

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

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Forty-Second Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
AL TOMARE, Nello	Transcona	NDP
ASAGWARA, Uzoma	Union Station	NDP
BRAR, Diljeet	Burrows	NDP
BUSHIE, Ian	Keewatinook	NDP
CLARKE, Eileen, Hon.	Agassiz	PC
COX, Cathy	Kildonan-River East	PC
CULLEN, Cliff, Hon.	Spruce Woods	PC
DRIEDGER, Myrna, Hon.	Roblin	PC
EICHLER, Ralph	Lakeside	PC
EWASKO, Wayne, Hon.	Lac du Bonnet	PC
FONTAINE, Nahanni	St. Johns	NDP
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin, Hon.	Steinbach	PC
GORDON, Audrey, Hon.	Southdale	PC
GUENTER, Josh	Borderland	PC
GUILLEMARD, Sarah, Hon.	Fort Richmond	PC
HELWER, Reg	Brandon West	PC
ISLEIFSON, Len	Brandon East	PC
JOHNSON, Derek, Hon.	Interlake-Gimli	PC
JOHNSTON, Scott, Hon.	Assiniboia	PC
KHAN, Obby, Hon.	Fort Whyte	PC
KINEW, Wab	Fort Rouge	NDP
KLEIN, Kevin E., Hon.	Kirkfield Park	PC
LAGASSÉ, Bob	Dawson Trail	PC
LAGIMODIERE, Alan	Selkirk	PC
LAMONT, Dougald	St. Boniface	Lib.
LAMOUREUX, Cindy	Tyndall Park	Lib.
LATHLIN, Amanda	The Pas-Kameesak	NDP
LINDSEY, Tom	Flin Flon	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Malaya	Notre Dame	NDP
MARTIN, Shannon	McPhillips	PC
MICHALESKI, Brad	Dauphin	PC
MICKLEFIELD, Andrew	Rossmere	PC
MORLEY-LECOMTE, Janice, Hon.	Seine River	PC
MOSES, Jamie	St. Vital	NDP
NAYLOR, Lisa	Wolseley	NDP
NESBITT, Greg, Hon.	Riding Mountain	PC
PEDERSEN, Blaine	Midland	PC
PIWNIUK, Doyle, Hon.	Turtle Mountain	PC
REDHEAD, Eric	Thompson	NDP
REYES, Jon, Hon.	Waverley	PC
SALA, Adrien	St. James	NDP
SANDHU, Mintu	The Maples	NDP
SCHULER, Ron	Springfield-Ritchot	PC
SMITH, Andrew, Hon.	Lagimodière	PC
SMITH, Bernadette	Point Douglas	NDP
SMOOK, Dennis	La Vérendrye	PC
SQUIRES, Rochelle, Hon.	Riel	PC
STEFANSON, Heather, Hon.	Tuxedo	PC
TEITSMA, James, Hon.	Radisson	PC
WASYLIW, Mark	Fort Garry	NDP
WHARTON, Jeff, Hon.	Red River North	PC
WIEBE, Matt	Concordia	NDP
WISHART, Ian	Portage la Prairie	PC
WOWCHUK, Rick	Swan River	PC
<i>Vacant</i>	Morden-Winkler	

## LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, April 17, 2023

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

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

We acknowledge we are gathered on Treaty 1 territory and that Manitoba is located on the treaty territories and ancestral lands of the Anishinaabeg, Anishinewuk, Dakota Oyate, Denesuline and Nehethowuk nations. We acknowledge Manitoba is located on the Homeland of the Red River Métis. We acknowledge northern Manitoba includes lands that were and are the ancestral lands of the Inuit. We respect the spirit and intent of treaties and treaty making and remain committed to working in partnership with First Nations, Inuit and Métis people in the spirit of truth, reconciliation and collaboration.

Good afternoon, everybody. Please be seated.

## ROUTINE PROCEEDINGS

## INTRODUCTION OF BILLS

**Bill 238—The Personal Care Home  
Accountability Act  
(Various Acts Amended)**

**Hon. Jon Gerrard (River Heights):** Madam Speaker, I move, seconded by the MLA for Tyndall Park, that Bill 238, The Personal Care Home Accountability Act (Various Acts Amended); le-Loi sur la responsabilisation des foyers de soins personnels (modification de diverses lois), be now read a first time.

*Motion presented.*

**Mr. Gerrard:** Madam Speaker, Bill 238, The Personal Care Homes Accountability Act, will help to facilitate the establishment of family councils at each individual personal-care home. Family councils not only create an additional level of accountability but also a support network and a forum to help families transitioning their loved one to personal care.

This act also requires specific information to be reported and made available to the public to shed a greater level of transparency at each care home in Manitoba.

I look forward to support from the House.

Thank you.

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

Committee reports? Tabling of reports? Ministerial statements?

## MEMBERS' STATEMENTS

**Madam Speaker:** The honourable member for—or the honourable Minister of Seniors and Long-Term Care.

**Kristi Meek**

**Hon. Scott Johnston (Minister of Seniors and Long-Term Care):** Madam Speaker, I am always humbled by the accomplishments of the many outstanding 'ividuals' in my community.

Kristi Meek, the executive director and president of the Assiniboia Chamber of Commerce is one such individual.

Since 2018, Kristi has gone over and above, providing information and services to more than 400 businesses in the St. James-Assiniboia area. This has been through hosting multiple community and networking events with business leaders and stakeholders.

Kristi takes a great deal of pride in how she and the Chamber brings west Winnipeg leaders together. They are currently working on new events for 2024, demonstrating their shared passion and common bonds.

Kristi tells me she is all about walking the walk, then talking the talk, and being engaged in our community. If there is a BBQ, she is flipping dogs on the grill while still talking about community and building connections.

In February, Kristi was invited to join the council of women's advocacy. This council brings the voice and perspective of women to national policies.

Kristi has also opened the Chamber office to internships such as places—to places such as Red River College and the University of Winnipeg. These internships have

helped shape graphic design, HR and project management.

Madam Speaker, I ask my colleagues to rise and thank Kristi Meek for her commitment to the community, the city and the province of Manitoba.

### International Medical Graduates

**MLA Malaya Marcelino (Notre Dame):** Our province is facing an alarming physician shortage. We have the lowest number of family physicians per capita in Canada, the third lowest for specialist physicians. This shortage will get worse as many physicians retire or leave the province.

We have 68 hospitals in rural and northern communities, but only 27 of those emergency rooms are open all day and night. Meanwhile, 23 ERs operate with reduced hours, and 18 ERs have been closed for more than a year and are not expected to reopen at all. This is the Pallister-Stefanson governments' damning record on rural ERs to date.

Recently, I met with many Manitobans who are international medical graduates, IMGs, that want to be part of the solution. IMGs suggest that, from the very beginning, as immigrants pre- and post-arrival, there should be orientation supports tailored to health professionals.

IMGs suggest that the government reduce costs or offer student loans. Many IMGs defer their accreditation exams because they can't afford the exams and need to work survival jobs to support their families. The longer IMGs are out of clinical practice, the harder it will be for them to become accredited as doctors.

This PC government should further increase residency training spots for IMGs and domestic medical graduates. And these residence spots should prioritize Manitobans, similar to the Alberta system. IMGs also request that the government introduces a mentorship program, similar to the observership program in BC, that allows applicants to job shadow physicians. Also, IMGs have requested the physician assistant program requirements be reassessed to ensure fairness.

Manitoba international medical graduates should be part of the solution to our doctor shortage across rural and northern Manitoba, but instead they face underemployment and work as health-care aides or call centre agents.

I'm calling on the PC government to make IMGs be an integral part of our Province's health human resource strategy.

Thank you, Madam Speaker.

### Community Newspaper Day

**Hon. Greg Nesbitt (Minister of Natural Resources and Northern Development):** Madam Speaker, today, April 17th, we celebrate Community Newspaper Day in Manitoba, honouring the vital role that local newspapers play in our province's communities.

In 2005, Mavis Taillieu, the former MLA for Morris, received unanimous support from all members of this House for her resolution recognizing the significance of community newspapers in Manitoba. Eighteen years later, our province is home to 30 community newspapers, each of them dedicated to chronicling the stories of the communities they serve. Every week, these newspapers deliver nearly 368,000 copies across Manitoba.

In an age where distinguishing real news from fake news can be challenging, community newspapers remain a reliable source of information. They document the lives and activities of Manitobans through both words and images, acting as living history books and providing relevant news to their readers.

\* (13:40)

The printed community newspaper is by far the favourite source of local news and information in communities large and small across Canada. Three-quarters of Canadians in non-urban centres read a community newspaper. While the predominant reason for reading printed community newspapers is local information, including news, opinions, sports, entertainment and events, studies have revealed that community newspapers rank as the No. 1 media source for government advertising, covering everything from public notices to information on provincial government programs important to taxpayers.

The oldest newspaper in western Canada, the Minnedosa Tribune, which I am proud to say is one of three newspapers owned by my son Ryan, is celebrating its 140th anniversary this year. In many communities across the province, the local newspaper remains the oldest and longest running business.

Madam Speaker, for most community newspapers, today is a very busy day in their weekly schedule, so publishers were unable to join us today. However, I would like to ask all members of the House to join me in expressing our gratitude for their dedication to their communities and wishing them continued success as they celebrate Community Newspaper Day in Manitoba.

### Personal-Care Homes

**Mr. Jim Maloway (Elmwood):** Every Manitoban with a family member in a long-term care or receiving home care can personally attest to the terrible decline in our health-care system over the last seven years.

Manitoba seniors have borne the brunt of this decline by paying a heavy personal price because of PC budget cuts since 2016.

Back then, this PC government promised to build 1,200 new personal-care-home beds. Yet by the summer of 2022, there were 193 fewer beds in Manitoba than when they took office.

In rural Manitoba, fewer beds meant too many new placements far away from their home communities.

The Roblin Review recently wrote about Lorena Ward, a 90-year-old from Roblin who was placed in a personal-care home in far away Shoal Lake where she had no family or friends.

The mother of an Elmwood resident was forced to move from the Gimli hospital to Arborg, and then to Ste. Rose du Lac, in the middle of winter, when it was extremely difficult for her children to visit from Winnipeg.

This is the same government that failed to shore up personal-care-home defences before the second wave of COVID arrived.

Day after day, COVID deaths on cruise ships, retirement homes, filled the news. Seniors in retirement homes from Italy to New York, our west coast and other heavily populated areas, were at heightened risk.

So why this government felt it unnecessary to take reasonable and obvious steps to protect our Manitoba seniors is a mystery. That's why Manitoba ranked the highest deaths per capita in the country in personal-care and retirement homes.

Madam Speaker, Manitobans deserve better. They will hold this government accountable for these seven long years of neglect.

### Holocaust Remembrance Day

**Hon. James Teitsma (Minister of Consumer Protection and Government Services):** Tonight at sunset, Yom Hashoah begins.

Yom Hashoah is Holocaust Remembrance Day. This is a day dedicated to the memories of the lives lost during the Second World War. Millions of Jewish men, women and children were killed in extermination camps, shot by death squads or

perished from starvation or disease in concentration camps. And millions more died throughout the war, whether as soldiers in armed conflict, citizens engaged in acts of resistance or as innocent victims of bombings, disease or starvation.

We must never forget. And tonight is another opportunity to remember.

Let this day help us to remember that the worst human rights violations often come by denying the humanity of those discriminated against.

The Nazi government labelled Jews, Roma, people of colour and those with physical and mental disabilities as Untermenschen—subhumans. They used that label to justify murder. Throughout history, similar logic has been used to perpetuate the slave trade, deny human—or deny women's rights and more.

Human rights should always be respected—by governments, by courts and by all.

And while for some these tragedies may seem distant, for me, this remembrance is very personal.

I remember that my maternal grandfather spent most of the Second World War in a Nazi concentration camp. I remember that my mother, only a youngster at the time, helped keep her family alive while nearly starving to death herself.

I remember that my father lived daily with the knowledge that he and his Dutch parents and their siblings could be shot and killed at any time if the Jewish toddler that they were harbouring was found.

Therefore, I resolve to follow my grandparents' example. I resolve to resist evil. I resolve to stand for justice and mercy. I resolve to be willing to do so even if it means that I suffer or even die as a result. We should all resolve to do the same.

### Introduction of Guests

**Madam Speaker:** We have some guests in the gallery that I would like to introduce to you.

Seated in the public gallery, from Crystal Creek School, we have 'seden'—seven students under the direction of Tim Reimer. And this group is located in the constituency of the honourable member for Turtle Mountain (Mr. Piwniuk).

On behalf of all members here, we welcome you to the Manitoba Legislature.

## ORAL QUESTIONS

### Allied Health Professionals Strike Action

**Mr. Wab Kinew (Leader of the Official Opposition):** Madam Speaker, 7,000 front-line health-care professionals have voted in favour of a strike.

This is an unprecedented mandate and it's a clear sign that they've had enough of this PC government. They've had enough of a five-year wage freeze; enough of disrespect from Brian Pallister and now the Stefanson government.

Why has the government forced allied health-care workers to vote in favour of a strike?

**Hon. Cliff Cullen (Deputy Premier):** We certainly value the work that our front-line workers do across our great province, Madam Speaker.

Clearly, the government of Manitoba is not the employer in this particular situation. We know there's discussions going on at the bargaining table between the employer, Shared Health, and the union membership as well.

There's a collective bargaining process in place. We respect the collective bargaining process. I'm not sure what the opposition NDP would like us to do. Do they want us to go and interfere with that collective bargaining process?

**Madam Speaker:** The honourable Leader of the Official Opposition, on a supplementary question.

**Mr. Kinew:** Everyone in Manitoba knows that the PC government does not respect collective bargaining and everyone in Manitoba knows that they have made a mess of our provincial health-care system.

Allied health-care workers have gone five long years without a contract. That means these paramedics in rural Manitoba, these lab techs and X-ray techs, respiratory therapists and other allied health professionals have had their wages frozen for five years. That's during a cost-of-living crisis. That's why 99 per cent of these 7,000 health-care workers have voted to strike.

Will the Premier (Mrs. Stefanson) give allied health-care workers a fair deal today?

**Mr. Cullen:** Well, Madam Speaker, we know the NDP record when it comes to rural health care, that when they were in government, closed close to 20 emergency rooms on a permanent basis. That is the NDP record.

Madam Speaker, we recognize the health-care workers, the front-line workers. That's why we've increased our budget to Health, this year alone, 9.2 per cent; \$668 million in health care. That will go toward supporting wages for our front-line workers.

Madam Speaker, we respect the workers and we respect the collective bargaining process now under way.

**Madam Speaker:** The honourable Leader of the Official Opposition, on a final supplementary.

**Mr. Kinew:** The PCs are always trying to change the channel from their failure on our health-care system.

We know that right now in Manitoba, one of the biggest crises that's unfolding under their watch is this strike vote that's taken place by allied health-care professionals.

And who can blame them? If you live in rural Manitoba, we're talking about the rural paramedics, these are the folks who've had to vote in favour of a strike because they've had their wages frozen for five years. A wage freeze for five years during a cost-of-living crisis—that's the policy of this PC government.

On this side of the House, we respect allied health-care professionals.

Why has this PC government failed to give them a fair deal?

\* (13:50)

**Mr. Cullen:** We've increased the health-care spending by 22 per cent since we came into office. This budget actually provided all working Manitobans a tax relief when it comes to income tax. NDP voted against it, Madam Speaker.

We've also committed \$200 million to retain and train and attract new people to Manitoba in the health-care field, Madam Speaker. Money that that opposition voted against.

We respect front-line workers and we respect the collective bargaining process. Clearly, the NDP don't.

**Madam Speaker:** The honourable member of the official—the honourable Leader of the Official Opposition, on a new question.

### Rural Paramedic Services Wage Freeze and Bargaining Contract

**Mr. Wab Kinew (Leader of the Official Opposition):** These are just more attempts by this PC government to try and distract from their failures on health care.

The rural paramedics have voted to strike. And this past December, there were zero applicants for the new advanced-care paramedics course at Red River College. The reason why no one applied is because they know that if they complete the program, their wages will be frozen by this PC government.

No one applied because they don't want to learn skills that they won't be allowed to practise at the bedside by this PC government. This is one of the leading causes for the long wait times for rural EMS.

Why has this PC government—the Stefanson government—continued to disrespect rural paramedics?

**Hon. Cliff Cullen (Deputy Premier):** Well, Madam Speaker, the Leader of the Opposition is completely wrong. In fact, we respect paramedics and the work they do.

In fact, we gave them the authority to actually self-regulate their own profession, something the NDP had 17 years to do. Never did it.

That's why we, on this side of the House, respect the work of paramedics. That's why we're actively negotiating—that Shared Health is actively negotiating a contract, what I think will be a fair and reasonable contract, for paramedics right across Manitoba.

**Madam Speaker:** The honourable Leader of the Official Opposition, on a supplementary question.

**Mr. Kinew:** I want to thank the Deputy Premier for finally confirming that it is his government that's negotiating with these paramedics. But I do want to remind everyone in Manitoba that these rural paramedics and all the other allied health-care professionals have had their wages frozen for five years.

Imagine the impact of a one-year wage freeze during this current time of inflation, and then now expand that back into five years of PC cuts. That's led to frustration. That's led to burnout. That's led to paramedics, lab techs and other health-care professionals leaving our province because of Brian Pallister and the Stefanson government.

Why has the PC government continued to disrespect rural paramedics and other health-care professionals?

**Mr. Cullen:** The member of the opposition has it completely wrong again. We fully respect the work they do for Manitobans each and every day.

We recognize the staffing challenges that we have in Manitoba, and it's certainly not unique to Manitoba. We're—every jurisdiction in the country is facing staffing challenges. That's why we've committed

\$200 million to attract 2,000 new people to health care in Manitoba.

In this year's budget alone, \$123 million to retain, train and attract new people here to Manitoba, and the NDP voted against that.

**Madam Speaker:** The honourable Leader of the Official Opposition, on a final supplementary.

**Mr. Kinew:** Madam Speaker, what is unique to Manitoba is that we've had worse health-care outcomes in this province because of the cuts of Brian Pallister and the Stefanson government.

Manitobans know that you just can't trust the PCs when it comes to health care. Manitobans know that this PC government—this Stefanson government—is not all of a sudden going to fix the damage that they themselves have caused to our health-care system.

Only the Manitoba NDP can fix health care, and it starts with our plan for rural health care, which—*[interjection]*

**Madam Speaker:** Order.

**Mr. Kinew:** —we look forward to unveiling on May 1st in Virden, Manitoba.

Why has the PC government disrespected rural paramedics for so long?

**Mr. Cullen:** Well, Madam Speaker, I can see where this is headed, and the NDP made promises a number of years ago. Wasn't that the \$15 million to end hall-way medicine?

That was the promise they made then. They never did it. In fact, under their watch they closed 18 emergency rooms permanently in rural Manitoba.

Madam Speaker, we respect the bargaining operations under the collective agreement process. We respect the workers. Under the NDP government, negotiations and collective bargaining were done through the Premier's office. That's not the way to do business.

### **Physician Recruitment and Retention Request for Restoration of Funding**

**MLA Uzoma Asagwara (Union Station):** Manitobans know that when it comes to health care, the Stefanson PC government can simply not be trusted. Because of the decisions that this government has made, our—to our health-care system and the cuts that they've been making since 2016, our health-care system is in chaos.

We have a shortage of over 400 doctors, and yet this government cut the physician retention and recruitment fund.

Will this Premier (Mrs. Stefanson) acknowledge that their failure to enhance physician training over the past seven years has left Manitobans behind?

**Hon. Audrey Gordon (Minister of Health):** I want Manitobans to know that the opposition and the NDP cannot be trusted because they are out of touch with what Manitobans are thinking, what their needs are, and they're out of touch with what is happening in the province as well.

Madam Speaker, the member for St. Vital (Mr. Moses) took to social media this weekend—and I'll table his social media post—to say that the Manitoba government had done nothing to increase physician training seats here in the province.

I also want to table—two months before that tweet, we announced the increase of physician training seats, Madam Speaker. But they're out of touch with what is happening in our province. I also want them to know that on Friday, our government—Shared Health, released a request for proposal to add—

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

The honourable member for Union Station, on a supplementary question.

**MLA Asagwara:** Madam Speaker, we know that their party membership is so embarrassed by the state of health care in this province, thanks to their decision making, that they kept their main policy discussion a secret and had that discussion behind closed doors at their own AGM.

There's no wonder why Manitobans don't trust this government and are done waiting for the PCs to do the right thing. Patients are left waiting and waiting and waiting while this Premier decides to freeze retention funds for yet another year.

When will this PC government finally do the right thing, admit they were wrong, reinstate the funding for doctor recruitment and retention incentives in Manitoba? *[interjection]*

**Madam Speaker:** Order.

**Ms. Gordon:** When the request for proposal went live on Friday, the members opposite missed it because they were sitting around a table with the Leader of the Opposition deciding which of the 18,000 employees and programs at Shared Health they would cut as part of their election platform, Madam Speaker.

I want to table the request for proposal that they missed on Friday that will allow for 50 family physicians to be recruited to northern Manitoba, 50 for rural Manitoba and 50 for Winnipeg. I'm just bringing them up to speed on what is happening in the province where they live, Madam Speaker.

**Madam Speaker:** The honourable member for Union Station, on a final supplementary.

**MLA Asagwara:** Madam Speaker, Doctors Manitoba has stated their disappointment with this PC government budget, which completely ignores the physician shortage in our province. After years of cuts, interference and indifference from this PC government, the University of Manitoba is considering 'proposal'—proposals to increase—*[interjection]*

**Madam Speaker:** Order.

**MLA Asagwara:** —doctor training spaces and medical residencies. But it takes seven years to train doctors and even longer, Madam Speaker, for specialists who are in short supply.

