the country. The only places in Canada spending less on capital are Prince Edward Island and Nova Scotia.

And that's how this Premier (Mr. Pallister) wants to aim higher. That's how he wants to make this the most improved province; by slashing spending on Education—slashing spending on Education—slashing spending on highways.

So we, of course, are agreeable. We, of course, made investments which members of the Progressive

Conservative Party opposed along the way. I remember the Golden Boy being taken down from his lofty perch and fixed up. I remember when the accessibility ramp was put on the front of the Legislature, and one of the Progressive Conservative members put on the record that he thought that was a waste of money because, if you were disabled, you could come in the side door.

And we said, no, this is your Legislature. If you're physically disabled, you should be able to come in the front door just like anybody else. And we did that. And we made changes to the skylight, which members remember.

And, Madam Speaker, before this bill came in, of course, there were—*[interjection]*

**Madam Speaker:** Order.

**Mr. Swan:** —improvements made in this Chamber. And, Madam Speaker, I give you a lot of credit for leading that—to that approach. We knew that we had to, just as we had to worry about making sure people with a physical disability could come in the front door. We wanted to make sure that somebody that's differently abled is able to get to all parts of this Chamber.

We didn't need a bill to do that; we needed leadership. And I appreciate your leadership on that, and I appreciate the involvement of every member of this Legislature in approving that. We didn't need to hide behind a bill that somehow was going to commit the Legislature to spending for the next 10 years with a rather murky governmental structure which, apparently, when it partly makes the Minister of Finance (Mr. Fielding) very angry when he gets asked questions about it. Hasn't been a good day for the Minister of Finance.

So we, of course, are going to support making sure there's money to ensure the renovations continue to this building, because it is important. But I think the Minister of Finance is going to have to answer to a lot of Manitobans for why this is a priority and so many other key things simply aren't for him and this government.

**Mr. Dougald Lamont (Leader of the Second Opposition):** I recently had the opportunity to travel all the way up to the Golden Boy. And, clearly, there's a huge amount of work that needs to be done on this building. There are pieces of the building and roof that have been pushed out of place, and then—the work needs to be done.

All that being said, there are concerns not just about the management and about—*[interjection]*

**Madam Speaker:** Order.

**Mr. Lamont:** —not just—one of the concerns is, as the member for Minto (Mr. Swan) said, that there's a slightly murky arrangement about exactly who's in charge, including who's in charge of the building. This—the PCs, while running in 2016, promised to move management of the building to the Speaker, which is an entirely reasonable thing to do, and take it out of the hands of government.

But the other is the question of priorities. I mean, one of the arguments that has been advanced by the Minister of Finance is the fact that there are huge amounts of work that have been left undone for decades in this building. But the same is equally true of all sorts of other examples of infrastructure across Manitoba.

\* (20:00)

And to be spending this at the time when we're making this commitment while we're underfunding the—and clawing back funds from the City of Winnipeg, who are no longer able to work on the North End water treatment plant, and the fact is that I've spoken to a number of organizations across Manitoba who have not seen any increase in capital expenditures for infrastructure in decades.

Brandon University has not seen an increase in its capital funding since 19—I believe it's 1978. It might actually be 1976. I talked with individuals who are part of the long term care association, and their capital funding is a dollar a day. It was recently increased by a nickel by this government, which might sound like a 5 per cent increase, but the fact is that it is simply is not enough to maintain the facilities that we have.

And this goes across the province that we have—even if we just look down the street to Memorial Boulevard, it's an absolute disaster, and it has been for years and nothing has been done.

I actually, not too long ago, I walked—I went for a walk with my daughter on a newly paved street, and she couldn't believe it because it was actually smooth. That's basically something that is out of the ordinary in Manitoba, to have a road that is actually smooth that can be travelled on, that isn't filled with potholes or filled with cracks.

So, I mean, we do have to make these investments, but the fact is we need to make investments elsewhere as well, and it is—I do think that there's an issue when people are facing—when there are communities that, say, in northern Manitoban, that require roads and that are paying much higher prices than they need to be because there is no good road to their community, which is the case in a number of northern communities, or there are some of the highways between—or the fact that people in Flin Flon have to drive to The Pas.

I spoke to a woman who had been turned away from the hospital at The Pas when—sorry—in Flin Flon when she was in labour and had to follow—and had to drive to The Pas to give birth on a highway that is, frankly, in very poor shape.

So part of this is that when it comes to the priorities of a government, you have to put financing into and put investments into things that matter. People like to talk about government being like a household. Well, if this is our house the question is:

Why are we—we're sort of fixing up something that's—that is special to Manitobans, but it is our workplace when there are—there's fundamental work that needs to be done that would actually not just make life easier for businesses and families, but actually increase economic activity and growth in our province.

So I think there are some area—basically—we all realize that this—that we need to make the investments in this building to keep it from getting—keep it from declining and to make sure it's preserved for the future. That's equally true for other projects across the province, Madam Speaker, and I think that's what Manitobans are looking for.

Thank you.

**Madam Speaker:** The debate on this bill will remain open.

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

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Wednesday, April 17, 2019**

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