Will this Minister finally admit that their failure to act means Manitoba is further behind when it comes to increasing any home-grown doctors?

And I'll remind the Minister that we have a shortage of over 400 physicians in our province, the worst across the country. Is she going to do something about it?

\* (14:00)

**Ms. Gordon:** I tabled the RFP and I encourage the member for Union Station to have a read.

Madam Speaker, in March, Doctors Manitoba applauded our government for removing unnecessary red tape and examinations that prevented physicians from being licensed here in the province, something they never did.

And they said this is one of the many, many actions needed to address Manitoba's doctor shortage. We hope to see more actions and we applaud the province for the steps they have taken.

That is a fact, Madam Speaker.

### Education Funding Levels Program Reduction Concerns

**Mr. Nello Altomare (Transcona):** While they try their hardest to distract and deflect in this House, all day and every day, education funding has continued to trend downwards.



River East Transcona School Division has been forced to cut 13 library staff called library technicians, Madam Speaker, a very specialized program. Pembina Trails had to eliminate their full-day kindergarten program. And now we've learned that two school divisions are cutting their International Baccalaureate program.

These cuts hurt kids, they hurt families, they hurt communities.

Can the minister, Madam Speaker, explain: Does he think schools should be forced to cut programs, such as International Baccalaureate, just to keep the lights on?

**Hon. Wayne Ewasko (Minister of Education and Early Childhood Learning):** Madam Speaker, the member knows this year alone, \$100 million more to the K-to-12 education funding.

That's—Madam Speaker, that's a 6.8 per cent increase—6.8 per cent increase. *[interjection]*

To the member making comments in regards to River East Transcona School Division—*[interjection]*

**Madam Speaker:** Order.

**Mr. Ewasko:** —they've received an \$11-million increase this year alone, Madam Speaker.

It's unfortunate that the member opposite wants us to interfere with the democratic rights of the elected officials of the school boards in this province of ours. I wish he'd stand up and say so today, Madam Speaker. *[interjection]*

**Madam Speaker:** Order.

The honourable member for Transcona, on a supplementary question.

**Mr. Altomare:** What they want is a real partner at the table, not somebody that continually cuts programming and then says they're increasing.

It's not one that says they're going to bring a couple pails of water to a fire they started seven years ago, and we're starting to see the results of this, Madam Speaker—cuts, cuts and more cuts that are hurting our kids, families and communities. That's a fact.

I have yet to see a school board line up outside the office and thanking this minister and his government for what they've been doing for schools.

So I'll ask again: Will the Premier (Mrs. Stefanson) do the right thing and finally stop cutting education and fund it to the level that it needs to be at?

**Mr. Ewasko:** Again, Madam Speaker, it's unfortunate that this member, an educator himself, would stand up in this House and continue to fear monger, not only Manitobans, but those great students and those individuals that we're trying to make sure that they're receiving consistent, increased funding year after year.

That's what we're doing on this side of the House—\$100 million this year alone, 6.8 per cent increase. The member knows that over—since 2016, Madam Speaker, it's a 23 per cent increase to the K-to-12 education system, right here in this great province of ours.

We're going to make sure that students succeed no matter where they live in this great province of ours, their cultural background or their own personal circumstances, Madam Speaker.

**Madam Speaker:** The honourable member for Transcona, on a final supplementary.

**Mr. Altomare:** I know it's pretty tough for the minister. I have some empathy for him. He's got a former minister of Education at the end here that cut the education library, another former minister of Education that introduced bill 64, a Premier that seconded bill 64, and then, Madam Speaker, he was forced to write an article that supported bill 64.

So this is what we get from this PC government, right? More distraction and more deflection.

So all I ask, one more time: Will the Premier finally do the right thing and commit to stop cutting education?

**Mr. Ewasko:** I thank the member for Concordia (Mr. Wiebe) just reminding the House that this year alone, \$100 million, 6.8 per cent increase is an astronomical increase to educational funding in the province of Manitoba, Madam Speaker.

This year alone, \$206 million, \$100-million increase—*[interjection]*

**Madam Speaker:** Order.

**Mr. Ewasko:** —to K-to-12, plus \$106 million which we've annualized each and every year, Madam Speaker. Not—never mind the \$17 million this year alone, in the last three years, for students with special needs.

We're making sure that we're funding students who are at—desperately needing the funding in this great province of ours, Madam Speaker, whilst—

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

**Privatization of Liquor Sales  
Request to Withdraw Bills 9 and 30**

**Ms. Lisa Naylor (Wolseley):** On this side of the House, we stand against the privatization of liquor in Manitoba. And that is why I was happy to announce earlier today that we will be delaying Bill 9 and Bill 30.

These bills would have made our communities less safe—*[interjection]*

**Madam Speaker:** Order.

**Ms. Naylor:** —and would move the public benefit into private hands. They would've increased the risk of liquor being sold to minors and the numbers of thefts and robberies, and that is the wrong—*[interjection]*

**Madam Speaker:** Order.

**Ms. Naylor:** —approach. Will the minister stand in his place and admit that privatizing liquor in Manitoba is the wrong approach?

**Hon. Andrew Smith (Minister responsible for the Manitoba Liquor and Lotteries Corporation):** Well, Madam Speaker, I always appreciate any time I get to speak about the great things our government wants to do to make sure that our liquor retail system is modernized, it is more convenient, and we balance that with the needs of security.

I guess members opposite are a little confused that—they're forgetting that it's the year 2023, not the year 1923. The years of prohibition are long over.

**Madam Speaker:** The honourable member for Wolseley—*[interjection]* Order.

**An Honourable Member:** Madam Speaker—

**Madam Speaker:** Order. The—*[interjection]* Order.

The honourable member for Wolseley, on a supplementary question.

**Ms. Naylor:** The minister conveniently ignores that over 89 per cent of Manitobans have expressed that they are very satisfied with our public liquor system, and, unlike the PCs, we understand the value of a public liquor system and the need to balance convenience with public safety.

We know you can't improve a system by tearing it down. We should be improving our public system,

not giving handouts to private companies. And that is why Bill 9 and Bill 30 are the wrong approach.

Will the minister commit to withdrawing bills 9 and 30 today?

**Mr. Smith:** Madam Speaker, our government is committed to making sure that we modernize the liquor-retail system, and catching up with the 21st century. I know members opposite are still stuck in the days of prohibition, but we on this side of the House stand up for Manitobans.

We want to make sure that Manitobans have an opportunity to have more convenience. We want to make sure that they have the ability to invest and re-invest in our economy, Madam Speaker. And—balancing that with the needs of security.

We on this side of the House stand with good, hard-working Manitobans. I'm not sure why they don't want to modernize our liquor system.

**Madam Speaker:** The honourable member for Wolseley, on a final supplementary.

**Ms. Naylor:** Unlike the PCs, we recognize and respect the value of our public system. Liquor sales generate hundreds of millions of dollars that go into health care, education, addiction services and more.

And instead of supporting our public system, the PCs are trying to tear it down through Bill 9 and Bill 30. This is yet another continuation of failed PC premier Brian Pallister's agenda, and that's why we're happy to announce that we've delayed bills 9 and 30.

\* (14:10)

Will the minister get on board and commit to stop trying to privatize liquor sales in Manitoba today?

**Mr. Smith:** Madam Speaker, I'll remind the members opposite that this side of the House, we want to modernize the liquor retail system. We want to make it more convenient for Manitobans. We want to create more economic opportunities for Manitobans, while balancing that with security.

I know members opposite wax and wane poetically about security, but that's the same party that doesn't even believe that drunk driving is a crime, Madam Speaker. On this side of the House, we stand with good, hard-working Manitobans; they stand with drunk drivers.

### **Institutional Safety Officers Utilization at Health Facilities**

**Mr. Matt Wiebe (Concordia):** Madam Speaker, the PCs have disrespected health-care workers in Manitoba.

They fired nurses, forced them to work overtime while severely short-staffed, cut their budgets and caused chaos across our health-care system. And now they've failed to hire any institutional safety officers to keep them safe at their workplaces.

It's clear that our front-line health-care workers are not a priority of this PC government.

Can the minister explain why this Stefanson government is not prioritizing the safety of Manitoba's health-care workers?

**Hon. Kelvin Goertzen (Minister of Justice and Attorney General):** We developed the institutional safety officer program. We've had training that's ongoing. We've had ISOs that have graduated; in fact, they might be working already.

We ensured that the community safety officer program was developed. We're strengthening it with legislation that's before the Legislature right now. We've worked with the RCMP; we've worked with the Winnipeg Police Service to have integrated units that go after gang members.

The only thing that these three things all have in common, other than our support, is the fact that the NDP voted against all of them, Madam Speaker. *[interjection]*

**Madam Speaker:** Order.

The honourable member for Concordia, on a supplementary question.

**Mr. Wiebe:** Madam Speaker, for seven years, the PCs have disrespected our front-line health-care workers.

They failed to increase staffing, forced them to work long overtime and now they've even failed to hire a single institutional safety officer at a health-care facility. This is despite promising them, and passing it in this House in 2019.

Nurses are speaking out, Madam Speaker. They're saying that they don't feel safe even walking to their cars. Institutional safety officers could help increase safety.

Can the minister just explain why the PC government has failed to establish even a single institutional safety officer at a health-care facility in Manitoba?

**Mr. Goertzen:** Program was developed; individuals have been trained, they've been graduated. There are some already working in the province of Manitoba, Madam Speaker.

But what's also clear is that this is a government that stands with police officers, and that stands with law enforcement. We've been working with law enforcement to develop a number of different action plans, whether it's community safety officers, whether it is those integrated units that go after those who are committing harm in our society.

We continue to provide additional funding. There was a member in this House who said that the police don't need any more money, and that was the member for St. Johns (MLA Fontaine). *[interjection]*

**Madam Speaker:** Order.

The honourable member for Concordia, on a final supplementary.

**Mr. Wiebe:** Once again, more words from this minister, and yet no action from this minister.

Since 2019, the PCs have promised over and over again that they'll establish the institutional safety officers at our health-care facilities. It's 2023, Madam Speaker. It's abundantly clear by now that the PCs will say anything in an election year to get re-elected, but they'll continue to break this promise to our front-line health-care workers.

And it's clear why: They have disrespected them at every step of the way, so why should we expect it would be any different now?

Can the minister just explain why his government continues to disrespect health-care workers and won't bring in the institutional safety officer program and hire them at our health-care facilities?

**Mr. Goertzen:** The program was brought in, developed and individuals have been trained and graduated already, Madam Speaker.

But 'waybe' the member opposite can explain why it is that he sits beside an individual who said the police don't need any more funding, even though we know that there is a need for more co-ordinated policing, which requires more money.

Maybe he could turn behind him and speak to the individual who said that the police were wrong when the police asked for bail reform—when the police across Canada said we need bail reform. And yet, the member opposite, who sits behind him, went onto Twitter and said—well, he deleted the tweet, of course—but he

did go onto Twitter and said that there shouldn't be bail reform.

Twitter, Hansard, these aren't things that are written in disappearing ink. They stay there. Manitobans know, we'll remind them, we stand with the police. We defend them; they defund them, Madam Speaker.

### **Manitoba Housing Unit Health and Safety Concerns**

**Mr. Dougald Lamont (St. Boniface):** Last Friday, I met with residents—*[interjection]*

**Madam Speaker:** Order.

**Mr. Lamont:** —of 101 Marion in St. Boniface, who are once again facing challenges since the minister's visit last year in July.

There are still very serious issues with the security, with people who are experiencing homelessness and addictions entering the building, as well as people bringing furniture infested with bedbugs and cockroaches. Proper security could prevent it, because it's contributing to an endless infestation, continual spraying with chemicals, and residents have chronic health conditions.

There used to be 24-7 security at 101 Marion, and there is security at many other Manitoba Housing buildings.

Will the government bring it back and make sure these folks to—who live there can feel safe in their own home?

**Hon. Rochelle Squires (Minister of Families):** I do recognize that there are challenges at 101 Marion, for the residents who live there, with security. That is why our government had made investments last year—an additional \$4 million in security so that we could have additional security personnel at all of our Manitoba Housing properties.

It's very unfortunate that members opposite decided to vote against that commitment to enhance security in all Manitoba Housing complexes.

**Madam Speaker:** The honourable member for St. Boniface, on a supplementary question.

### **Request to Halt Eviction Notices**

**Mr. Lamont:** There are other buildings where insect infestations have been eradicated, but the folks of 101 Marion are having to live with endless spraying because the problem isn't being resolved.

Many residents of 101 Marion are seniors with chronic health conditions, including trouble breathing. They may be allergic to the insects, irritated by the chemicals and when they have to leave during the treatment, they have no place to go. So, some residents who—without insects, who don't want spraying, when they refuse, are being given eviction notices. This includes folks who will be kicked out this week unless it's overturned.

Will the minister put a halt to these evictions for seniors with disabilities and consider providing them with a place to stay while their units are properly treated?

**Ms. Squires:** I appreciate members opposite bringing this to my attention and, of course, I will certainly look into this.

Our government believes in ensuring that everybody in Manitoba has a safe and affordable place to call home. That is why we announced our \$126-million homelessness strategy earlier this year. And that is why, within that strategy, there is a specific budget dedicated to supporting those who have chronic infestations to help them to have their places cleaned and help them relocate temporarily while their apartments are undergoing measures to get rid of the insects.

So, we are committed to ensuring that all residents can work through these challenging situations, and I'm committed to helping address this at 101 Marion.

**Madam Speaker:** The honourable member for River Heights, on a final supplementary.

### **Family Councils in PCHs Request to Support Legislation**

**Hon. Jon Gerrard (River Heights):** Madam Speaker, personal-care homes are places where individuals should be able to live with dignity and with respect, and where they can receive the support that they need to live.

Numerous concerns about the care provided in certain of Manitoba's personal-care homes have arisen. Families have an important role to ensure optimum care for their loved ones. This role is greater when their loved one has dementia.

Will the minister support the bill that I table today to provide for family councils in personal-care homes to provide accountability, support and a forum to discuss the concerns that they have?

\* (14:20)

**Hon. Scott Johnston (Minister of Seniors and Long-Term Care):** I can indicate to the member that this department is—constant communication with the stakeholders who work with different families and different individuals in regards to fulfilling their needs, and there's certainly an open liaison there.

In regards to the personal-care-home challenges that the member indicates, that's one of the reasons why this government initiated the Stevenson review. And coming out of the Stevenson review were a number of recommendations which this government is committed to adopting.

#### **Keystone Centre in Brandon Funding for Upgrades**

**Mr. Len Isleifson (Brandon East):** The Keystone Centre, which is located in Brandon, is definitely a unique multifunctional facility that hosts a variety of local, provincial, national and international events that contribute to the social, recreational, cultural and agricultural fabric of our region.

It is home to the Brandon Wheat Kings of the Western Hockey League and hosts the annual Royal Manitoba Winter Fair. It also contributes millions of dollars in annual economic activity for the entire province.

I know that they recently received funding to the ACSC fund, and I ask the Minister of Sport, Culture and Heritage if he could speak more on this amazing initiative.

**Hon. Obby Khan (Minister of Sport, Culture and Heritage):** I would like to thank the member for Brandon East for that great question and all the work he's doing out there.

Madam Speaker, our government is proud to invest in stronger communities by supporting services, businesses and infrastructure like the Keystone Centre. Recently, they were awarded \$3 million through our ACSC fund towards upgrades at the main area at the Keystone Centre.

Additionally, the Manitoba government also provided \$7.9 million in operating and capital supports. That's a total of 15.9 dollars for a five-year funding agreement between Manitoba government, Keystone Centre and the City of Brandon.

Madam Speaker, unlike the NDP that did nothing for art, sports and culture for 17 years, our government is getting some—getting things done with a \$100-million investment in this sector alone.

#### **Families Experiencing Miscarriage or Stillbirth Request to Call Bills 210 and 235 to Committee**

**Ms. Amanda Lathlin (The Pas-Kameesak):** Three times already, including in this session, our party has put forward amendments that would provide guaranteed paid leave while families are grieving their losses. Extra time to grieve is important, but it's only one step.

Now that we have all taken this first step in extending this important leave, will this PC government call Bill 210 to committee?

**Hon. Jon Reyes (Minister of Labour and Immigration):** I'd like to thank the members from Rossmere and The Pas for bringing up for—this important bill for making amendments to The Employment Standards Code to include a leave for miscarriages or stillbirths.

The Employment Standards Code defines several protected leaves that an employee in Manitoba affected by miscarriage or stillbirth may use depending on the circumstances. We'll consult with the department stakeholders and 'Manitobas' as we proceed with this legislation.

**Madam Speaker:** The honourable member for The Pas-Kameesak, on a supplementary question.

**Ms. Lathlin:** The estimates that are—the estimates are that one in five pregnancies end in miscarriage; extending paid leave for miscarriages and stillbirths is just the right thing to do.

After seven years of inaction of this PC government, grieving families need us to act and to support them. Financial considerations for link—low-income and regular families struggling with increased costs should not limit whether they can take full leave that will now be allowed.

Both Bill 210 and Bill 235 have passed second reading. So will this government call them both to committee?

**Mr. Reyes:** Beyond the minimum requirements of the code, employers currently have the option to provide paid or unpaid leave to 'employ'—to an employee facing difficult circumstances, including miscarriage or a stillbirth.

The Department of Labour hosted many consultations with the representatives of labour and employer council on many important issues such as this legislation, and we'll further action based on this—the recommendations from the stakeholders.

**Madam Speaker:** The honourable member for The Pas-Kameesak, on a final supplementary.

**Ms. Lathlin:** All we get is excuses from the Labour Minister and this PC government.

Under the PC government's approach, many parents will have to choose between grieving their loss or putting food on the table. This is an impossible choice for many and can lead to longer term trauma if parents aren't given time to grieve.

Will this PC government do the right thing today and support our bill to provide paid leave for families that have experienced a pregnancy loss?

Ekosi.

**Hon. Kelvin Goertzen (Minister of Justice and Attorney General):** I think, Madam Speaker, this is one of those moments at the Legislature where all members can take pride of the work that has been done across party divides.

It's not a political issue. The member for The Pas has a bill, the member for Rossmere (Mr. Micklefield) has a bill, both would provide support for those who have suffered a miscarriage. And I have spoken about my own family's experience with miscarriages.

I think we need to put aside the political bickering on this particular issue, know that there will be a bill—a private member's bill dealing with bereavement called before the committee before the session ends, and the members will have an opportunity to put a vote to that. I think all of us should take pride in that fact.

### **Conservation Officers Recruitment and Wages**

**MLA Tom Lindsey (Flin Flon):** Madam Speaker, Brian Pallister may be gone, but that tall, dark shadow remains, and the Stefanson government refuse to support new policies; they still follow Brian Pallister's policies.

Over 20 per cent—conservation officer positions remain empty, despite this minister and this government promising to fix the problem. In neighbouring Saskatchewan, COs are paid 30 per cent more than they are here in Manitoba. Again, this minister, this government are failing Manitobans.

When will this PC government realize that paying competitive wages is integral to recruitment, and will the minister commit to getting enough COs and paying them properly today?

**Hon. Greg Nesbitt (Minister of Natural Resources and Northern Development):** When it comes to supporting conservation officers, the NDP will all bark and no bite. Manitobans deserve a government that will provide the resources and the funding necessary to keep our wildlife community safe.

Manitobans know they only have one choice and our government is committing to reversing the damage the NDP did to our Conservation Officer Service. We know it's a critical park—part of our government commitment to enforcing the rule of law in Manitoba.

**Madam Speaker:** Time for oral questions has expired.

### **PETITIONS**

#### **Executive Function Disorder Supports**

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

The background to this petition is as follows:

Individuals with executive function disorders usually associated with a learning disability, ADHD or autism, have a specific deficiency in the executive or adaptive function of their brain.

Individuals with executive function disorders can have a high IQ and can, in some instances, speak as eloquently as a university professor, but often are unable to plan and organize their lives, manage their meals, housing or finances.

Some individuals have an 'executive' function disability in which their executive function develops slowly, requiring that they receive help and support for five to 10 years after they turn 18 years old.

Many individuals with executive function disorders can do well in life and at work if given adequate supports and the chance to fully develop their executive function capabilities.

Without that support, they risk becoming homeless, face inconsistent employment and/or could be the victims or perpetrators of crime.

Manitoba has few limited resources specifically to help those with executive function disorders.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to partner with organizations that provide individual and group supports and online resources for children and adults with

executive function disorders and IQs above 75, including: online videos featuring individuals with executive function disorders raising awareness and explaining a—in a strength-based way to fully develop their executive function capabilities; a manual listing all resources for those with executive function defects; learning modules and instructional videos teaching daily tasks that involve executive function; and a free line—a free online webinar series to enable individuals with 'exection'—executive function deficiencies to access government supports.

\* (14:30)

(2) To urge the provincial government to improve funding for Community Living disABILITY Services, CLDS, and other organizations which can provide support for those with executive function disorders in order to reduce wait times for those who need to access them.

To urge the provincial government to recognize that individuals with executive function disorders with a normal-to-high IQ have great potential to be gainfully employed, provided they have some supports, and to set up initiatives to help these individuals get and keep jobs, including a public awareness campaign.

To urge the provincial government to recognize that individuals who are helping those with executive function disorders are essential partners and enable them to accompany the person into a hospital or other situations as necessary, regardless of age.

To urge the provincial government to mandate that all teachers take courses on learning disabilities, including executive function disorders, during their post-secondary education in order to better understand and educate and end the discrimination they often experience in the classroom.

Signed by Richard Oakden, Douglas Adams, John Gross and many, many other Manitobans.

**Madam Speaker:** In accordance with our rule 133(6), when petitions are read they are deemed to be received by the House.

#### **Provincial Road 224**

**Ms. Amanda Lathlin (The Pas-Kameesak):** I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

(1) Provincial Road 224 serves Peguis First Nation, Fisher River Cree Nation and surrounding

communities. The road is in need of substantial repairs.

(2) The road has been in poor condition for years and has numerous potholes, uneven driving surfaces and extremely narrow shoulders.

(3) Due to recent population growth in the area, there has been increased vehicle and pedestrian use of Provincial Road 224.

(4) Without repair, Provincial Road 224 will come to pose a hazard to the many Manitobans who use it on a regular basis.

(5) Concerned Manitobans are requesting that Provincial Road 224 be assessed and repaired urgently to improve safety for its users.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Infrastructure to complete an assessment of Provincial Road 224 and implement the appropriate repairs using public funds as quickly as possible.

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

Ekosi.

#### **Security System Incentive Program**

**Mr. Jim Maloway (Elmwood):** I wish to present the following petition to the Legislative Assembly.

The background of this petition is as follows:

(1) Cities across Canada and the United States, including Chicago; Washington, DC; Salinas, California; and Orillia, Ontario, are offering home security rebate programs that enhance public safety and allow for more efficient use of their policing resources.

(2) Home security surveillance systems protect homes and businesses by potentially deterring burglaries.

(3) Whole neighbourhoods benefit when more homes and businesses have these security systems.

(4) A 2022 Angus Reid Institute poll found 70 per cent of Winnipeggers surveyed believed crime had increased over the last five years, the highest percentage found among cities in Canada.

(5) The same survey reported half of Winnipeggers polled do not feel safe while walking alone at night, and almost 20 per cent of them said they were a victim of police-reported crime in the last two years.

(6) Although the public understands that—what the criminologists and community advocates point to as the main drivers of crime, namely the larger issues of lack of food, addictions and poverty, they support rebate programs like these as they help the most vulnerable in our community by removing financial barriers for personal protection.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to work with municipalities to establish a province-wide tax rebate or another incentive program to encourage residents and businesses to purchase approved home and business security systems.

And this petition is signed by many, many Manitobans.

**Madam Speaker:** Further petitions?

If not, grievances?

## ORDERS OF THE DAY

### GOVERNMENT BUSINESS

#### House Business

**MLA Nahanni Fontaine (Official Opposition House Leader):** I would like to table the list of five bills designated by the official opposition for this Fifth Session of the 42nd Legislature.

The five designated bills for this session are: Bill 9, The Liquor, Gaming and Cannabis Control Amendment and Manitoba Liquor and Lotteries Corporation Amendment Act; Bill 20, The Conflict of Interest (Members and Ministers) Amendment Act; Bill 28, the local government statues amendment act; Bill 30, the liquor, gaming and cannabis control act and Manitoba Liquor & Lotteries Corporation amendment act (2); Bill 33, The Addiction Services Act.

\* \* \*

**Hon. Kelvin Goertzen (Government House Leader):** A couple of things—well, at least one before we go through the list of business this afternoon.

I believe that there—if you canvass the House, you'll find that there is agreement to call a recess today, because it's a later night sitting and because there's an event happening here in the Assembly, between 5 p.m. and 6 p.m.

And so I might ask if you canvass the House, you'll see if we can have a recess between 5 and 6 p.m., and perhaps ring the bells one minute prior to 6 p.m.

**Madam Speaker:** Is there leave for a one-hour recess between 5 and 6 p.m. this evening, with a one-minute ringing of bells? *[Agreed]*

**Mr. Goertzen:** I thank members of the House for the provision of that leave.

Could you please call for second reading this afternoon bills 38, 21, 36, 11, 34, 32, 35, 6, 10, 13, 31, 23—*[interjection]*

I'll just finish the list. I understand that some of this will be done tomorrow, not all today if a member—the Opposition House Leader and I can have further discussions if there's concern. But I'm reading a list as if it would be for the next two days.

I think I left off at 23–26, 29, 2, 24 and 7.

And, with the exception of the first bill that I have called, which is Bill 38, the remainder are specified bills.

**Madam Speaker:** It has been announced that the House will consider second reading of Bill 38 this afternoon, followed by the specified bills of 21, 36, 11, 34, 32, 35, 6, 10, 13, 31, 23, 26, 29, 2, 24 and 7.

## SECOND READINGS

### Bill 38—The Builders' Liens Amendment Act (Prompt Payment)

**Madam Speaker:** So I will therefore start by calling second reading of Bill 38, The Builders' Liens Amendment Act (Prompt Payment).

**Hon. James Teitsma (Minister of Consumer Protection and Government Services):** I believe I'm supposed to move first, right? I don't have a script, so.

I move, seconded by the—*[interjection]* Oh, you're going to give me a script? Wonderful. I will pause.

**Madam Speaker:** The honourable Minister for Consumer Protection and Government Services.

**Mr. Teitsma:** I move, seconded by the honourable Minister for Justice, that Bill 38, The Builders' Liens Amendment Act (Prompt Payment); Loi modifiant la Loi sur le privilège du constructeur (paiement rapide), be now read a second time and be referred to a committee of this House.

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

\* (14:40)



**Madam Speaker:** It has been moved by the honourable Minister for Consumer Protection and Government Services, seconded by the honourable Minister of Justice (Mr. Goertzen), that Bill 38, The Builders' Liens Amendment Act (Prompt Payment), 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 the message has been tabled.

**Mr. Teitsma:** This bill establishes requirements for prompt payment here in Manitoba.

It was directly informed by the experiences and concerns that we have heard from stakeholders who represent diverse interests within Manitoba's construction industry, and from stakeholders like the Manitoba Bar Association, who regularly work with builders' liens legislation.

It is not a government bill or a partisan bill, it is a construction industry bill. So we heard directly from Manitoba businesses that delayed payments have caused significant problems and financial hardship—even bankruptcy—throughout the payment chain on construction projects.

That's especially the case for small- and medium-sized businesses. Recognizing that the livelihoods of many Manitobans working in the construction industry depend on prompt payment—especially for the businesses at the end of the payment chain—we have brought forward these amendments that include prompt payment within The Builders' Liens Act, and that respond to the concerns of these Manitoba businesses and also aligns with prompt payment rules in other provinces.

*Mr. Andrew Micklesfield, Deputy Speaker, in the Chair*

I thank the member for Brandon West (Mr. Helwer), especially, for his tireless advocacy on this file. He has done so, so much. And, in the case of this bill, I think I'm a very short person standing on some very tall shoulders that are his.

Very broadly, this bill establishes deadlines to pay a construction invoice owing for work and services and materials once an invoice is given for payment. A prompt payment of an invoice once owing is expected in Manitoba and within Canada.

Bill 38 extends and formalizes these obligations and responsibilities so that contractors and subcontractors are paid on time for their work, services and materials and so that they can meet their own

financial obligations and contribute to Manitoba's economic growth.

Very generally, the bill introduces a number of obligations and responsibilities on both parties, the contractor or subcontractor submitting the invoice for payment, and the owner, contractor or subcontractor who is required to pay the invoice for work owing.

This includes establishing the requirements for a proper invoice, establishing deadlines for making payments—including the requirement of the owner to pay the contractor within 28 days—requiring the owner to give a notice of non-payment within 14 days when the amount of the payment is in dispute, requiring contractors to pay their subcontractors within seven days after receiving full or partial payment from the owner, and setting rules for paying subcontractors when a partial payment is made and requiring interest on delayed payments.

In addition to establishing prompt payment obligations, the bill also creates a new adjudication process to resolve payment disputes. For example, if a contractor gives a subcontractor a notice of non-payment because the owner failed to pay the contractor, or the contractor disputes a subcontractor's payments, then the contractor must refer the dispute to adjudication within 21 days.

The parties may agree on the adjudicator, but if they can't agree, the party who were—just requested the adjudication may ask the adjudicating authority to appoint an adjudicator.

The adjudication authority is responsible for training and assessing the qualifications and establishing a registry of adjudicators.

The adjudication authority must appoint an adjudicator within seven days after being requested to do so. Documents to be used for adjudicating a prompt payment 'dispute' must be provided to the parties within five days after the adjudicator's appointment.

Adjudicators must act in an impartial manner and make their determination and provide it to the parties within 30 days after receiving the adjudication documents. These are just a few examples of the obligations and responsibilities established by this bill.

As a recent letter from the Manitoba Prompt Payment coalition, representing 32 trade associations and union states, Bill 38 has the unequivocal support of the entire construction industry.

Let me just say that again: Bill 38 has the unequivocal support of the entire construction industry. And this is especially remarkable since there can be competing interests depending on where you are in the construction payment chain.

However, I want to thank all owners, contractors and subcontractors operating within the payment chain for working together to support the establishment of comprehensive prompt payment framework and the adjudication model, all within The Builders' Liens Act, that will benefit all of Manitoba's construction industry and its employees.

Thank you to the stakeholder representatives from all parts of the Manitoba construction industry for their time and taking time to engage at events and to share their experiences, concerns and feedback regarding the immediate need to establish a fair and functional prompt payment process and dispute resolution model.

While not an exhaustive list, thank you especially to stakeholder representatives from the Manitoba Prompt Payment coalition, the Manitoba Heavy Construction Association, the Winnipeg Construction Association, the Manitoba Bar Association, the Construction Association of Rural Manitoba, Merit Contractors Association of Manitoba, Manitoba Building Trades and the General Contractors Alliance of Canada.

I look forward to getting this bill moved forward to committee promptly, and, yes, that pun was fully intended.

### Questions

**Mr. Deputy Speaker:** A question period of up to 15 minutes will be held. Questions may be addressed to the minister by any member in the following sequence: the first question by the official opposition critic or designate; subsequent questions asked by critics or designates from other recognized opposition parties; subsequent questions asked by each independent member; remaining questions asked by any opposition member. And no question or answer shall exceed 45 seconds.

The floor is open for questions.

**Mr. Mintu Sandhu (The Maples):** Thank you to the minister for bringing this bill forward on behalf of construction industry.

I know he earlier just mentioned a few people who are supportive of this bill, pretty much the whole

construction industry, but I'd still like to ask who did he consulted with.

**Hon. James Teitsma (Minister of Consumer Protection and Government Services):** I know a lot when I get one, and happy to answer the—on behalf of that member.

What I will say first is that a lot of the consultations actually occurred before I was appointed to this ministry. I've been in this role now for just a couple of months, but prior to me, the MLA for Brandon West had worked for years on this file, and had consulted with very, very many stakeholders.

But I will read that list again that I have in front of me, which is the Manitoba Prompt Payment coalition, the Manitoba Heavy Construction Association—you might know Mr. Chris Lorenc representing there, who gave us that wonderful quote about how this has the unequivocal support of the entire construction industry—the Winnipeg Construction Association, Manitoba Bar Association, Construction Association of Rural Manitoba, Merit Contractors of Manitoba—

**Mr. Deputy Speaker:** The minister's time has expired.

**Mr. Sandhu:** I think probably this question's probably pretty much on everybody's mind: Who will pay for adjudication process? Like, who will—which party will pay for that process?

**Mr. Teitsma:** All right. It might be on everybody's minds, but the answer is not readily coming to me. So, my apologies to the member. I'll be sure to have these kind of detailed questions answered at committee, and I encourage him to keep his speech short so we can move this along and get it to committee and get into the details.

Thank you.

**Mr. Sandhu:** How long does the minister accept that it will take to bring the regulations into force? Like, when it will be in force?

**Mr. Teitsma:** That is a great question and, certainly, I think we're in a good position as a province now because we do have neighbouring jurisdictions with a relatively matured legislation and regulations to go along with it, so this has my attention.

As a minister, I've committed to the association and to all the stakeholders that have been represented. I've committed to the member for Brandon West (Mr. Helwer) that I'll be pushing to move this legislation forward.

At the same time, I think the member can appreciate there is a fair bit of regulatory work to do, so we'll be doing that. I'll keep him informed as that work proceeds and we'll continue to do that as required, even if that means working at it through the summer.

**Mr. Sandhu:** How does this bill help ensure that construction projects are completed on time?

**Mr. Teitsma:** Yes, good question. I think, you know, a healthy construction industry is really what we want to have coming out of this bill, and that's what's going to get buildings built quickly.

\* (14:50)

Prior to this bill, sometimes you'd have contractors that were required to do work and required to outlay significant amounts of capital for materials and for wages without any assurance that they would receive money on the other side.

This, unfortunately, put some subcontractors in such a state that they were just unable to continue carrying out business.

Now, you want to talk about an impact to a construction project timeline, I can tell you that one of your subcontractors going out of business is a significant impact, or having to downsize, at least.

So this, I think, is going to ensure that our construction industry is healthy, the construction industry—

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

**Mr. Sandhu:** Also, another question probably on all Manitobans' minds is, why is the PC government not investing in critical infrastructure in our province?

**Mr. Teitsma:** Well, I think I'll have to dispute the assertion there in that question because we are making significant investments as a government, and I know the member knows because he asked that question with a little smile and a wink.

So, what I will say is that we continue to make significant investments, both on horizontal and vertical infrastructure. The minister for—the member for Turtle Mountain (Mr. Piwniuk)—he sits immediately to my left as our Minister for Transportation and Infrastructure.

He's making significant investments in roads across this province. And as Minister of Consumer Protection and Government Services, I am also making significant investments, as well as our Health

Minister, who's building things like the St. Boniface emergency room expansion.

**Mr. Sandhu:** Can the minister highlight the important work that is done by the member of construction industry?

**Mr. Teitsma:** Ah, we're back to getting in wonderful lobs, and I do very much appreciate that.

The construction industry represents 8 per cent of all employment in Manitoba. It is a huge contributor to our economic engine, but it also lays the foundation for more work to be done.

Often, the things that are getting built, whether that's critical infrastructure, or those, you know, new buildings, new schools, all the things that are happening in or on these pieces of critical infrastructure that is built by a construction association, goes to continue to grow our economy and expand our province.

And that goes from everything from a home that they might be building just down the street from my house to the St. Boniface emergency room expansion, to new highways, to CentrePort. All of that provides—

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

**Hon. Jon Gerrard (River Heights):** I just would like to ask the member why it took seven years to bring this bill forward. It would seem to be an important bill that should have been brought forward in 2016 instead of having to wait this long.

**Mr. Teitsma:** Thank you, Madam Speaker, I know the Liberals like to look backwards and we like to look forwards.

I think the member is reasonably familiar with some of the legislative history here, but the last—certainly, the last go-round, there was a significant interest from the building and trades association not to have this bill introduced as a stand-alone piece of legislation, but rather to integrate it into The Builders' Liens Act.

That required significant effort and that effort has been under way for quite a number of months, and you can see the result of that effort in the bill that you have before us today.

But we just want to move forward. We want to make sure that Manitoba is having prompt payment legislation, just like our neighbouring jurisdictions.

**Mr. Dougald Lamont (St. Boniface):** Just on the question, I know that for the liens—the liens amendment act and prompt payment. Was there ever a

similar act considered or—considered when it comes to collective bargaining of prompts—that prompts settlement for collective bargaining?

**Mr. Teitsma:** Well, well, well, this member sure likes to stir the pot, but I think that Manitoba has a proud history of successful labour negotiations and even some quite notable historical ones that the member for Flin Flon (MLA Lindsey) would be happy to tell us all about.

But what I would say is that our labour regulations and legislation that we have before us is certainly something that every government should be making sure is working for the good of workers and for the good of employers, so that we can have a successful, prosperous province.

That's what everybody wants. That's what's good for Manitoba.

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

Seeing none, the time for questions is over.

### Debate

**Mr. Deputy Speaker:** And the floor is open for debate.

**Mr. Mintu Sandhu (The Maples):** It is my honour to rise in the House today to put a few words on the record regarding The Builders' Liens Amendment Act (Prompt Payment).

This bill amends the buildings lien act. A prompt payment scheme is established to facilitate the timely flow of construction project funds by imposing payment deadlines on each party in the construction industry.

The time for payment to—the time for payment starts to run when the construction contractor gives the file owner a proper invoice containing required information requesting payment of amount invoiced by the contractor for work, services and materials provided that month by the contractor and its subcontractors. Mandatory initiating—interest is charged on outstanding payments when the deadlines are not met.

A payer may suspend its payment obligations to a payee by issuing a notice that sets out the reasons for non-payment.

Disputes under the payment—'promant'—'promont'—payment scheme may be resolved by adjudicator. Further work on a construction project may be halted if the payer fails to pay after a final determination of the dispute that has been made by a trained adjudicator.

To accommodate the prompt payment schemes deadline related to lien 'remedy' under the act are extended from 40 days to 60 days.

The prompt payment scheme applies to owners, subcontractors and—contractors and subcontractors who are subject to lien and trust remedies under the act in relation to contractors and subcontractors entering into our—into on or after date the amendment came into force.

So, this is a good bill, Mr. Deputy Speaker. The Manitoba NDP party and this side of the House, we are in support of this bill too. And we are really, really looking for this bill to be passed and—so the contractors and subcontractors can easily resolve the issues instead of going to the court through the adjudicators.

The construction industry accounts for approximately 8 per cent of Manitoba's employment, and it is a 'significant' contributor to the economic stability of the Manitoba. With the construction season rolling around as the weather gets warm, it is important we ensure that those working in the industry are getting paid for their hard work.

Construction workers provide essential services to our province that allow us to have safe roads and buildings, helping us create a productive and prosperous province for all. Protecting these workers, contractors and subcontractors is something the NDP strongly believe in. Making sure that contractors and subcontractors are paid on time is in all of our best 'interests.' Is it good for the business, but is also good for the families. This means that working can bring—workers can bring home money on time as rightly earned from work they have put in.

Most Manitoban construction contractors are small- and medium-sized companies with limited cash flow and limited extra credit. Most—getting paid on time is essential for these small businesses to pay for their bills on time and continue offering their services for the next project. Furthermore, hiring the right people at the right time is critical for much of the seasonal construction work, which is often hindered due to a backlog in payment.

Mr. Deputy Speaker, delayed payment for construction work that has already been completed limits the ability of a small- and medium-sized contractor to invest in their business and hire apprentices.

New Democrats have a strong history as a—building in this province. We invest in public infrastructure, we

invest in housing and we make important invest in—investments in Manitoba Hydro.

So, with this, Mr. Deputy Speaker, I, along with the Manitoba NDP caucus, are really strong supporting in this bill, and we will also like to thank the contractors and subcontracting contractors that they have [*inaudible*] in Manitoba to build Manitoba and build Manitoba's economy.

\* (15:00)

Thank you, Mr. Deputy Speaker.

**Mr. Dougald Lamont (St. Boniface):** I'll just put a few words on the record. We support the efforts of construction industry contractors who've sought a change to payment schedules and deadlines for payers on construction contracts.

The amendment follows what is referred to as the, quote, 28-7-and-7 formula, established by the introduction of prompt payment legislation in Ontario, meaning that an owner needs to pay a general contractor within 28 days of receiving the invoice; the general contractor then has to pay their subcontractors within seven days of receiving payment and their subsequent contractors need to pay any of their subcontractors within seven days of receiving their part of the payment.

Now, although this bill does cover concerns related to prompt payment, industry leaders have brought forward some concerns about the bill regarding adjudication, which hopefully will be dealt with.

The Winnipeg Construction Association and the Construction Association of Rural Manitoba have both brought forward issues concerning what adjudication would look like and what the entity that would look after it, how it would be composed, because, for example, Saskatchewan has the Saskatchewan Construction Dispute Resolution Office, which has the broad involvement of people in the industry, contractors, subcontractors and consultancy groups.

The current bill allows for one of two things: either a government employee to be the nominating authority, and after that, an entity that would look after the adjudication. And, Teri Urban, who's the health and safety manager with Parkwest Projects Ltd., did emphasize the importance of the adjudication structure by noting that since most construction companies are small subcontractors, when a pay dispute arises, they're awful—unable to afford the exorbitant costs of lawyer fees to fight for their pay.

Urban further pointed out that Manitoba Hydro and Manitoba Transportation and Infrastructure will not be bound through the legislation to the terms of the prompt payment scheme. Perhaps that's something that we can examine in amendments, but, certainly, if we're talking about Manitoba 'infrastructure'—Infrastructure and Manitoba Hydro, we're talking about two of the largest investors in terms of—largest general contractors in the province.

So we'd certainly hope that that will be included and considered because contractors and subcontractors who work for Manitoba Infrastructure, as well as for Manitoba Hydro, deserve prompt payment as well.

And with that, I will say this is a bill we will support.

Thank you.

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

**Some Honourable Members:** Question.

**Mr. Deputy Speaker:** Okay. The question before the House is second reading of Bill 38, The Builders' Liens Amendment Act (Prompt Payment).

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

I declare the motion carried.

### **Bill 21—The Highway Traffic Amendment Act**

**Mr. Deputy Speaker:** We will now move, as previously announced, to second reading of Bill 21, The Highway Traffic Amendment Act.

**Hon. Doyle Piwniuk (Minister of Transportation and Infrastructure):** I move, seconded by the honourable Minister of Health (Ms. Gordon), that Bill 21, The Highway Traffic Amendment Act, be now read a second time and be referred to the committee of this House.

#### ***Motion presented.***

**Mr. Piwniuk:** I am pleased to—today about the Bill 21, the highway traffic act—amendment act. This bill is—will make Manitoba's roads safer by strengthening the oversight of heavy commercial vehicle operators.

In 2019, the Office of the Auditor General made a number of recommendations intended to improve the way that government regulates heavy commercial vehicles, Mr. Deputy Speaker. At that time, the government made a commitment to implementing these recommendations, and I am proud to say that we are—

been making steady progress towards this goal by making an update of our policies and regulations.

This bill, in this next steps of implementing the Auditor General's recommendations, will strengthen checks for so-called chameleon carriers. These are unsafe operators who have been, or in danger of being, put out of business for safety violations. Instead of coming into compliance with the law, chameleon carriers get around enforcement actions by opening up a new business under a new name and entity; sometimes they use it—corporation names.

For example, we know that, for instance, where operators are shut down for multiple safety violations but then reappear as a different company at—a short time later without having made any significant safety improvements, Mr. Deputy Speaker.

This legislation will allow government to take stronger action to address chameleon carriers by empowering officials to refuse or revoke any operator safety fitness certificate if they are known to be affiliated with a chameleon carrier.

It is also—allows officials to sign a new operator's conditional safety rating if there is known to be safety issues with that carrier. Previously, all new carriers were given a satisfactory unaudited safety rating, regardless of their safety history.

We do want to make sure that these or new authorities are used appropriately and that the safe operators are not accidentally caught up in attempts to catch chameleon carriers. As a result, operators who believe that they have been treated unfairly have the right to appeal these decisions to the licensing suspension 'pipeal' board, which is independent, 'quasijugal'—'judical' body.

I can say, generally, as well as—this bill will have minimal impacts on heavy vehicle operators who comply with the safety regulations, who safely—performance is in good standing. Safe operators are not the target of this bill. In fact, the legislation will help to level the playing field by ensuring that safe operators are not uncut by the operators trying to save costs by not allowing safe—safety rules.

In addition, this change relates to chameleon carriers, the bill will also make some changes to upgrade—update and clarify some of—dates—sections of The Highway Traffic Act related to the process of applying for a safety fitness certificate. This will help to ensure that heavy commercial vehicle operators are aware of the legal requirements, making it easier for them to know that—what they need to do to comply.

For example, this bill will move certain requirements currently in regulations to the act and other requirements in act to regulations, which will put similar requirements together to ease an—of the understanding and ship technical requirements into regulations where they can be more easily kept up-to-date.

This legislation is also—revised and updated on the record-keeping requirements for heavy vehicle operators and their drivers. This will ensure that commercial drivers carry a copy of their operation safety fitness certificate with them on their vehicle. Also, operators will be needed to ensure that drivers abstracts are reviewed and assessed on a regular basis to make sure that the drivers have safe driving records and are fit for operating a heavy vehicle on our roads, Mr. Deputy Speaker.

That includes—makes—making sure that the public is safe when it comes to, you know, the transportation industry. And, Mr. Deputy Speaker, I know the heavy construction industry was—been asking for this, to make sure that, when it comes to their industry, that they have a good standing, good operations and have good reputation for the industry.

So, these are—by comply—I'm—to—no, communicating with the industry and consulting with the industry; these are why we have to make these changes, Mr. Deputy Speaker.

So, I just want to give—put a few words on the table, and thank you very much.

### Questions

**Mr. Deputy Speaker:** A question period of up to 15 minutes will be held. Questions may be addressed to the minister by any member in the following sequence: first question by the official opposition critic or designate; subsequent questions asked by critics or designates from other recognized opposition parties; subsequent questions asked by each independent member; remaining questions asked by any opposition members. And no question and no answer shall exceed 45 seconds.

The floor is open for questions.

**Mr. Ian Bushie (Keewatinook):** I wonder if the minister can tell us who was consulted on this bill. And do they support the changes that it makes?

**Hon. Doyle Pivniuk (Minister of Transportation and Infrastructure):** When it comes to consulting, we—our department has consulted with the heavy—Manitoba Trucking Association to making sure that, when it comes to clean up the legislation here, to

making sure that—again, they—their industry doesn't want to have a reputation of having these chameleons who, you know, have had a bad track record and then try to re-register with another corporation or another name, and making sure that the—you know, there's the—they follow regulations and the safety certificates, and making sure that it's safe for the Manitoba drivers.

\* (15:10)

**Mr. Bushie:** I wonder if the minister could tell us what type of penalties will be imposed on people who are required to obtain a safety fitness certificate but fail to.

**Mr. Piwniuk:** When it comes to the penalties it would be, basically, if there have been violations and they haven't been upgraded on their safety certificate, and they haven't made any changes, they could be shut down. And then they have to go into the appeal process, can—making sure—are doing appropriate conditions of what they need to do to become safer, and to making sure that they comply with the regulations that we're setting forward here.

And this has been asked by the heavy—Manitoba Trucking Association.

**Mr. Bushie:** I'm wondering, when the minister refers to the penalty that'll be imposed, would it be on a permanent record, or is there a length of time where that penalty would potentially be removed?

**Mr. Piwniuk:** Well, I put—thank you, Mr. Deputy Speaker.

When it comes to being violations of the safety requirements when it comes to the safety certificate, again, these people—this—these companies will be on record, and until they actually change their practice, when it comes to safer—and follow the compliance of the regulations, then over time—it will have to be time—that they would be also—be granted that, you know what, they happened—a better track record. And it's based on history.

**Mr. Bushie:** Just wondering, a little bit more to that question, if the minister could say, when he refers to a length of time, is there a length of time that's already attributed to that? A month, three months, six months, a year, years?

**Mr. Piwniuk:** Well, Mr. Deputy Speaker, the member that asked the question from Keewatinook, it's based on—it's going to be based on when they're able to change their practices. And it'd be on a individual basis. If there has been violations that were very seriously—then it might be—take a little bit longer for

their record to clear. If it's minor violations, that they were able to work together with the—you know, when it comes to the committee that they have to go in front of, they might be able to get that off the record, you know, in better time.

But, again, this is basically making sure that people who have been violating the—when it comes to the safety certificates—

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

**Mr. Bushie:** The minister referred to chameleon carriers, and people trying to kind of go around the system by becoming a chameleon carrier—a carrier—chameleon carrier, sorry. So, is there going to be also a list, for example, of individuals that attempted to do that on a number of occasions that'll be, maybe—I don't want to use the word blacklisted, or whatever—but would they be then ineligible to apply after a certain period of—certain amount of attempts to be able to become a chameleon carrier?

**Mr. Piwniuk:** It'd be—depends on the severity of the violations, Mr. Deputy Speaker. And when it comes to each of the companies, they're going to have a compliance officer, much like our industry. When I was in the investment industry, we had to have a compliance officer for every office that had financial planners.

In this case, it's going to be for trucking companies; there's going to be a compliance officer. And that's where we didn't want a—just a plain relative, or somebody who doesn't really work in the company. We want somebody who is on a day-to-bay basis, is that compliance operator. And so this is where—how—this is how they can change their—the way that they're doing things, by having the—a dedicated compliance officer.

**Mr. Bushie:** So, is there also a penalty for negligence by a company or a compliance officer who fails to do their due diligence and brings on somebody who is, in fact—does not have a safety fitness certificate, but they're still employed?

**Mr. Piwniuk:** When it comes to the compliance officer, they will have a—regulations that they have to follow, to making sure that all the rules are all set out. And that's where the regulations are going to be coming from, from this bill—this amendment act.

And the thing is, we also—when it comes to chameleon carriers, it's not just people who—within the province of Manitoba that were operating here, and then they then change their names and operate in the same province. It's also people who have been with other

provinces. We need a history of those individuals, and making sure that we work with other provinces to make sure that if that individual, that company, comes into Manitoba, that they also have proper certificates in other provinces.

**Mr. Bushie:** Just a question about the fees themselves. When you talk to the trucking industry, again—and it's not exclusive to the trucking industry, but—being able to recruit and retain employees and workers.

So with that, I would think that's the question: Will there be any financial support for workers required to, in fact, obtain a safety certificate for the job but who are unable to afford the \$200 application fee?

**Mr. Piwniuk:** Well, that's—thank you, Mr. Deputy Speaker.

When it comes to, you know, the employees like that, this is where the opportunity is, where they come and work for a company and they're employed by that company, hopefully that the company will do all of the appropriate costs of bringing that employee into being able to work. If that company requires that demand of employees, they're going to be able to do everything possible to make sure that person can actually be driving safely on Manitoba highways.

And so, when it comes to new drivers, like—again, it's like starting your own business. It's an investment in your own operations if you're becoming a trucker yourself. The thing is, there's all these appropriate costs to start a business, and this is no different when it comes to the safety certificate.

**Mr. Dougald Lamont (St. Boniface):** A question for the minister: Many operators employ temporary foreign workers. Has the minister considered how the terms of the act might affect the work of temporary foreign workers whose employment may be tied to their immigration application?

**Mr. Piwniuk:** So, when it comes to—thank you, Mr. Deputy Speaker.

When it comes to foreign workers, this is why, again, they'll have—every company will have a compliance officer to make sure that everybody that works in that company has, like, a lot of requirements to make sure that they go into our Manitoba highways or Canadian highways, making sure that they're qualified and they have safety certificates because they've been educated; they have gone through some courses to make sure that they can be able to drive safely and have—and establish a record of safe driving.

Thank you.

**Mr. Bushie:** Will there be any penalties for drivers of a regulated vehicle operating under a safety certificate? Like, they have an actual certificate but they do not carry the actual copy of the certificate with them; will they be penalized?

**Mr. Piwniuk:** Just like anything, when you don't have your driver's licence or your registration, I know I've had people that I know that actually have had a fine for not having their registration, of \$600. I know somebody who didn't have their driver's licence, got a \$300 fine.

So, this is something that, once the regulations and everything gets set up here, we go to Justice and they will actually set up fines for when it comes to the amount of money and costs of getting a fine.

**Mr. Bushie:** I understand, like, every 12 months, an operator must obtain the driving records of those who are driving for the operator and review those records within 30 days to determine whether the driver is fit to continue to drive for the operator.

Thirty days is also—seems like a longer window than necessary. Is there any opportunities, then, that that window of review would be shortened from 30 days to maybe a week or so?

**Mr. Piwniuk:** Well, I think that's also—Mr. Deputy Speaker, I think that's what the important is.

Once they're—once we get them to this—when the trucking industry has these compliance officers and making sure that they streamline and they, you know, if they do the right things. We have some good driving records in Manitoba. Hopefully that—maybe that timeline could be actually shortened because we can get through—there won't be as many people going through that process and making sure that everybody complies with the regulations and making sure that—again, we know that time is money, and we want to make sure that the trucking industry doesn't have—like, they're challenged enough when it comes to finding new workers all the time.

So, we want to make sure that we work with the industry, we talk with the industry. We'll definitely have conversations and consultations.

**Mr. Bushie:** If this piece of legislation becomes law, how does the government intend to inform the affected individuals and industries about the changes that are made under this bill?

\* (15:20)



**Mr. Piwniuk:** Well, the—some of the changes are going happen, Mr. Deputy Speaker, when it comes to—I just got notification here that when it comes to truck—the cost of transport services, we're making sure that when this Bill 21 is passed, that it's not going to affect the cost of operations of our—of, you know, when it comes to companies, making sure that it doesn't get passed on the consumer.

We want to make sure that we have streamline. And, again, we want to make sure, we want to work with the trucking industry and making sure that we don't affect—disrupt the supply chain. It's important; that's been really impacted in the last two years. We want to continue that we work together with these companies making sure that everybody complies with safety.

And again it's a win-win—*[interjection]*

**Mr. Deputy Speaker:** The minister's time has expired.

Are there any other questions? Seeing none, we will now move from questions to debate.

#### Debate

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

**Mr. Ian Bushie (Keewatinook):** I'd like to thank the minister for bringing forth this piece of legislation.

Safety, of course, is the utmost importance of everybody in this Chamber, everybody across Manitoba. So, if there are things that we can do as legislators—wherever you may reside in the province of Manitoba, whether it be in rural, urban, or wherever it may be—if we can do anything to improve safety of our citizens, I think that's—it's important that we do that, that we go across party lines to be able to do that.

So, examples of legislation, like Bill 21, for example, help us to do that. And they help us to do that in a number of different ways, and it's calling for accountability. It's calling for accountability from industry, from Manitobans, from individuals, to be able to do what's right.

Mr. Deputy Speaker, we've—and it's unfortunate that a number of us, over the years in Manitoba, and I think in fact it may, in fact, be all of us across Manitoba, have been affected by tragedy of some sort, and, in particular, tragedy on our roadways or our highway system, whether it be extended family, or even your directly infected siblings, or children, or parents, or grandparents. And it just reminds me of stories that I constantly hear, and it's unfortunate that we hear that on such a regular basis.

You know, just most recently I mean, there was school bus crash in southern Manitoba, right, where students were hurt. Uncontrolled intersections and those types that are unfortunate. And it's very sad that here we are in 2023 still having to, kind of, hold people accountable, and hold people accountable for their actions and put pieces of legislation and law in place to try and prevent people from being able to circumvent those kind of accountability and those kind of laws that we have in place.

And the changes made in Bill 21 do something just like that. The minister referred to chameleon carriers, and just, in its definition alone, it's just somebody whose kind of tried to hide and avoid accountability in a system for actions that they may have done, for actions they had done in the past, whether it be with a different carrier or whether it be as an individual.

So now, this legislation will now hold them accountable. It will follow them, wherever they go in Manitoba, and I think I heard the minister say wherever they go, maybe across Canada, across interprovincial jurisdictions.

And that's the right thing to do. If you've ever had your licence checked—and the minister referred to being, you know, having his licence called for by, I assume either the RCMP or local police—you know, and here is what I have, this is my licence.

And you do get asked, sometimes, are you prevented from driving in a different jurisdiction, you know, in Ontario, or Saskatchewan or United States. And that's more like a chance for you to be honest: Yes, I have, or no, I'm not. But, this legislation now will have something in place where that will now be called on. So, your safety fitness certificate will show your history in that regard.

So, Mr. Deputy Speaker, especially—and I know this primarily affects heavy trucking and the trucking industry. So, when you have a small family going around in a minivan or in a little compact car, and having to take on a heavy truck, for example, that's something that that small car and that family is not going to win.

So it's imperative that the person behind that wheel and driving and transporting that heavy equipment, and that heavy truck, is accountable and is safe by the standards put forth by this piece of legislation.

And that's important for a number of different reasons. First and foremost is safety, but one is the accountability and the peace of mind all Manitobans

will have knowing that, when they approach and they go on a single-lane highway and there's a truck coming their way, that that's a person who's qualified to be there—who's safely qualified to be there. And they have no fear to think that there is—at risk because of trying to circumvent a system that may be place.

So, we do a lot of legislation in this Chamber about, kind of, housekeeping and tightening up various pieces of legislation that we have here to make it more clear, more concrete, more effective. And this piece of legislation does do that.

And, I mean, we could go on—and I understand we—you only have, you know, maybe 10, 20, 30 minutes of debate sometimes, and we could get into the legislation and the infrastructure shortfalls of the government, but that's not what I'm here to do today.

I'd like to be able to speak directly to the effects and the impacts that we're going to see from day one. From day one, when this piece of legislation comes into effect, there will be a positive change made forth; there'll be a positive change towards safety and well-being of Manitobans on our roads here in Manitoba. And that's the priority that we all need to take and we all need to have.

But, Mr. Deputy Speaker, there is a few things there that—sometimes, it gets tied up in the questions and gets a little bit lost in the translation of some things, and that's what we have the question period for. So, I did ask the question, what types of penalties will be imposed on people who are required to obtain, but won't. And, sometimes, maybe, we talk about putting those in regulation, but also we need to put those in legislation. So, those penalties need to be discussed today also.

And it's discussed—and a penalty is more—not so much as enforcement, but it really should be used a deterrent. So if we put strong pieces of legislation into the penalty part of it and the strong deterrent, then we've already kind of helped that battle and helped that fight along the way because we shouldn't be about enforcement; we should be about, kind of, working together, and a deterrent from breaking any kind of system that we have in place.

So, when we bring this forth, there shouldn't be a matter of we'll do this and we'll work on the details later. Let's do this and work on the details now, so we're not, you know, bringing forth Bill 21 for amendments in a year or two years and whenever things may—and albeit, things will change sometimes in society and maybe something's not applicable, so we

need to do those kind of changes. But, for the most part, there's a lot of legwork that could be done the first time a bill is introduced. So, when we have Bill 21, for example, and we talk about penalizing, we need to do that as a deterrent.

So, that needs to be clear today.

Coming out of the pandemic, Mr. Deputy Speaker, employers and employees all across Manitoba—and all across Canada, for that matter—had a struggle. So, they've had a struggle to make ends meet, cost of living. And we can debate back and forth across party lines whether cost of living is—what it means for a certain demographic of Manitoba versus another. But the fact of the matter is, everybody was negatively affected. So, the cost of living has risen for everybody.

So, when we talk about employees and trying to recruit and retain employees, we need to make it as easy as possible. And not to say we should be, kind of, doing everything for the employee or for the employer, but let's make it easy; let's, kind of, meet halfway.

So, one of the questions that I asked was about the \$200 application fee and who would be responsible for that. And the minister, I think, had made reference to the fact that, you know, if an employer really wanted an employee, they would help, kind of, make that happen. But the reality is, sometimes that's not the case, and an employer may say, you know what, you bring this to me before we offer a job, before we move forward on any kind of interview process.

So, if that—let's say it's a first-time employee or a first-time worker in an industry, may not have that ability, may not have that \$200. And I know it may not seem like a lot in the grand scheme of things, but for some people it is. For some people, that \$200 application fee for this is the difference between walking into that interview versus I can't do this, I can't afford to it, and maybe their career passes them on.

So, that's something that we need to look at also. We can't just bring forward the legislation when no dollars to, kind of, back up and try and make it easy as possible for individuals to be able to get into that workforce.

Another question that I'd—I had asked about is the penalties for not carrying your certificate—or, your fitness certificate, for example.

\* (15:30)

And I understand that, over the course of time, that's going to be the norm. People will take it maybe as part of their driver's licence, maybe there'll be a little addition on your driver's licence that says, hey, I have this safety fitness certificate. But for the interim, that may not be the case, and people may need an adjustment period to be able to get kind of familiar with exactly how this works.

So that, again, is something that needs to be clarified as well. Now, there can't just be something, we're going to do this and penalize from day one if you go against what's in there.

So—and it's not against the safety part of it. For me, that parameter is not about having and achieving the actual certificate, that's maybe physically carrying a certificate. That's not to say you don't have it, but the penalty for not having it shouldn't be a penalty in—from day one, because there needs to be an adjustment period for people to get used to—be able to change themselves and acclimate themselves to be able to now carry another piece of information with them.

Because people want to carry less and less as it goes on. For those of you have had either a wallet or some kind of thing to keep all your identification or all your certificates or all your cards you need, it gets to be pretty thick after a while. So, that's just something that maybe people need to get used to being able to have on them, and there shouldn't be a penalty from day one.

But, Mr. Deputy Speaker, at—the premise and then the idea behind this is about safety, and I think all—across all party lines here in the Chamber and across Manitoba, we can agree on the fact that the safety of Manitobans and the safety of our people on our roads is of the utmost importance.

So, again, for this piece of legislation, we support this. I still feel it could go a little bit further, and we should be—for all the things that I just mentioned in the last few minutes, we could be able to make this a little bit stronger. But I believe, on the premise, this is a very good start, because the safety of Manitobans is what's important to all of us.

Miigwech.

**Mr. Dougald Lamont (St. Boniface):** I recognize that, I think, a number of these changes are due to—or, they're corrections that are happening as a result of an Auditor General's report into the oversight of commercial vehicle safety. There'd been a steady increase in the number of accidents on our roads, including dangerous accidents involving commercial operators.

And one is that the safety fitness program was deemed to be insufficient. One was that there was no checking of operator safety knowledge or practices when first issuing safety fitness certificates. There was inadequate follow-up to poor safety performance. There wasn't enough focus on risk and operator improvement.

And the sum of this is being addressed, and that is important, because there was a point when it was really a—realistically speaking, our roads were not as safe as they ideally should have been that—when it came to on-road inspections. They said almost 50 per cent of truck traffic is when major weigh stations are closed, which meant that the weigh stations were completely missing trucks, as if a weigh station's open, obviously they're not going to be analyzing anybody. And there were also challenges even, as mentioned, around a pass-fail that—essentially, that a pass was not—so, when safety issues were discovered, they weren't always properly recognized. So, that is something that is important.

We're certainly pleased that these changes are being made. It has been slow. I know that on the Public Accounts Committee recently, there was a point when only—when less than a third of the recommendations had been fully made—only 29 per cent of the recommendations had fully been made.

And one of the issues, again, when we talk about trucking in Manitoba, it's an industry where people are always in demand. And it's not simply that it's growing, it's because there's a lot of turn and churn and turnover. So part of it is that the drivers themselves—this is also about the protection of drivers themselves.

I think we saw recently a case in Stonewall where there were foreign temporary workers who were being very badly mistreated, which was—which happens sometimes. It's really unfortunate, but it happened. So, we need to make sure that there are protections like that, as well, as far as the safety of the operators are concerned. If the operators can't operate safely, then clearly their vehicle isn't safe and they're not safe on the road as well.

So, we do see this as being a series of positive steps. Always, that there could be greater protections, certainly as far as temporary foreign workers are concerned. But we will support this bill.

Thank you.

**Mr. Deputy Speaker:** Are any other questions?

Okay. The question before the House is second reading of Bill 21, The Highway Traffic Amendment Act.

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

I declare the motion carried.

**Bill 36—The Fair Registration Practices in Regulated Professions Amendment Act**

**Mr. Deputy Speaker:** We will now move, as previously indicated, to Bill 36, The Fair Registration Practices in Regulated Professions Amendment Act.

**Hon. Jon Reyes (Minister of Labour and Immigration):** I move, seconded by the Minister of Justice (Mr. Goertzen), that Bill 36, The Fair Registration Practices in Regulated Professions Amendment Act; Loi modifiant la loi sur les pratiques d'inscription équitables dans les professions réglementées, be now read a second time and be referred a committee of this House.

*Motion presented.*

**Mr. Reyes:** Madam Speaker, I'm pleased to rise again to provide comments on Bill 36. Manitoba has labour mobility obligations under the Canadian Free Trade Agreement and the New West Partnership Trade Agreement.

Manitoba's Labour Mobility Act underlines the Province's commitment to full labour mobility in Canada by requiring all regulatory bodies to be compliant with all domestic trade agreements that Manitoba is a party to. Manitoba's Fair Registration Practices in Regulated Professions Act requires self-regulating professions to comply with the CFTA and NWPTA.

This bill is about extending—sorry, expanding government's statutory toolbox to foster and enforce more expedited labour mobility and fair registration. It addresses highly skilled labour shortages and competitive pressures in self-regulated, registered professions. It intends to reduce, remove barriers faced by labour mobility applicants to our province by ensuring that they are treated fairly and their applications are processed in a timely manner.

The bill also requires regulated professions to comply with statutory regulations with respect to English or French language proficiency testing requirements. This requirement is expected to reduce red tape and the financial burden for internationally educated applicants. These amendments empower the minister to issue compliance orders to regulated professions not compliant with labour mobility legislation.

This bill further supports fairness legislation requirement for self-regulated professions to ensure transparency, objectivity, impartiality and fairness in their registration process, and is modelled after recent approaches in other provinces.

Thank you, Mr. Deputy Speaker.

**Questions**

**Mr. Deputy Speaker:** A question period of up to 15 minutes will be held. Questions may be addressed to the minister by any member in the following sequence: the first question by the official opposition critic or designate; subsequent questions asked by critics or designates from other recognized opposition parties; subsequent questions asked by each independent member; remaining questions asked by any opposition member. And no question and no answer shall exceed 45 seconds.

The floor is open for questions.

**MLA Malaya Marcelino (Notre Dame):** I'd like to ask the minister who was consulted when writing this bill.

**Hon. Jon Reyes (Minister of Labour and Immigration):** The 31 regulated professions in Manitoba under fairness legislations have been informed of this regulatory project.

**Ms. Cindy Lamoureux (Tyndall Park):** Can the minister advise if language proficiency testing is continually being re-evaluated to meet the needs of future Manitobans looking to enter in-demand professional occupations such as nurses and in-demand health-care workers?

**Mr. Reyes:** Our government is taking a leadership role with regards to language proficiency. Regulatory colleges are also responding to these—this—to language proficiency as well.

I can tell you, with respect to the amendments, this section requires that regulated professions must not subject applicants to additional language testing if they already meet this requirement. So, that's the reason why for this amendment.

**Mr. Deputy Speaker:** Are there any other questions?

\* (15:40)

**MLA Marcelino:** I was just wondering which would—this bill was written in response to any particular regulated professional bodies? Like, was the government experiencing any difficulties with any particular regulated professional bodies? And if so, which ones?

**Mr. Reyes:** Yes, there has been challenges with internationally educated professionals who are domestic applicants in other provinces coming to our province. We've had a lot of conversations with regulatory bodies, and that is why last year, the Minister of Health (Ms. Gordon) had to issue a letter of compliance to ensure that the regulatory bodies complied with those issues to ensure that these internationally educated professionals would be gainfully employed here in our province of Manitoba.

**MLA Marcelino:** I would just like to know, because this bill does speak about proposed time limits for professional bodies to respond, I was just wondering: What are current, normal wait times for applications to be reviewed, currently? If he—if the minister has any current numbers, especially for the professions that were seeking to help with our health human resource strategy.

**Mr. Reyes:** Mr. Deputy Speaker, what I can tell the member is that what prompted these changes, they're intended to remove barriers to labour mobility and make sure that the application requirements do not create disguised restrictions to labour mobility.

Licence-to-licence recognition is in a place to ensure applicants do not face erroneous application processes that take a long time. Mobility applicants should not be required to complete re-assessment of language competency, education, training or ability to practise if they have done so in another Canadian jurisdiction.

**MLA Marcelino:** I was just wondering, Mr. Deputy Speaker, how is this government planning to address other barriers faced by internationally trained workers?

**Mr. Reyes:** As I said before, our government is taking a leadership role when it comes to streamlining the process with internationally educated professionals. In this case—in this bill—domestic applicants who are from other provinces—and what I can tell you, as well, is that regulatory colleges are also responding to ensure that internationally educated professionals come to this province, so that they can be gainfully employed in our province as soon as possible.

The change underlines the province's commitments to full labour mobility Canada, and to ensure that Manitoba continues to have access to qualified licensed professionals.

**Mr. Deputy Speaker:** Are there any other questions?

Seeing none, we will move from questions to debate.

## Debate

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

**MLA Malaya Marcelino (Notre Dame):** I was very pleased to be able to attend the briefing that was provided to me by the minister and the two different departments. I was in attendance for that briefing, and I was able to understand what this bill was really about.

I would—I'm happy to say that, you know, this bill is needed, and it's something that our side of the House here is going to be pleased to support. The main thrust of this bill is that what, from my understanding, is for folks who are seeking to be registered in their professions here in Manitoba, especially for folks that are coming from other jurisdictions. The provisions in this bill will indeed assist those folks that are going to be seeking to be registered here in Manitoba, as long as they're coming from other jurisdictions in Canada.

What this bill doesn't do, however, is provide much assistance for folks who are already in Manitoba, who are trying to seek, you know, a more barrier-free—unfair barriers, to be free from unfair barriers to accreditation here in Manitoba. And so, those barriers, coming from other jurisdictions to come back into Manitoba, it's going to be okay—this bill's going to help with that.

But, again, for those folks that are experiencing barriers within Manitoba, we are still not adequately assisting them, and at this point, this bill, you know, has its limitations, and that's its main limitation.

So, I would have to really speak about the things that still need to be done in order to get fairly registered here in Manitoba from many different professions. And I'm going to be focusing on nurses and on doctors today because, as we know, we are experiencing a severe nursing crisis, shortage throughout our province and we are also experiencing alarming rates for doctor shortages across the province, especially for our rural, northern and remote areas.

If the government wanted to help, I think that we are in a process now, we are in a system now, where it is in the public interest of the government to take a review of the different processes, especially that are happening in our health human resource system and professional bodies that accredit them.

When you take a look at a doctor shortage of over 400 to just get us to the national average for the number of doctors, the fact that we are the lowest in

Canada for the number of family physicians to—per capita to residents, or that we are the third lowest in Canada for number of specialists to—in per capita to residents in Manitoba. These are really alarming rates, especially when we consider our aging population in rural and northern areas.

We're hearing all these stories. And I just happen to know, because of my background, so many internationally educated nurses and so many international medical graduates that really want to be part of the solution to this health human resource strategy here in Manitoba, but they're, you know, 'proverbially' left out of the cold.

If the government wanted to do—so act as part of section 221 in The Regulated Health Professions Act, the minister and the Cabinet already have the broad authority to make, approve, review regulations and, if necessary, to appeal or amend regulations if it is in the public interest.

If it's not in the public interest now, I don't know what is, because we're hearing from our front-line health-care workers that they really, really are experiencing a staffing shortage and that it does affect patient safety. We're seeing closures. We're seeing, you know, the lack of—especially in our rural and northern areas, the fact that there's only 27 out of 68 health centres that are only open part-time, and then 18 in this last few years that have been permanently closed.

These are very serious conditions that our northern, rural and remote areas are facing. And I do believe that this is time to act in the public interest, to take a more concentrated and focused and to have a greater partnership with our regulated—with our regulators to try to attend to these issues. And, again, international medical graduates and internationally educated nurses want to be part of the solution, but they've been facing a lot of barriers, whether it's due to cost or even just other types of other unfair barriers.

When you take a look at the CRNM, or College of Registered Nurses of Manitoba, registration data report that was provided to us in December 2021, you're taking a look at the 2011 to 2020 rates of registration of internationally educated nurses and how successful they are or they weren't in trying to apply to become nurses here. We're seeing that over that time period, more than 60 per cent of them were not able to get registered for various reasons, and for those that were able to get registered, it took an average time of two and a half years before they were able to get registered

to work here in the province. And I certainly know of many nurses that it took four years or even more.

\* (15:50)

So, there is something wrong here when we have this—these type of statistics. Again, from that same report, CRNM Registration Data Report, we're seeing that even the—this really downward trend of successful applicants over this 2011-to-2020 period, and then, even with that, the number of immigrants with nursing backgrounds coming to our province.

We had a high of about—it was increasing from 2011 to 2014, and it got up to almost 400 nurses that were coming into Manitoba, until it went down to 49 in 2019. In 2020, it went down to 19; 19 immigrants coming to Manitoba with a nursing background.

I was aware of a social media campaign that was called anywhere but Manitoba. So, for nurses to go anywhere but Manitoba. And if you take a look at what was going on in these registration practices and the types of unfair—various 'traceditation' that folks were experiencing, it was really no wonder why that people were trying to go anywhere but Manitoba.

I know of nurses that actually would prefer to go to Quebec, have to learn French, have to pass things in French, before they would actually come and do that here in Manitoba. It was almost that ridiculous.

So, if you take a look at internationally educated nurses accreditation processes from other provinces, you'll see why everybody is leaving Manitoba and doing their accreditation process elsewhere.

In Ontario, a nurse would have to pass her NCLEX—it's called the National Council Licensure Examination for registered nurses. And then, they would have to go through a paid, supervised, practice experience partnership. Kind of like a mentorship, where you're doing the experience of working in a health centre under paid supervision.

In Nova Scotia you have to do this NCLEX, this main board exam, and then you also have to pay—pass language proficiencies. Okay, but here in Manitoba, we have to do all of those, plus we need to pass—or, go through another test, called a clinical competency assessment, which takes four days. You can't prepare for it, you can't review for it. And that's extra cost.

And, on top of that, you still have to go through more bridging programs that can take anywhere up to two years. So, of course the—our nurses here are not going to stay here, they're going to go to another province where the process is easier.

*Madam Speaker in the Chair*

And then, after that, we can use this bill that the minister has suggested, and that we will be passing today, because then everybody's going to be coming back to Manitoba if they have some kind of tie to Manitoba.

So, my suggestion is that we take a look at this process. This bill that we're going to be passing today is, again, making it easier for folks to come back to Manitoba once they've already, you know, gone—done their accreditation process elsewhere. But what is it that's happening here in Manitoba that we need to drive people out of province first, to go through their accreditation processes, and then after that, use this bill to make it easier—to make them come back here.

It seems extremely convoluted, and considering our—what we're experiencing here in our province, especially in northern, rural and remote areas where we have these doctor and nursing shortages, it really behooves this minister, and our Health Minister and this Cabinet, to take this section 221 of The Regulated Health Professions Act seriously and see what is it here that we need to do to take—we already have the broad authority to make, approve, review these regulations, or to appeal and amend regulations, if it is in the public interest.

Now, I am just a politician. I am not a nurse, and I am not somebody from the colleges, and I am not—I am one of the least people that are going to be authorized—or, have the experience to make these proper decisions about what constitutes safety and all those things that we really need to take into account for coming up with this process to make sure that we have, you know, the most skilled nurses and that we have patient safety as our priority here in this province.

But, at the same time, I really need to point out here that what's going on in Manitoba is really not working. So, throwing money at the issue is one thing that may or may not work, but what we're seeing, what I'm hearing from advocates is that our Manitoba IENs aren't even taking that Manitoba IEN grant, that \$23,000 that they can apply for as a grant.

So—and that's serious. You have an ability to take a grant, \$23,000, so that you can do your Manitoba registration process here, but you don't take that \$23,000 because you know that you may not pass or you know it's going to take really long to do this here, so you're going to go to another province and do it

there. They're not even taking the money. That's what we're hearing from advocates.

So, there is so much work that needs to be done. Yes, we will pass this legislation that the minister has brought forth today because it is making it easier for those folks that would maybe return—to return here and practise here in Manitoba, but there is something going on here that we really need to address in Manitoba. Why are these people not wanting to go through the registration process here?

And I would leave it to the minister, to the Cabinet, to really take a long, hard look at the registration rates that we're seeing, the decline that we're seeing in these registration rates from our IENs, from our immigration rates that we're seeing, the decline in those rates for folks that have this nursing background.

And today I did speak about the international medical graduates. There are a whole host of different kinds of things that we can do to try to make it easier for international medical graduates to join our province and join the ranks of doctors here, and we—the stories that I hear sometimes, and I'll just share one because I know we need to wrap up. There's this one international medical graduate that I met recently. He was an ophthalmologist and a surgeon. He used to treat folks in the Canadian embassy when he lived there in the Philippines.

Yet, the next week when he was here in Manitoba, you know, he's not a doctor anymore so he's not qualified to treat anybody here. He had to tell himself at the airport on his way here: Remember, I am not a doctor anymore; remember, I am not a doctor; I am not a doctor anymore; when I leave this airport and I go to Manitoba, I am not a doctor anymore.

And, you know, he has his children with him and his family and they come here, and now he's working at a call centre and he's been working at this call centre for quite a while. This is somebody who we could certainly use, knowing what the rates of folks who need especially eye surgeons and eye doctors, especially in northern, rural and remote areas. He's willing to work in these types of places.

But what kind of immigration system and what kind of regulatory colleges system do we have here in Manitoba that somebody like that has to talk to themselves in that way before coming to our province?

So, there's so much more that we can do. This bill before us is, you know, tinkering at the edges. We're trying to help people to come back once they realize they can't do this here in Manitoba, but there is a lot

here that we can do, that we must do, in order to help address our health human resources strategy that we really need to work on if we're going to get to the bottom of, you know, trying to help this aging population that's coming up.

Thank you for the time.

**Madam Speaker:** The honourable member for Tyndall—

**An Honourable Member:** House business.

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

**Hon. Kelvin Goertzen (Government House Leader):** On House business, I'm just looking to revise the order of government business that proceeds this afternoon.

Could you please call, in this order, second reading of Bill 36, 11, 34, 32, and then debate on second readings of Bill 35 and 6, and second readings on 13 and 31 and Bill 7.

**Madam Speaker:** It has been announced that the House will deal with the following business this afternoon: Second reading of bills 36, 11, 34, 32; debate on second reading of bills 35 and 6; second reading of Bill 13 and 31; and debate on second reading of Bill 7.

\* (16:00)

The hour being 4 p.m., I am now interrupting to—debate to deal with second reading for the remaining government-specified bills as per rule 2(10). There is to be no further debate or amendment beyond what is provided in rule 2(10). The House shall sit until midnight and may sit beyond midnight only with unanimous consent.

In accordance with our rules, all matters of privilege and points of order are deferred until after these actions have been concluded.

The bills will be called in the order as announced by the Government House Leader. These remaining specified bills are: 36, 11, 34, 32, 35, 13, 31, 7 for today. *[interjection]*

Well, then I'll start over and read the whole list of specified bills: 36 to be concluded; then 11, 34, 32, 35, 6, 10, 13—*[interjection]* Okay.

The remaining specified bills are: 36, 11, 34, 32, 35, 6, 13, 31, 7, 10, 23, 26, 29, 2 and 24.

For bills that have not been previously called for debate, the following actions will take place on each bill: The minister will move the second reading motion and then have up to 10 minutes to speak in

debate. A question period of up to 15 minutes may occur, following which the official opposition critic and independent Liberals will each have up to 10 minutes to speak. Upon conclusion of these remarks, the Speaker will put the question on the bill.

For each bill that has previously been called for debate, the remaining steps in the process will be concluded. This includes completing the question period on the bill, followed by debate remarks from the official opposition critic and the independent Liberal members. Following that, the question will be put.

I will now recognize the honourable member for Tyndall Park to address second reading of Bill 36.

**Ms. Cindy Lamoureux (Tyndall Park):** Thank you, Madam Speaker, for the opportunity to rise this afternoon and put a few words on record about Bill 36, The Fair Registration Practices in Regulated Professions Amendment Act.

Madam Speaker, it's hard not to think about this legislation and debate this legislation and not think about the health-care shortages that we have in the province. And health-care shortages come from a wide array of different issues, but for the sake of this legislation, one of the reasons our province is under such pressure right now is because we have health-care workers here in the province of Manitoba who are trained to work, who want to work, but are not being allowed to work.

And I think that this piece of legislation is a positive step because, at the very least, it allows for us to begin debating it here inside of the Manitoba Chambers. And we are going to be supporting the legislation because I do think it's important to move forward.

But there are many Manitobans still living here in Winnipeg, throughout the province, who have been wanting to leave the province, especially throughout the pandemic, because they are trained in our health-care field and they actually—they want to contribute to health care at such a dire time. And we've done very, very little to help enable this, to help ensure that those wanting to contribute to our health-care system actually have the opportunity to do so.

And again, I think this piece of legislation is a step—a positive step forward but it's just scratching the surface, Madam Speaker. And I'd like to compare us to other provinces, and we know that recently Ontario legislated changes to allow for Canadian health-care workers who are already registered or licensed in



another Canadian jurisdiction to begin practising in Ontario immediately without having—first having to register with one of the regulatory colleges. We could be debating ideas such as this.

We know in the BC government they announced bursaries for internationally educated nurses last year, and since funding was announced, about 5,000 people expressed an interest in nursing in BC. And again, we have to be competitive with the other provinces, Madam Speaker. We need to give health-care workers—workers who we desperately need right now—incentive and reason to stay in our province.

This legislation could move further—it could further expand to include international mobility licensing and improving international qualification recognition.

You know, last month I asked the Minister of Labour and Immigration (Mr. Reyes) during question period why nurses and physicians are not listed as in-demand occupations in Manitoba, despite a critical shortage of health-care workers in our province. That list, to this day, has still not been updated, Madam Speaker. We know that these careers, these jobs are in demand, yet it's not being listed as in-demand.

We need to be looking at better bridging programs for internationally trained health-care workers, and that means looking at how we can use our already established Manitoba Provincial Nominee Program immigration routes to support attraction of internationally trained skilled workers in health-care fields.

And we need to be re-evaluating language requirements to ensure that the requirements are attainable for in-demand, high-skilled workers here in the province of Manitoba.

With those few words, Madam Speaker, I'm looking forward to further debate.

Thank you.

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

**Some Honourable Members:** Question.

**Madam Speaker:** The question before the House is second reading of Bill 36, The Fair Registration Practices in Regulated Professions Amendment Act.

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

I declare the motion carried.

### **Bill 11—The Reducing Red Tape and Improving Services Act, 2023**

**Madam Speaker:** I will now call for second reading of Bill 11, The Reducing Red Tape and Improving Services Act, 2023.

**Hon. Kelvin Goertzen (Minister of Justice and Attorney General):** I move, seconded by the Minister of Transportation, that Bill 11, The Reducing Red Tape and Improving Services Act, 2023, be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Goertzen:** This is an omnibus bill—omnibus, not ominous—because it is fairly routine in terms of the issues that it deals with. And I'll try to run through them relatively quickly.

I only mention it as omnibus because it has a lot of other departments that aren't related to the department of Justice, and so while I can try to provide some detail when questions are asked—if there are any questions—I may have to defer some of the details to committee, until the relevant departments are conferred with.

However, this bill amends The Amusements Act, which will eliminate the prohibition of reselling tickets at markup. The prohibition on reselling tickets is no longer effective in addressing the rapidly evolving online secondary ticket marketplace.

Similarly, the prohibition limits the availability and the ability of Manitoba companies to provide secondary ticket sale services, and compels Manitobans to rely on services from outside the province and grey market. Manitoba is the only province that restricts what a secondary ticket seller can charge.

A further amendment is to the city of Winnipeg charter and The City of Winnipeg Charter Amendment and Planning Amendment Act, and it will be amended to permit planning notices to be sent electronically.

The City of Winnipeg Charter Amendment and Planning Amendment Act requires the City of Winnipeg to give the owner of real property written notice to be delivered by ordinary mail. Change was made to the planning act in 2018 that enables municipalities outside the city of Winnipeg to choose whether to communicate through ordinary mail, in person or through electronic communication with consent.

The City of Winnipeg has requested similar legislative changes that will provide the City with the same

communications options as other municipalities in the province. City of Winnipeg indicates that the requirement to send notices via ordinary mail affects their ability to improve services and reduces review times for various permits.

The Highway Traffic Act is amended to provide paramedics and emergency medical responders the same authority as firefighters to direct traffic.

The HTA does not currently allow paramedics to control traffic at an emergency scene on a roadway; however, as members know, paramedics are often the first or only emergency responders at a scene, especially in rural areas. In such situations, paramedics need to direct traffic in order to establish a safe zone in which to work. The amendments will give paramedics the authority to control traffic in situations where police are not present, or under the direction of the police, which is the same authority to control traffic that firefighters currently have under the HTA.

\* (16:10)

In addition, the HTA—Highway Traffic Act—currently allows emergency vehicles and any other type of vehicle carrying rescue or first-aid equipment to contravene certain traffic rules such as speeding and proceeding through red lights. The amendment will remove this outdated provision to ensure that only emergency vehicles operated by a driver with a class 4 licence are allowed to disobey traffic rules when responding to an emergency. The proposed amendments do not impact volunteer or part-time or on-call firefighters, including those in rural Manitoba.

Finally, The Teachers' Pensions Act is amended to allow the Teachers' Retirement Allowances Fund, sometimes called TRAF, allow their board to set its own board procedures and adopt forms to be used for administration of the Teachers' Retirement Allowances Fund. The TRAF board has requested the Department of Education and Early Childhood Learning to make these changes to allow for enhanced flexibility in the frequency and scheduling of their board meetings and to remove the requirement that their operational forms be prescribed by regulation.

Those are the amendments that are made in this reduction of red tape act, and I look forward to answering the questions I can and responding to others at committee.

### Questions

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

to the minister by any opposition or independent member in the following sequence: first question by the official opposition critic or designate; subsequent questions asked by critics or designates from other recognized opposition parties; subsequent questions asked by each independent member; and remaining questions asked by any opposition members. And no question or answer shall exceed 45 seconds.

**Mr. Mintu Sandhu (The Maples):** As the minister mentioned, there were four different acts are amended. I was just wondering why all those four put into a one bill.

**Hon. Kelvin Goertzen (Minister of Justice and Attorney General):** I thank the member for the question.

So, there's two kinds of bills like this. One is the minor amendments and corrections act, which are smaller changes—often typographical changes that show up in an act that deal with a variety of different departments. These are red-tape reductions, so they're not significant enough, always, to have their own stand-alone bill, but they do things that make things more effective, and they show up in the red tape reductions bill.

**Ms. Cindy Lamoureux (Tyndall Park):** Can the minister explain whether it was considered that eliminating the probation on scalping might be a disincentive towards participants and fans being able to attend amusement events such as games and concerts?

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

I'm sure that she'll know that already there are many secondary ticket providers—I won't name them all, but she can google them—and many Manitobans access secondary tickets online in that way, and they're often sold at a price that's higher.

The problem is that you can't really regulate that; you can't really have protection for fans, because they're all out of province and they're not subject to Manitoba regulation. Allowing Ticketmaster and those that are located in Manitoba to be able to do that allows the minister to ensure that there is fan protection.

**Mr. Sandhu:** Does the government agree that their bill 37, The Planning Amendment and City of Winnipeg Charter Amendment Act was a bad idea that added red tape for municipalities?

**Mr. Goertzen:** Well, in fact, as the member would know from my comments, the City of Winnipeg has asked for these particular changes in this act.

If he believes that the changes are a bad idea, he may want to phone up Mayor Gillingham or his local counsellor and ask why they've recommended and asked for these changes.

**Mr. Sandhu:** I'd just also like to, maybe, ask the minister to provide some information who he consulted when he drafted this bill.

**Mr. Goertzen:** In particular, with that amendment that the member just asked a question about, the City of Winnipeg asked for the amendment, so it was the City of Winnipeg.

**Madam Speaker:** Any further questions?

### Debate

**Madam Speaker:** If not, debate is open.

**Mr. Mintu Sandhu (The Maples):** Recently, we had a chance to sit down with the True North and Ticketmaster to see what their thinking is regarding The Amusement Act amendment, and they even asked us for the support of this bill.

But then they also told us, you know, there's a way to protect the consumers. And they had provided us a list to bring in, especially, first off, a Manitoba ticket sales act, which is, if you look at in BC or you look at in Ontario, they do have those acts. And there's penalties, and there's even—I think, in BC, one is a prison term if you don't follow those laws.

So, what the True North and Ticketmaster were asking for is they were asking the ban of user software bots, which was designate—designed to circumvent online security measures, cut to the front of the line and steal tickets. So, again, this is a really good idea to actually ban bots, and this was True North's and Ticketmaster's ask.

And they also asked us—like, they provided us a list of what else needed to be brought into the act. It has also provided the private *[inaudible]* ticket posting, which deceived fans into paying high prices for tickets not even on sale yet.

So, like, people will post some of these tickets. Even if you look at the Jets tickets; they weren't even—on—like, they weren't even selling it, but there were some out-of-province or you can call out-of-country sites. They were selling the tickets, even though they'd never had those tickets. So the consumer is not protected in that case.

They were also asking to bring ticket reselling out of the black market with strong new consumer protections, such as mandatory money-back guarantee for all resold tickets, disclosure of exact seat location and information, transactions in Canadian dollars only, transparency in pricing through upfront pricing of fees and taxes.

So, want to make sure—sometimes, you see that the first to pay is—let's say Jets tickets, season tickets or the playoff tickets—like, they were posting for \$100. If you go to the third or fourth page, there's probably \$70 or \$80 taxes. But with this—but the Ticketmaster is asking to put everything in front so consumers know—when somebody's buying the ticket, they know exactly what the price will be.

Display of ticket refund policies in the event of event cancellation; ban deceptive marketing, like the unsanctioned use of names, logos of teams, artists and venue-only selling websites to confuse consumers. And this is exactly—they were telling us—they have even showed us, when they were showing the—even though Jets tickets weren't on sale, but there were some sites, they had a logo—a Jets logo—and they were trying to say this is a—looks like the real Jets site where you can buy the tickets.

They also asked us to consider a requirement for a reseller to register with a provincial consumer protection authority to clarify that they do not use deceptive practices, software bots and require payment and local—and pay local taxes. So that's really important, keeping money in Manitoba, Madam Speaker, and this is where, currently, you know, that these out-of-province or out-of-country sites, they don't pay taxes.

And they also amended the City of Winnipeg charter and The City of Winnipeg Charter Amendment and Planning Amendment Act are amended to permit planning notices to be sent electronically.

I guess the third one is Highway Traffic Act. The Highway Traffic Act is amended to give paramedics and emergency medical responders the same authority as firefighters to direct traffic and eliminate an exemption that allowed vehicles other than emergency vehicles to disregard speed limits, stop signals, other traffic control devices, carrying first aid or rescue equipment.

And the fourth one was The Teachers' Pensions Act. The Teachers' Pensions Act is amended to allow the Teachers' Retirement Allowance Fund board to set its own board procedures and adopt forms to be used for

administration of the Teachers' Retirement Allowances Fund.

\* (16:20)

Madam Speaker, again, as I said—asked earlier, I think the minister or—even mentioned it that there's four different departments that they brought everything into one bill.

After we really look at it, as the question was on bill 37, was this asked by the municipalities, you know, the—even AMM said, no, we don't need this bill, but this government still brought that bill forward where they have taken the rights from those elected officials and can put those decision making to some of those that—not even elected members. So, that's creating more red tape, Madam Speaker. That's not reducing the red tape.

And even, if you think about it, PCs are always 'pictified' with the cities, if you think about it. They have cut 50-50 funding for the transit and—which is a fact. And they also froze the funding for the seven years in a row, Madam Speaker.

That's also—even AMM—this was our—actually NDP's first election promise and I think it has only 170 days left 'til elections and that was one of our promises.

And it's the PCs that have to follow the NDP what they're doing now, so—and there's another, Madam Speaker, is just a—it's an election year now and the PCs will promise the moon to everyone. But will they deliver it? Maybe not. Have they delivered for the last seven years? No, they haven't.

There's always announcements, announcements and announcements. Is there any—they are always—have underspent, even on highways.

With these few comments, Madam Speaker, I'll give the floor, I think, to my colleague from Tyndall Park and she may want to put a few words on this one too.

Thank you, Madam Speaker.

**Ms. Cindy Lamoureux (Tyndall Park):** I'm happy to rise and be able to share a few words about Bill 11, the reducing red tape and improving services act.

Now, it's difficult to debate any piece of legislation when there's four very different and important topics all being thrown into one; doesn't really give the other pieces of legislation the benefit of the doubt here, Madam Speaker.

For example, I know there's a large piece of legislation about the Retired Teachers' Association, TRAF. And all of us here in this House have actually done a lot of work to support TRAF. We recently passed legislation for TRAF and, of course, we all want them to be allowed to set up their own board procedures.

So, we are very much in favour of this, Madam Speaker, but it's hard to support a piece of legislation that, if we choose to support that, we are also choosing to support the resell of tickets. And these are tickets for concerts, tickets for games.

I know many members of these House enjoy going to Winnipeg Jets games. It's getting very exciting; we're in the playoffs now, Madam Speaker. Yesterday—tomorrow is going to actually be our first playoff game, and I'm sure many members of this House are going to be watching it, whether we're here in the Chamber, somehow on their devices, or maybe we'll get out a little bit early tomorrow so we can be going to the whiteout parties ourself.

But for these games, for these concerts, we—by implementing legislation such as this, we're actually encouraging people to resell tickets. We're encouraging those who can afford to bulk buy—*[interjection]*

**Madam Speaker:** Order.

**Ms. Lamoureux:** —and then go and resell these tickets who—those who might not be able to afford to buy the new tickets at the listed price.

So, it's difficult, Madam Speaker, and I would—I wish that the government would bring forward legislation giving merit to each piece of the legislation.

Again, there's four pieces; my colleague from The Maples actually spoke very well to the four different pieces and it would be nice to give each piece of legislation its due. And they deserve it, Madam Speaker.

With those few words, though, we'll continue on with debate.

Thank you.

**Madam Speaker:** The question before the House is second reading of Bill 11, The Reducing Red Tape and Improving Services Act, 2023.

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

I declare the motion carried.

### **Bill 34—The Police Services Amendment Act**

**Madam Speaker:** I will now call second reading of Bill 34, The Police Services Amendment Act.

**Hon. Kelvin Goertzen (Minister of Justice and Attorney General):** I move, seconded by the Minister of Education, that Bill 34, The Police Services Amendment Act, be now read a second time and referred to a committee of this House.

#### *Motion presented.*

**Mr. Goertzen:** There are significant changes happening when it comes to policing in Manitoba. Significant and long-overdue changes to improve the safety of Manitoba communities.

This bill amends and continues to proceed with changes that were previously introduced by allowing for a new layered public-safety delivery model, including enhancements to community and First Nations safety officer programs.

Included in these amendments are establishing the general policing services to be provided by every police service in Manitoba. So, as an example, Madam Speaker, there are a number of different municipal policing agencies. Members will know them in, of course, Winnipeg, Brandon, Ste. Anne, Morden and there are others throughout the province of Manitoba.

But, ensuring that there's a general level of services that must be provided by those municipal forces is important to ensure that there is a level of expectation in terms of the services that a police service will provide to their community.

Going further than that are—require that police services provide specialized policing services. Major crime investigations, dog—police dog services, in accordance with provincial standards. So, while you have a set level of standards for every municipality, there are then a variety of different specialized services that police agencies often provide.

As I mentioned, major crimes investigations which are different and more complex, obviously, in terms of evidence gathering than most things that our police are dealing with—specialized services like the dog or canine unit.

And while it's—why it's important to have standards in place for these areas is that they really do require specialized training. But we also know that not every municipality will be large enough—their police force won't be large enough—to provide those specialized training. And it's not the intention of this bill, and this

has been—come about with wide consultation. It's not the intention of this bill to stop municipal police forces from operating, quite the opposite: to simply putting in baseline standards and then requiring certain specialized police services have standards as well.

But, for those smaller municipalities who can't provide those specialized services that will require the RCMP, the provincial police force, to provide specialized services to police services that cannot provide those services in accordance with these standards. So, it's an assurance that those smaller municipalities that can't provide those specialized services, they'll be able to rely upon the RCMP for those services.

The bill also is removing the requirement for the police service of a jurisdiction to enter into an agreement with the Manitoba, and a municipality, or First Nations, to establish a safety officer program. It expands the role of community and First Nations safety officers to provide an initial response to public safety issues in their community, and to detain individuals until such a time as the police service or jurisdiction can attend at the scene.

And it does so by providing the safety officers with a clear peace-officer status and protections, and authorizing the safety officers to enforce an expanded range of provincial statutes and additional administrative and logistical support to police agencies in criminal and non-criminal matters.

So, we've heard from many different jurisdictions that it's difficult to get a sufficient level of policing. Some of that is a recruitment issue, potentially with the RCMP. Some of it is that police officers are busy doing a number of other things. So, the clearest example I can give you, Madam Speaker, are the public call for more safety on buses, on transit.

So, Mayor Gillingham, during his election campaign, ran on the promise to have a bus-safety transit unit. Those would not necessarily be Winnipeg Police Service agents or police—WPS officers. And so, we needed to ensure that community safety officers could have the ability to arrest and to detain with peace officer status, so that the City can create that bus safety unit with these community safety officers.

\* (16:30)

That's what this bill does. It will allow the City to go forward once it passes, to have those individuals in place and then to be able to be on the buses if that's what the City chooses to do. Ultimately, they're the

employers of these community safety officers, but they needed to be provided with the powers to do that.

Now, looking beyond the City of Winnipeg, First Nations and rural communities have also asked for more individuals to be able to look at maybe Highway Traffic Act enforcement, or other things in rural municipalities.

And this isn't just because of potentially a shortage of RCMP officers—although it's part of that—but police agencies, RCMP and others, have said there are certain things that they don't feel that police necessarily have to do. They don't have to do certain functions, and if they were relieved of those functions, they could do more investigation into crimes. They could do more proactive policing. And we hear that a lot, that the public would like to see more proactive policing.

So, the creation of these more enhanced community safety and First Nations safety officers will allow for that to happen. But none of this can happen unless there's proper training and standards. I spoke a bit about the standards that are being put in place, but the training is critically important.

It's one of the reasons why last year we hired Devon Clunis, a former Winnipeg–City of Winnipeg chief of police to be involved with the creation of unified training standards across the province so that those who are involved in law enforcement would get a set level and a standardized training.

That isn't always the case. Often we have officers who have to leave the province, or there isn't the same level of training. It's very important that there's an expectation that where you have layered policing, as an example, that the training is sufficient, that it meets the expectations that the public would have.

So, we're meeting a number of different pieces of expectation from the public: a desire to have more individuals who are in the communities who can enforce certain things, to have more presence, to allow the police to do other sort of things, but also to ensure that those individuals are properly trained.

So, all of this sort of comes together with the work that is happening. People might hear different pieces of it and wonder how it all fits together. It fits together with standards throughout Manitoba in terms of what our expectation is of municipal police forces.

It then provides individuals who are maybe outside those municipal police forces to do certain kinds of policing, like we might see on the buses. But then

it requires training. And so that work is under way as well.

So, there's a lot going on when it comes to policing in the province of Manitoba, but it all leads to a better policing system, safer communities and trying to meet the expectations of the public when it comes to community safety.

So with those words, I look forward to questions from the honourable critic, the member for Concordia, and seeing this bill pass.

### Questions

**Madam Speaker:** A question period of up to 15 minutes will be held. Questions may be addressed to the minister by any opposition or independent member in the following sequence: first question by the official opposition critic or designate; subsequent questions asked by critics or designates from other recognized parties; subsequent questions asked by each independent member. And no question or answer shall exceed 45 seconds.

The honourable member for Tyndall Park—oh, sorry, the honourable member for Concordia.

**Mr. Matt Wiebe (Concordia):** I'd like to ask the minister what additional resources will be offered to municipalities, other levels of government, other groups that want to start offering policing services that would be enabled under Bill 34.

**Hon. Kelvin Goertzen (Minister of Justice and Attorney General):** I thank the member for the question.

He'll know that this government provided a record increase of funding for municipalities across the province in this most recent budget, which he voted against. That's an aside.

But, of course, as we go ahead and bring forward these CSOs and First Nations police officers, of course, we can have more discussions about resources. But he should rest assured in the knowledge that there was record funding for municipalities this year.

**Ms. Cindy Lamoureux (Tyndall Park):** In reference to standardized policing services, can the minister go into a bit more detail as to what types of policing services are to be standardized?

**Mr. Goertzen:** I mean, they would be the most basic policing services that communities would expect when it comes to general patrol.

Follow-up—not major—investigations, ensuring that there is particular standards when it comes to how to engage in a high-speed chase, as an example. This is not an unusual sort of thing. So, if you look in British Columbia online, that they will have a number of different requirements that police need to engage in, in terms of standardized operations when they're responding to certain things.

**Mr. Wiebe:** What is the status of the work that's being done with First Nations to ensure that they have the resources available to establish these additional opportunities in their communities for community safety?

**Mr. Goertzen:** It's a very good question and one that I hope all members can agree that we need to ensure that policing on First Nations communities is an essential service. And we have certainly engaged with the federal government, as other provinces have.

They said that we need to expand the funding when it comes to First Nations policing so that it doesn't just apply to a relatively small number of our First Nations communities in Manitoba, but that it can be broadened to all of them. We have the full support of Manitoba's grand chiefs in that call, and we continue to ask the federal government to ensure it's an essential service and fund it as such.

**Madam Speaker:** Any further questions?

If not, the question before the House is second reading—[interjection]—oh, sorry. [interjection] I did, too.

### Debate

**Madam Speaker:** This question period, then, having been ended, the floor is open for debate.

**Mr. Matt Wiebe (Concordia):** Well, I appreciate the words—the opportunity to put a few words on the record with regards to Bill 34, Police Services Amendment Act. We know that this bill makes a number of amendments to The Police Services Act that deals with the provisional policing services, specifically general policing services, specialized investigation and specialized police services.

The following, as we understand them, are the key changes that are proposed under this bill. It will allow the director of policing to establish standards respecting police services, facilities and equipment. It gives criminal intelligence director charge over creating standards dealing with criminal intelligence. It allows the police—Manitoba Police Commission to monitor police service compliance with policing standards.

The police service is able to provide specialized policing service or conduct specialized investigations only if the police service meets the required standards per—a police service does not require—does not meet these required standards, the Royal Canadian Mounted Police—rather, police service must provide the needed service or investigation.

Bill 34 also expands the rule of community safety officers, First Nations safety officers. It enables them to provide initial response to situations that threaten the safety of citizens before the arrival of police. The community officers and First Nations safety officers may also provide logistical and administrative support to local police on criminal or non-criminal matters. And, lastly, Bill 34 allows two or more municipalities to operate jointly as a regional community safety officer program.

These changes, Madam Speaker, are certainly changes that we know have been asked for by AMM, by municipalities across this province. As I've had an opportunity to travel, speak with many municipalities, certainly these changes, I think, will meet some of the requirements that they have.

What I would note, though, Madam Speaker, and it couldn't have been more evident than the minister's opening statement and answers to the questions, was that while this bill allows for communities to establish community safety officers to bring in some of that additional—some of these additional tools to deal with the community safety within their municipalities, ultimately, this bill offers no additional resources to those communities.

And so while the minister may, you know, talk a good game, he certainly isn't bringing any kind of substantial resources that communities have been asking for. And, you know, I'm sure at this point they're scrambling, right? The government is in full panic mode because they realize that now it's seven years after being elected, and violent crime has gotten worse under their watch. Things are worse than they've ever been. That's certainly been the experience from what we've heard in AMM sessions across—again, across the province.

Here in the city of Winnipeg, survey after survey shows that people are more afraid and are more concerned about crime and safety in their communities and personal safety.

And so, while people have been telling us this for seven years that things had continued to get worse under the PCs, they realized—they looked back and

they realized, uh-oh, we have actually made it worse. We've actually taken steps that have made community safety worse.

\* (16:40)

So, you know, as I said, municipalities are a great example. You know, for seven subsequent budgets or budgets in a row, there were cuts or freezes to municipalities across this province. And so municipalities were saying, we need to make sure that our communities are safe; we need to hire more officers. And the Province said, no, at every single turn. And now, an election year, of course they'll say anything and they'll come out and they'll say, well, there's more money than ever; just trust us, there'll be more money than ever.

But we know that those cuts have had a serious impact. We know that as we brought in this House, time after time, about the concerns around the RCMP settlement and the additional impact that's going to have on municipalities, this government did nothing. This government stood by and did nothing and refused to be a partner with the municipalities on this issue and continues to leave them out in the cold and not allow them some kind of certainty when it comes to community safety and policing in their communities.

We know that the northern air service has impacted justice in the North. And I know that, you know, if we had the opportunity, members of this caucus would bring forward those concerns that they're hearing first-hand from their constituents about impacts of crime and safety in the North and how our court systems cannot operate—[interjection]

**Madam Speaker:** Order.

**Mr. Wiebe:** —when the air service isn't allowing for it. So this has been the legacy of this government—privatized air service—that has impacted them.

We know that Crown prosecutors have sounded the alarm that they are understaffed, that they aren't able to keep up, again, the legacy of this provincial government.

You know, and the list goes on. The same program, Madam Speaker, we brought up time and time again, the impacts that that has across the entire justice system has happened under this government's watch.

You know, and if this government's record on the institutional safety officers is any indication as to what this bill will do and the, you know, the panacea that they believe that now this will be, all we have to do is look at the ISO program and see how this government

announced something, promised something, said a bunch of words and then walked away and did nothing for four years. For four years, they did nothing.

And now we know that in the health-care system, you know, nurses are sounding the alarm. So, this is the same kind of thing, Madam Speaker, where it's all these big announcements, all these big promises, of course, in an election year—of course an election year, they're going to say absolutely anything to get elected. But we know what their record has been.

And we know that the cuts that they've made across the board, whether it be in housing, whether it be in—with regards to poverty, whether it be addictions, right? We see the addictions crisis across our province. Swan River, Madam Speaker, cities and towns across our province are telling us this is a major, major issue, and it's driving the crime rate higher in those communities, and they are left holding the bag because this government refuses to do anything about the problems that they've created, until it comes to election time, and then they'll say absolutely anything and they'll make these big proclamations: oh, everything's going to be fine; we're going to bring in Bill 34 and that's going to solve all the problems.

We know it's not going to solve all the problems. Manitobans understand crime and safety are ultimately—there are root causes of those situations, and we need to support people all the way through to ensure that this isn't the path that they go down. We need to support the communities once they, you know, they have these issues. And we need to support our police and our prosecutors.

So, you know, the—again, the government is scrambling at this point. They'll do absolutely anything and they'll say anything, and, you know, I mean, I hope that the member for—Klein?

**An Honourable Member:** Kirkfield.

**Mr. Wiebe:** —Kirkfield Park (MLA Klein) is paying close attention to the rhetoric that's being thrown around in this House because when members use certain divisive language trying to get, you know, to appeal to their base—I know he's going to spend some time paying close attention because he did say any kind of fake news he's going to call out.

So the member for Steinbach (Mr. Goertzen) better watch out; the member for Kirkfield Park is watching over his shoulder. He's paying attention to what he's saying, and we might even get a point of order or a matter of privilege from that member when he hears some of the language that the member for Steinbach



continues to use, because we know that this side of the House, we stand with those in law enforcement, we stand with municipalities who have been asking, begging, this government to do something, to actually act to make their communities safer.

And we stand with those Manitobans who are struggling, who have seen the cuts from this government and who need a Manitoba government that's going to stand up and stand with them, side by side, as we go forward.

So, we're going to continue to do this—that on this side of the House, and I look forward to hearing from Manitobans during committee stage in this bill. I think there will be some, certainly, some good advice and hopefully we hear that from the public towards this minister.

Thank you very much, Madam Speaker.

**Ms. Cindy Lamoureux (Tyndall Park):** I'm happy to rise and put a few words on Bill 34, The Police Services Amendment Act.

Madam Speaker, the Association of Manitoba Municipalities has long called on our Province to review the distribution of policing costs, and we know that the establishment of community safety officers for use on Winnipeg Transit specifically was a pledge made by Mayor Gillingham; and this legislation is a step towards that. And it's very encouraging to see the various levels of government work together on legislation such as this, especially when it's so important for community and province safety.

In 2022, there were 130 assaults reported on Transit workers, and many Transit operators have reported feeling unsafe in particular circumstances. Madam Speaker, we hear stories every day—and I'm sure all MLAs in the House do—of people feeling unsafe in their communities. I know even just yesterday, I heard from some constituents feeling unsafe because their garage was broken into. A business on McPhillips Street was broken into last night. There's a lot of unsafe feelings that people are experiencing right now.

And so, anything we can be doing to help people feel safer, I think, is a positive step. We do need to ensure, though, that those who—maybe on the buses, in particular, are trained to deal with potential interactions, and individuals are meeting specialized standards, Madam Speaker.

I think that, again, it's really important that we're bringing forward legislation such as this, because it is

a positive step forward, and something our Province and I'm going to say our country as a whole—and even the City has a role to play, too. We need to be doing more to protect Manitobans. Justice is a huge issue. Crime rates continue to go up, and I think this is a positive step towards that.

Thank you, Madam Speaker.

**Madam Speaker:** The question before the House now is second reading of Bill 34, The Police Services Amendment Act.

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

I declare the motion carried.

**Bill 32—An Act respecting  
Child and Family Services  
(Indigenous Jurisdiction  
and Related Amendments)**

**Madam Speaker:** I will now call second reading of Bill 32, An Act respecting Child and Family Services (Indigenous Jurisdiction and Related Amendments).

**Hon. Rochelle Squires (Minister of Families):** I move, seconded by the Minister of Municipal Relations (Mr. Smith), that Bill 32, An Act respecting Child and Family Services (Indigenous Jurisdiction and Related Amendments); Loi concernant les services à l'enfant et à la famille (champ de compétence autochtone et modifications connexes), 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.

**Madam Speaker:** It has been moved by the honourable Minister of Families, seconded by the honourable Minister of Municipal Relations, that Bill 32, An Act respecting Child and Family Services (Indigenous Jurisdiction and Related Amendments), 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 the message has been tabled.

**Ms. Squires:** I—the proposed bill will amend 11 provincial acts to recognize Indigenous jurisdiction, support implementation of the federal CFS act and provide provincial CFS agencies with more tools to better support all children and families.

I'm pleased to confirm that these changes respond to many recommendations by Indigenous leadership, and reflect long-requested changes from CFS partner

authorities and agencies. They represent another step towards addressing the over-representation of Indigenous children and families in the child welfare system, while also enhancing services to all families in need of CFS supports.

Changes to the CFS act will include aligning provincial CFS service delivery with principles and standards outlined in the federal CFS act. All decisions made under the CFS act will be informed by an expanded principle of best interests of the child, as well as principles of substantive equality and Indigenous cultural continuity.

This will ensure that apprehensions are a last resort and, when they do occur, placement priority will be based on family and community connections, reducing the possibility of Indigenous children losing connection with their culture. The existing critical incident reporting provisions will be expanded to include reporting on young adults, aligning the CFS act with recently proclaimed provisions in The Advocate for Children and Youth Act.

\* (16:50)

Other changes will provide a reporting exception for Indigenous service providers so that they will not be required to report a critical incident to the minister of Families. This change respects Indigenous jurisdiction.

Changes to temporary orders will allow judges to grant and extend these orders until a child reaches the age of majority. This will reduce the need to sever parental ties due to arbitrary timelines and reduce the number of permanent wards.

The new suite of agreements will be introduced that will provide supports to meet the ongoing needs of a child and their family. These agreements will play-take place outside of the court process; that is, parents will retain guardianship.

They will provide enhanced voluntary supports through family service agreements and new placement options through kinship care, and customary care agreements.

These new placement agreements create a supported pathway for children when they cannot safely be with one of their parents. They reflect placement priorities as outlined in this federal CFS act by emphasising the importance of placing children with families or community members, and taking into account customs and traditions of Indigenous peoples, such as customary care arrangements.

A revised voluntary placement agreement, called a voluntary care agreement, may now be used if a child is in need of protection. Voluntary care agreements will only be used after all other options have been explored for a child to live with family, kin or community.

The foster parent appeals process is amended to allow CFS authorities to have the final determination on the removal of a child from a foster home. This is necessary to ensure that CFS agencies can move children to reflect standards for placement prioritization, placing emphasis on family, kin and community.

Changes to The Manitoba Advocate for Children and Youth Act will align advocates' provincial jurisdiction and applicable Indigenous laws where they are in effect.

Except in special circumstances where an Indigenous governing body requests a joint review with the advocate, the advocate is not authorized to review or investigate services provided to a child, or a young adult, under the CFS act, if an applicable Indigenous law is in effect, or when CFS services have been provided under Indigenous law.

The Court of King's Bench in provincial court family division's jurisdiction is confirmed and expanded to include matters arising under an Indigenous law over Child and Family Services. This is only possible when enabled with Indigenous law.

This means that if an Indigenous governing body does not want to have the matters decided through a provincial court, it does not have to. I am pleased to confirm that the judiciary was consulted on these proposed changes, and have expressed their support for the amendments that will expand the jurisdiction of the Manitoba courts in response to the new Indigenous CFS laws.

The Child Sexual Exploitation and Human Trafficking Act, The Freedom of Information and Protection of Privacy Act, The Personal Health Information Act, The Public Health Act, The Testing of Bodily Fluids and Disclosure Act and the victims' bill of rights act are all amended to recognize an individual who is not a parent or a guardian of a child who has been confirmed by an Indigenous service provider, or a CFS agency, to be responsible for making decisions for that child.

This will reduce barriers for such individuals when accessing provincial services on behalf of a child in their care. Caregivers who are responsible for the day-to-day care of children will be able to access

health information, and make health-related decisions for these children.

For example, the important change means that a grandmother will be able to make emergency health decisions for a grandchild in their care. The Child Sexual Exploitation and Human Trafficking Act is further amended to allow Indigenous service providers to apply for a protection order for a child who is in its care.

Finally, The Public Schools Act is amended so that a child who becomes a resident in a school division, or a school district because they are receiving child and family services under an Indigenous law, is considered to be a resident pupil.

This means that an auntie, for example, who is caring for a child, can register them for school even if they are not that child's legal guardian. The province continues to engage with several Indigenous governments who are at various stages of exercising jurisdiction, with more expected to come forward soon.

These amendments are part of a collaborative journey, and we expect to make more changes as we hear and learn more about what is required to effectively support the realization of Indigenous jurisdiction of Child and Family Services in Manitoba.

I look forward to further discussions on Bill 32, and the support of this House in passing this historically important, new legislation.

Thank you, Madam Speaker.

### Questions

**Madam Speaker:** A question period of up to 15 minutes will be held. Questions will be addressed to the minister by the official opposition critic and an independent member in the following sequence: first question by the official opposition critic, and a subsequent question asked by an independent member. And no questions or answers shall exceed 45 seconds.

**MLA Nahanni Fontaine (St. Johns):** Would the minister share with the House how Bill 32 will align with federal legislation that's been recently passed, and how the two would be married or are they complementary, or is there some discrepancies in federal law and then with provincial law?

**Hon. Rochelle Squires (Minister of Families):** So, Madam Speaker, Indigenous law will supersede provincial law and federal law. When they have their laws in place, they will have the ultimate authority.

And what the Province is doing is just realigning its laws underneath Indigenous law to ensure the—that we are able to—as a province—able to support Indigenous governing bodies who are exercising jurisdiction.

**Hon. Jon Gerrard (River Heights):** Yes, to the minister, we have Peguis First Nation, which has already taken over management and control of its child and family services. But the variety of First Nations across Manitoba are at various stages.

Can you explain how this is going to work with First Nations at different stages along the line?

**Ms. Squires:** Indigenous governing law comes into effect when that Indigenous governing body has finalized their co-ordination agreement, and until that agreement has been finalized the child or children remain under the jurisdiction of provincial law.

And so, we are working with a multitude of other Indigenous governing bodies who are at various stages in their journey towards exercising jurisdiction and implementing their own laws. But until such time as their laws are enacted, these laws, the provincial laws, will apply.

**MLA Fontaine:** So, I guess, to the member for River Heights' question and also the minister had mentioned it in her comment that she was working with other First Nation governance and governing bodies in respect of, I guess, moving towards a co-ordination agreement.

Could the minister share with the House how many First Nations she's—the department is currently working with?

**Ms. Squires:** I will commit to getting that exhaustive and comprehensive list to members opposite. It is a working document.

Right now there are several. There are probably 25 to 30 per cent of all Indigenous agencies in the province that are working on. Some of them have collaborated and are becoming more of a consortium and are coming together as a single unified body, and others are applying independently.

So, it is an exhaustive—or I will provide an exhaustive list, but I apologize; I don't have it in front of me.

**Mr. Gerrard:** Yes, my question is regard to the information system, CFIS, and to how it will apply and where it will be used under this—these changes.

**Ms. Squires:** It's a great question, and last year I'd brought in a bill under rather hurried circumstances

because we realized if we did not have a bill to share information with other Indigenous governing bodies who are bringing into law their own—bringing into force their own laws, that we would not have the ability to share information that was captured in our system.

So, we already have legislation in place so that just like an agency that is mandated through the Province, any Indigenous governing body with jurisdiction will be able to access information in the CFSIS system.

**MLA Fontaine:** I remember that bill, and I think that was good that we all supported that bill to move forward in respect of Indigenous governance and law over our own children.

I would ask that the minister if she's able to provide kind of like a synopsis or a snapshot on the process of a co-ordination agreement. Like, how long are we talking about? Do First Nations—do they get dollars to be able to work through that co-ordination agreement?

**Madam Speaker:** Order, please.

As previously agreed, the House will recess from 5 to 6, with one-minute bell to summon members back to the House, and I would indicate that when we resume, the question period will have 10 minutes remaining, with the Minister to respond.

The House is now recessed.

*The House recessed at 5 p.m.*

*The House resumed at 6 p.m.*

**Madam Speaker:** Order, please.

We will resume the question period on Bill 32, with the honourable minister to respond to the question.

**Ms. Squires:** In regards to how many co-ordination agreements have been signed, we have, as the House knows, one agreement with Peguis First Nation, who enacted their law in January of '22; and that there are two active co-ordination agreement tables, one with the Manitoba Métis Federation and the second with Island Lake Tribal Council.

And then others, including Opaskwayak Cree Nation, First Nations in Treaty 2 territory, Tataskweyak Cree Nation, Wabaseemoong First Nations and Brokenhead have also submitted requests to enter into negotiations, and it is anticipated that additional Indigenous governments will—these discussions will begin in early spring.

In regards to the other question that the member had asked, I will summarize by saying that we provided Peguis \$11.35 million as they were entering into their co-ordination agreement for continuity of care.

**Mr. Gerrard:** I thank the minister and I wonder if the minister could provide a little more detail with respect to the agreement with the Métis. We already have an organization which is focused right on Métis issues.

How will this change the operation of that organization and of the general authority activities?

**Ms. Squires:** So, if I understand the question correctly—and the member can correct me if I misunderstood—but in regards to when the Manitoba Métis Federation signs their co-ordination agreement, the Métis authority will ultimately devolve away from provincial jurisdiction and will be solely and exclusively under the jurisdiction of the federation. And they will, for all intents and purposes, have full authority over their child welfare for the children in care that are currently under Métis authority care right now or with Métis lineage.

**MLA Fontaine:** Miigwech to the minister for answering those previous questions. I appreciate that.

The minister noted that \$11 million went to Peguis for the co-ordination agreement. Was that the process to get to the co-ordination agreement, or that is their funding?

**Ms. Squires:** So, one of the things that we were very concerned about is that there might be a gap in between transitioning from provincial authority over to the IGB authority. And so, we had flowed the \$11.3 million in funding.

In regards to setting up their initial capacity building to apply to—for a co-ordination agreement and to actually write their co-ordination agreement and bring their laws into jurisdiction, there are dollars that are available for capacity building. Those are largely through the federal government and I can endeavour to get information in terms of what those—that allotment is.

**Mr. Gerrard:** I wonder if the minister could explain the impact on the Manitoba Advocate for Children and Youth because some children will no longer be under the—under MACY, unless MACY is specifically asked to help from the First Nation or Métis, or can the child or family ask?

**Ms. Squires:** We heard very loud and clear from the Indigenous leaders that we were consulting with, and I was very pleased that I had all the Indigenous leaders

from SCO, MKO, AMC, Sioux Valley and MMF at a table to contemplate these legislative amendments.

And they all resoundingly had supported the fact that the Manitoba Advocate for Children and Youth would not have jurisdiction over children that are in the Indigenous—under the Indigenous system. And so, they will have the exclusive domain over child welfare and MACY will not be invited to oversee that.

**MLA Fontaine:** We could go on for quite a while, actually, asking questions about the co-ordination agreement and all of that. I do want to move, and I am generally grateful for the answers that I've received thus far from the minister, so I say miigwech for that.

The minister noted that there was a table with Indigenous leadership, and—but what we saw, actually, after Bill 32 was introduced, was concerns that were raised by AMC's grand chief, Cathy Merrick.

And so I'm trying to understand the process. Was AMC fully engaged in the process? Were they fully consulted with because they still do have concerns with Bill 32?

**Ms. Squires:** So, I appreciate the member's question and certainly do recognize that there is a lot of moving parts in this. And bill—last year, when we brought in the bill to ensure that we could share information with Indigenous governing bodies that have drawn down jurisdiction, specifically at that point, we were doing it for Peguis First Nation.

We did consult, not broadly, though. We needed to bring in that legislative amendment very quickly, and so it was not done with the fullest consultation that we really hold as a standard. We did do that with this bill.

**Mr. Gerrard:** I'm curious, for example, if there is a family in Winnipeg and one parent is First Nation and the other parent is Métis, or if one parent is First Nation and the other parent is non-Indigenous, or if one parent is Métis and the other parent is non-Indigenous. What happens?

**Ms. Squires:** I appreciate the member's question ensuring that there is a continuity of care.

I can assure the member that the intake will remain consistent for most—right now, all of the co-ordination agreements that we have either signed or are on the cusp of signing, have got a commitment to continue to work together toward a co-ordinated intake table.

So that if a child is in need of protection or a family is in need of services, it will go to that centralized intake, and then service delivery will be administered from there, and those very complex questions that the member had just brought up will be sorted out at that point.

**MLA Fontaine:** I just want to clarify, and I know that the minister had mentioned Island Lake, but—so, co-ordination agreements can be entered in with tribal councils or—*[interjection]*—I just wanted to make sure.

Also, the department—I know that the minister said that there were federal dollars that First Nations could apply for in respect of, you know, building capacity in that consultation and all of that, but has the government—the provincial government give any dollars toward that process, or is it simply just the federal government?

**Ms. Squires:** So, our government in this year's budget alone has increased funding to agencies significantly. The Southern Network, for example, is getting a total additional amount of \$18 million. The Northern Authority is getting \$8.56 million more. The Métis authority is getting an additional \$4.7 million.

And that is to take into consideration several impacts, but one of them is also that we are ensuring that there is service delivery for the children under their care, and understanding that there is a lot of transition in the child welfare system as we're all united in this transformation toward a better child welfare system.

**Mr. Gerrard:** Just to follow up on the question that I just asked, do the parent—will the parents have any choice if you've got one parent who is First Nation and the other parent who is non-Indigenous? I mean, what—will the parents have any choice as to which agency or which authority or—they will go to, or, under which law their child will be considered. Or is that totally at the discretion of the intake—the combined intake?

**Ms. Squires:** So, obviously, co-ordinated intake is very important and that is the primary focus of—or primary priority for all concerned, whether they be lawmakers under the Indigenous authority or within the provincial system that a child, when in need of protection, gets access to services immediately, and that any jurisdictional challenges would be worked out upon or after the co-ordinated intake.

\* (18:10)

And so, there will be situations that need to be resolved, but there is unanimous agreement among all

service providers that these jurisdictional disputes not interfere with child protection.

**MLA Fontaine:** So, the minister will remember that, back in October of 2020, the—Brian Pallister had introduced BITSA, and embedded in BITSA was the PC government's, well, legalized theft of the specialized—or, the children's special allowance. So, taking money that was earmarked, and supposed to go to Indigenous children in care, and goes into government coffers.

But also, we know that in August of 2022, the courts ruled against the PC government, saying that that was unlawful and they need to give that money back.

So, I am asking the minister where those negotiations are in respect of the millions of dollars that are supposed to come back to Indigenous children here in Manitoba.

**Ms. Squires:** We do recognize that it was a shameful chapter in the NDP history in 2006, when they had sent a directive to all child welfare agencies in the province that they must remit the child—children's special allowance, the disability allowance and any other remittances from federal and provincial governments back to the provincial coffers, to the minister of Finance.

That is a memo that was sent by the NDP government to all the agencies. Our government ended that in our first mandate, and when we were—when we received the ruling from the judge last June, we admitted—we said that we would not be appealing that ruling, and we look forward to a very speedy and expeditious settlement for all children, to ensure that those kids receive the monies that they deserve.

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

### Debate

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

**MLA Nahanni Fontaine (St. Johns):** Just to go back to my last question in respect of the CSA dollars.

And—so, we do know that the government has had, you know, almost close to—over a year now in respect of those negotiations, to return those millions of dollars, and from what I understand and from—what I've learned is that the first initial offer from the PC government was quite low—substantially low—from what was taken and from what Indigenous children are entitled to under that ruling, and, certainly, under the program itself.

I understand that there was a second offer from the PC government, which was somewhat a little bit better, but certainly not what Indigenous children, again, are lawfully owed.

So, I hope that the PC government—I hope that they're going to, you know, expeditiously get their next offer in to ensure that those millions of dollars get back, that are rightfully owed to Indigenous children that are in care—that they get back to those children and—to the children that they are potentially owed and to communities.

And that's important, and it's tied to Bill 32 in many respects, because Bill 32 is, you know, creating—legislating the infrastructure that Indigenous peoples, First Nation communities, tribal councils, can take full jurisdiction over our children, full jurisdiction over our lives and our families and repair, you know, the inter-generational effects of colonialism.

I mean, often, we talk about the inter-generational effects of residential schools, but certainly the CFS system is a continuum to that whole colonial history that is Canada. And so, those C-S-S—CSA dollars are a part of that. It is dollars that First Nation children are entitled to, and they should get their dollars.

So, my hope is that the government will move quickly to ensure that they get those dollars. Because, like—as I said, it is a part of, you know, Bill 32, and every other, you know, hopefully, type of movement and progression as we move forward in respect of Indigenous self-governance.

You know, I don't think that there's any greater example of self-governance than the ability of First Nation communities and First Nation families, and First Nation parents, to be able to have their children. To be able to, by our cultural norms, by our cultural traditions, by our ceremonies, be able to raise our children, which has been, for generations and generations, taken away from Indigenous peoples.

And I don't need to go into the history here. I suspect not—or, I hope not. But, you know, my hope is that First Nation communities and, you know, any other agencies, tribal councils, who be it—or, you know, whoever would like to engage in that, are supported in that process, because—and that's why I was asking about the support that First Nation communities get in respect of the co-ordination agreement process.

Because so many First Nations communities operate with very minimal resources, and there is really a lack of resources to do this really important

work. You have to hire people; you have to have researchers; you have to have consultation; you have to have people to write it up; you have to have people to, you know, meet with elders and families and all of that—that's a lot of work. And it's a lot of work that is welcomed and certainly wants to be done, but First Nations communities need the resources to be able to do that.

And that is, in many respects, an act of reconciliation, when we understand and we recognize that First Nations communities need those supports. But if we're really, truly committed to reconciliation and if we're really, truly committed to bringing children home and keeping the children that we have at home and protecting them, then there are additional financial responsibilities in that pursuit.

And so, I hope that there's dollars there. I know that the minister said that there were federal dollars, but I also hope that the Province also supports that process in any way that they can.

I'm not going to say too much here. I just—I want to say this. You know, so, for so long, First Nations communities, First Nations leadership, but more importantly, First Nations women—Indigenous women—have for—been on the forefront of ensuring that children are taken care of, of ensuring that children are not taken from their communities, of ensuring that children are not put into foster homes that are unsafe and that are culturally safe. That work has been done by Indigenous women and, in the spirit of what is, you know, one of our sacred responsibilities to protect our children.

And so, you know, any movement that occurs within these—this huge system, any movement that occurs, any movement that takes us further or helps for us to be able to restore our traditions and the way that we understand, as Indigenous peoples raising children and protecting children and centring children—that work can be attributed—any little progression is the consequence of the work of Indigenous women.

And I'll just share this quick story: I remember years and years ago, when I was at the Southern Chiefs Organization, which I used to write—I was in charge of all the resolutions. So I had to—every time we had special assemblies, I was always writing the resolutions, and I'd have to make changes and all of that.

And there were so—over the 10 years that I was at Southern Chiefs Organization, there were so many resolutions in respect of CFS and bringing children

home. But I remember particularly this one chiefs-in-summit meeting that we had—and for the life of me, I can't remember where we were. Maybe we were in Brokenhead—I can't remember. And a group of women came in. A group of matriarchs came in.

And, you know, I don't think it's any surprise to anybody in this Chamber that, you know, the vast majority of the people that were sitting at the decision-making table at the time were men and still exists today that the vast majority of chiefs and council are men. And at that time, you know, there were very, very, very few women chiefs or councils.

And I remember this group of matriarchs came in, and they demanded to make an address to the chiefs, and I've never forgotten that, because they—each of them took their time, and they talked about the need to really, dismantle the current CFS system that continues to take our children away from us and from our communities and what that does to our communities.

And they were so powerful and they were so eloquent and articulate and just—they just exuded matriarchy. They just exuded that love that Indigenous women have for their children and for the totality of the community, for the—for all of our families.

\* (18:20)

And so, you know, when we're debating this bill here today, which will pass today—it will pass second reading—you know, I just want to pay homage and honour those women that, for so many years, have been doing that work.

Not the least of it, I—you know, I'd like to mention Cora Morgan, who was the First Nations family advocate out of the AMC's First Nations Family Advocate Office, who has been there for, like, seven years, and has done phenomenal work, and for many, many years—like many of us will know—has set up camp in front of the Legislative grounds to draw attention to bringing our children home.

And, actually, for the purposes of history, it's actually Cora Morgan and her team that really have, kind of, cemented that language of bringing our children home. They produce many, many different reports and ceremonies and community engagement where that was the theme: bringing our children home.

And so, I hope that today, or tonight, or whenever this bill is going to pass—at the end of the—this session, that this is, in one small measure, an opportunity to move us further along, and, ultimately, to bring our

children home and to keep our children home on our path to reconciliation, and on our path of self-determination.

Miigwech.

**Hon. Jon Gerrard (River Heights):** First of all, Manitoba Liberals welcome the changes which are occurring, which is providing jurisdiction in Child and Family Services to First Nations, to Métis. I think that this is a move that has been a long time coming, but it's coming as a result of the federal legislation, as a result of this legislation. And I'm sure there will be other steps as well.

It is important in the transition from the way it has been to the way it's going to be that we are careful and that we are, at the same time, cognizant of what are potential pitfalls and potential problems. I've raised already the jurisdictional issues, when one parent is Indigenous and the other parent is non-Indigenous, or one parent is Indigenous and the other parent is Métis, or—because there will be different laws, likely, in different communities—in First Nations communities. One parent is from Peguis and the other parent is from Nelson House; which agency is responsible, and what happens when there is a need to support the family and the child? I think it's important to get this clarified.

I think it's important that there be some ability for parents to choose. There is now, and I have had parents who have been under one agency, and then they have applied to be under another agency or authority. And so, there is that possibility today, but I think that this has got to be a consideration; there is language here which talks about consideration of the family and the parents as well as the child, and I think that that is important.

The language which relates to ensuring the child knows about family origins and takes into account the child's 'ethnithity'—ethnicity and culture, in a world where you've got parents of more than one ethnicity coming together, and this being increasingly common—I think I was seeing some figures for Winnipeg that there are something like 45,000 multi-ethnic families, or dual-ethnic families, depending on how you word that, and that this is the province we live in. And it's a good thing when we have bridges between cultures and children able to benefit from the richer—or, the rich cultural history that is possible here in Manitoba.

I think there—is a critical issue, in terms of the operation of the central intake, because the way that the central intake is operated currently varies, and if

you're taken in at Nisiwashi, in at Nisichawayasihk Cree Nation, you will have a circle of care.

And instead of the social workers coming in and saying I'm here to apprehend your child, they are—will say, look we've got these services; I'm here to help you.

I think we need more of that, but they made the point to me when I was at Nelson House, that although they have children who are in Winnipeg, it was impossible to use that approach for the children in Winnipeg because they went first to ANCR, and ANCR uses a completely different approach.

And so, it will be important to sort this out, and to sort this out before we get too far along and end up with difficult and awkward and troubling situations.

I think it is important when you're having a family and a child where there are concerns that—I've seen an instance where a child was wrongly taken away from her mother, who was breastfeeding, and it took two months for the courts to decide that a mistake had been made and the child was returned to the mother.

But that child lost two months of bonding with the mother, in this case, and at the same time, lost the benefits of breastfeeding because it became impossible when the child was taken away from the mother to continue to breastfeed.

And so, there are some really important timing issues and really important investigations, in a sense, that need to be done so that there aren't these kinds of mistakes made, and so that we're not in problematic circumstances.

When you have a child who is having a—and a family which is having a difficult time—sometimes part of the issue is that you have a child who has got a learning difficulty, or autism, or ADHD, and he's—or, she—is tougher to deal with and it's causing rifts within the family and causing stresses for a mother, who, particularly one who is trying to hold down a job and look after their—her children at the same time.

There are circumstances where we need to have the intake agencies not only being helpful in their approach, but also being careful in terms of if you take the child away from one parent but not the other parent.

If you take a situation where you—which children are going to be separated from one or both parents, that you need to make sure that the investigation has been done properly, so that you know which parent is abusive.



It sounds simple, but in practice I've seen situations where the decision has been made that the wrong parent was the abusive one. And, of course, that's ended up with a child being with the abusive parent instead of with the parent who is not abusive.

And it seems, well, that could never happen. Well, sometimes the abusive parent is a really slick talker, and the non-abusive parent is very silent and withdrawn, and it happens.

So, we need a level of care and attention to make sure that good decisions are made and good investigation and understanding of the circumstances better.

\* (18:30)

I think in Nelson House—Nishiwashi [*phonetic*] Cree Nation—that because the people in the social work team in the wellness centre know the community and have close connections with the community, they are able to make better decisions than in a circumstance where you've got an agency which has no prior knowledge of the parents and then is jumping into a situation which is much more difficult to decide, you know, what's happened and what to do.

So, I think that there are lots of things which are going to be important to sort out. I look forward to this transition to working with people across the province in making sure that children in Manitoba are well looked after and have the opportunities that they should have.

I salute the—those in the First Nation community and the Métis community and the non-Indigenous community who've come together to provide advice and suggestions in terms of this legislation. And I hope that it works out well and that, where it's not working, that we can make adjustments.

Thank you.

**Madam Speaker:** The question before the House is second reading of Bill 32, An Act respecting Child and Family Services (Indigenous Jurisdiction and Related Amendments).

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

I declare the motion carried.

## DEBATE ON SECOND READINGS

### Bill 35—The Education Administration Amendment Act (Teacher Certification and Professional Conduct)

**Madam Speaker:** I will now call debate on second readings, and we will start with Bill 35, The Education Administration Amendment Act, teacher certification and provincial conduct.

If there are no speakers on that debate, I will then put the question.

The question before the House is second reading of Bill 35, The Education Administration Amendment Act (Teacher Certification and Professional Conduct).

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

I declare the motion carried.

I will now call debate on second reading—[*interjection*] Maybe.

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

**Madam Speaker:** Order, please. Order.

**Hon. Jeff Wharton (Minister of Economic Development, Investment and Trade):** I seek leave to move to the next bill in the session and then revert back to this bill at a further date—time, pardon me—this evening.

**Madam Speaker:** Apparently, we don't have the ability to do that. The order has been set previously, and there is no ability for us right now to change it. After 4 o'clock, so.

I will just indicate that we will be addressing—considering Bill 6, and we are just waiting for the minister to—

### Bill 6—The Manitoba Public Insurance Corporation Amendment Act

**Madam Speaker:** I will now call debate on second reading of Bill 6, The Manitoba Public Insurance Corporation Amendment Act, and we will move to the question period.

## Questions

**Madam Speaker:** The question period of up to 15 minutes will be held. Questions will be addressed to the minister by the official opposition critic and an independent member in the following sequence: the first question will be by the official opposition critic; the subsequent questions will be asked by an independent member. And no question or answer shall exceed 45 seconds.

**Mr. Matt Wiebe (Concordia):** What will this bill do in addressing this government's ongoing interference with MPI?

**Hon. Kelvin Goertzen (Minister responsible for the Manitoba Public Insurance Corporation):** Well, Madam Speaker, what a pleasure it is to be in the House at this time of the day.

It will do nothing, because there is no interference from this government at MPI.

**Mr. Dougald Lamont (St. Boniface):** Could the minister just elaborate on how the responsible party is determined in the case of benefits paid to a claimant whose cognitive functioning is impaired?

**Mr. Goertzen:** I think rather than trying to give a detailed description of where an individual in an MPI claim might find liability, if the member wants to bring whatever particular scenario he has in mind to committee, I'm sure that officials from MPI would be happy to answer that.

**Madam Speaker:** Are there any further questions?

#### Debate

**Madam Speaker:** If not, the question–debate is open.

**Mr. Matt Wiebe (Concordia):** I do appreciate the opportunity to say a few words on Bill 6 with regards to the Manitoba Public Insurance amendment act.

This bill, as we know, brings forth three change–three main changes: it expands the ability to reclaim funds from people who have made fraudulent claims; it changes the criteria for qualifying for income replacement due to an accident. Only those with–those with only a part-time job or a job offer are eligible under this bill; it allows MPI to pay funds in trust to a person on behalf of someone with impaired cognitive functioning.

We have a number of concerns, of course, regarding this government's handling of MPI during their time in office. That's been well documented in the House, and I'd certainly hope to do that more as we go forward.

I look forward to answers from the government with regard to that ongoing interference. But with regards to this bill, I do think that there are some good changes and some positive things that are under way.

I do just want to take a moment to address the fact that MPI is one of those Crown jewels, one of those important parts of the Manitoba advantage that allows us to offer, you know, low Autopac rates, good insurance

rates to Manitobans, while it is also a profit generator, and also keeps that money here in Manitoba.

Ensures that Manitobans, you know, have high-quality car insurance while also, again, keeping that money within our province.

It's an important part of, again, that advantage that we have, especially in times of inflation, in times of pressures on everybody's pocketbook on a month-to-month basis.

We have the ability, through our Crown corporations, to ensure that Manitobans are getting a bit of a break and that life stays affordable here in this province.

\* (18:40)

We have that opportunity and people certainly understand that, but what they've seen from this government is a total disregard for that advantage, at least when it comes to giving that break to Manitobans. We have a situation in Manitoba where grocery prices are through the roof, where everybody's, you know, is paying more at the pump, where everything is going up every single month and everybody has to pay for these necessities of life.

*Mr. Andrew Micklefield, Deputy Speaker, in the Chair*

Wouldn't it be great if we had a government that said, we see this situation and we want to support Manitobans; we want to lower your Manitoba Hydro bill; we want to lower your MPI rates? That would be one of the ways that the Manitoba government could actually make a difference.

But, unfortunately, this year, the rates are going up again, Mr. Deputy Speaker. Once again, the rates have gone up under this government, and Manitobans have to pay more. Why do they have to pay more? Well, it turns out that there's gross mismanagement by this government of MPI, and MPI isn't as secure and stable as the PUB would like it to be.

So, the PUB had to raise rates once again, and we see that as going to be the reality going forward because as this government has only begun to reveal to the public, their Project Nova is a complete boondoggle, Mr. Deputy Speaker. The money spent on this project to date, for no benefit to Manitobans, is astronomical, to borrow a phrase.

And, you know, Manitobans are starting to wonder why am I paying more for MPI, just to cover up and pay for this government's mismanagement and mistakes? This is the reality that this government is going

to have to face when they go door to door this summer and they start talking to Manitobans and realize that this matters. This matters. A one-time cheque? Well, that's nice. What would be even better is more affordability and better supports for all Manitobans going forward.

So, this government has to go out on their record. Seven years, hand-picked board, hand-picked CEO. It is their mess now that Manitobans are paying the price for. And they have to go out and explain that to Manitobans. I look forward to that opportunity, look forward to the chance to talk more about MPI, to talk about, you know, what we can do to ensure that MPI is strong and stable, and that we pass any kind of advantage on to average Manitobans.

That's what MPI can do. That's what our Crown corporations were set up—by NDP governments, I might add—to do, and we will continue to protect those as the NDP here in this province.

Thank you, Mr. Deputy Speaker.

**Mr. Dougald Lamont (St. Boniface):** There are certainly merits to this bill in terms of expanding income replacement around indemnity provisions to apply to victims who have a job offer or history of—or a variety of employment types, which will prevent these individuals from falling through the cracks in the case of an accident.

The provision regarding the non-payment of benefits to residents of a jurisdiction other than Manitoba, if there is an interjurisdictional agreement that exempts the corporation from providing these benefits, does need to be clarified. Hopefully, we'll hear from some witnesses at committee who'll be able to enlighten us on this because there may be interjurisdictional—we need to know what interjurisdictional agreements exist that would deny benefits to residents of other jurisdictions.

And, you know, this is—we also, when it comes to compensation, there has been a lot of controversy and talk around MPI over the last few years, whether it was related to brokers or autobody shops. Over the last three years, MPI has issued several rounds of rebates: \$100 million and \$69 million and then, most recently, \$312 million, totalling about \$500 million. It does sort of beg the question as to whether some of that money could be applied to the current—or should've been applied, or held back in reserve, to pay for the Project Nova.

But we're certainly in support of this bill, and we'll see what people have to say at committee.

Thank you.

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

**Some Honourable Members:** Question.

**Mr. Deputy Speaker:** Question before the House is second reading of Bill 6, The Manitoba Public Insurance Corporation Amendment Act.

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

I declare the motion carried.

## SECOND READINGS

*(Continued)*

### Bill 13—The Wildlife Amendment Act

**Mr. Deputy Speaker:** We will now move on to Bill 13, The Wildlife Amendment Act—*[interjection]*—second reading, thank you, of Bill 13, The Wildlife Amendment Act.

As soon as everyone is ready, we will begin the next bill. We are bound by what was previously agreed—to stick to the order that was agreed.

**Hon. Kelvin Goertzen (Government House Leader):** I move, seconded by the Minister of Health (Ms. Gordon), that Bill 13, The Wildlife Amendment Act, be now read a second time and referred to a committee of this House.

*Motion presented.*

**Hon. Greg Nesbitt (Minister of Natural Resources and Northern Development):** I want to apologize to the House for not being here, but I'm here now, so. *[interjection]* Uh-oh. *[interjection]*

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

I'm obliged to remind the House that no member can reflect on the absence or presence of any other member, including when that member is oneself, so. The honourable minister does have the floor; I would encourage that minister to continue as he should have a moment ago.

**Mr. Nesbitt:** Mr. Deputy Speaker, I guess it doesn't pay to be honest. *[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Nesbitt:** Here we go. It is my—

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

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

Members, we have a lot to do. We can be here for many more hours. Let's move along and get to work, please.

**Mr. Nesbitt:** It's my pleasure, as the Minister of Natural Resources and Northern Development, to stand up today for the second reading of Bill 13, The Wildlife Amendment Act.

This bill modernizes and aligns residency definitions for hunters and anglers. Until 2020, the different residency definitions under The Wildlife Act and The Fisheries Act was not necessarily an issue, as each type of licence was purchased over-the-counter in paper form, and usually purchased at separate times before the season the person wished to hunt or fish.

Since then, this government introduced online licensing purchasing to provide an easy, 24-7 ability to obtain licences. This year, this government made changes that modernized angling rules throughout Manitoba. As part of this new recreational angling strategy, residency definitions for angling have been updated.

\* (18:50)

To continue our streamlining and 'simplification' process, residency definitions are now being updated under The Wildlife Act to align with those in Manitoba's fishing regulations. This will improve and simplify the online purchase of recreational angling and hunting licences. There will now be one definition of a Manitoba resident, one definition of a Canadian resident and one definition of a non-Canadian resident for the purposes of buying one's hunting and angling licences through one easy transaction.

While the language in The Wildlife Act is being amended to align with the fisheries regulation, the changes do not significantly alter who is eligible for what licence. The only significant change is that permanent residents of Canada will now qualify for Canadian resident licences rather than for non-Canadian licences.

This bill also continues to promote the strong tradition of hunting in Manitoba by removing an outdated clause which prohibits Sunday hunting other than as authorized under regulation. Sunday hunting has been authorized under Manitoba's hunting regulation since the 1990s. Saturdays and Sundays are the most popular and available weekdays for many people to get outside and go hunting with family and friends. Removing this redundant clause in the act helps solidify Manitoba's hunting heritage and continues to promote our world-class hunting opportunities.

Finally, this bill also clarifies that Manitoba's regulations need to clearly distinguish between guiding services and outfitting services. While these services are treated separately throughout the statute, the regulation-making powers treat them as a single type of service. This bill corrects this oversight to enable more flexibility for Manitoba's outfitting industry and their Canadian and non-Canadian clientele.

I look forward to the ensuing debate and seek all-party support for this bill so that it can have quick passage through the House.

Thank you.

### Questions

**Mr. Deputy Speaker:** A question of up to 15 minutes will be held. Questions may be addressed to the minister by any member in the following sequence: first question by the official opposition critic or designates; subsequent questions asked by critics or designates from other recognized opposition parties; subsequent questions asked by each independent member; remaining questions asked by any opposition members. And no question or answer shall exceed 45 seconds.

The floor is open for questions.

**MLA Tom Lindsey (Flin Flon):** I guess my first question should be a little cheeky, that does the minister have a clock on his office wall, but I won't ask that question.

So, really, the first thing I want to know is, who all did the minister consult with before bringing this bill in?

**Hon. Greg Nesbitt (Minister of Natural Resources and Northern Development):** We consulted with the outfitting and guiding service, the Manitoba Lodges and Outfitters Association, on that particular change.

The other changes were—I don't believe there was any consultation on them because they just corrected some regulations in our department that needed to be adjusted.

**Mr. Deputy Speaker:** The honourable member for Flin Flon—oh, sorry, the honourable member for River Heights.

**Hon. Jon Gerrard (River Heights):** This bill deals with guiding and non-guiding activities. It looks as if the bill is designed so that the—it will be possible for the government to specify that certain activities require a guide.

Again, can the minister talk about which activities are likely to require a guide and which won't?

**Mr. Nesbitt:** This actually sets to differentiate between outfitting and guiding, where it is referred to as one in the previous regulations or act.

So, service as an outfitter, they provide accommodation, supplies, equipment in connections with hunting and providing the services of a guide, where guides basically don't provide those services, just guiding them actually doing the hunting.

**MLA Lindsey:** So, one of the things the minister talked about was the removal of the prohibition against Sunday hunting.

Has the minister's department done any kind of study to determine what sort of impact this may have on the number of animals hunted, and will it put more pressure on some species that are already supposedly under pressure?

**Mr. Nesbitt:** Change to take Sunday out of the regulations is just that. Every year, hunting has been permitted on Sunday since the 1990s, so this will have absolutely no effect on number of animals taken or anything like that, because traditionally, they have hunted on Sundays.

**Mr. Gerrard:** Yes, so, in reading this bill, it says that it—the minister, or the government has the power to require Canadian residents and non-Canadian residents to use the services of guides or outfitters, when hunting any species or type of wildlife in all or specified parts of the province, or when hunting under a specified type of class of licence.

So, coming back to the question which I asked earlier on: What is the intent here in terms of where the government will be requiring that the individual who's got a hunting licence has a guide, versus when there won't be a requirement—

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

**Mr. Nesbitt:** I think this bill gives us the power to regulate that should we want to indicate that a certain game hunting area maybe requires guiding and outfitting, based on a particular need.

To my understanding, there is no indication that we're going to force hunters to use outfitting services.

**MLA Lindsey:** So, by the changes that are proposed in this piece of legislation, there are some foreign owners that have bought property, specifically in certain areas where they come to go hunting every

year and they bring a number of their friends with them.

Does the minister see any financial impact for Manitoba if now these folks can't come because only the owner would get the exemption; the rest of them would have to apply for a lottery to get their licence. So that could very well mean less people coming, which then could translate into less dollars—

**Mr. Deputy Speaker:** Member's time has expired.

**Mr. Nesbitt:** This bill has no effect on whether American hunters can come or not, or non-Canadian hunters. All this does is change the definitions to streamline them between angling and hunting regulations.

**Mr. Gerrard:** My question is, if there's a lake which crosses the boundary between Manitoba and Saskatchewan, or Manitoba and Ontario, and people are going out fish—or, hunting in that area.

Do they have to be very careful about not crossing the boundaries if they're out in a boat hunting ducks, for example?

**Mr. Nesbitt:** I don't know how much fishing—or how much hunting goes on on the lakes in the wintertime; I'm not sure when the ice is there.

As far as fishing goes, again, that's a great question. I'm not sure, for example, Lake of the Prairies, it straddles the border there at some spots. I'm not sure whether you have a Manitoba licence it applies in Saskatchewan; I'm not sure on that, I could check into that for the member.

**MLA Lindsey:** So, it—this will have some economic impact because right now, somebody can decide they're bringing six of their friends to go hunting, because they know they can get the licence and go. But with the new bill, they have to get entered into a draw, so they may not be as many people able to come, even though the landowner himself may be granted that exemption.

So, has the minister looked at any of that, and are any of the local communities going to be negatively impacted by less hunters coming?

**Mr. Nesbitt:** Just to be clear, this bill has absolutely nothing to do with what the member on the other side is talking about in terms of who can hunt, and whether there's draws, or anything like that. I think you're referring to the non-resident waterfowl plan, which is not a law but is regulations within our department.

**Mr. Deputy Speaker:** Are there any other questions?

### Debate

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

**MLA Tom Lindsey (Flin Flon):** Well, I don't have a whole lot of comments to make, the minister's ask—answered some of the questions already.

And, just for his information when it comes to fishing licences, if you have a Manitoba fishing licence you better not get caught fishing on the Saskatchewan side of a lake or vice versa, and I know this simply because Flin Flon has lakes that cross borders and have—*[interjection]* Me, personally, I have not got one of those tickets, but I have friends that have, so.

\* (19:00)

One of the things we want to make sure—whether it's this bill or any other bill that's dealing with hunting, fishing, parks—is that we have a sufficient number of conservation officers to monitor it, to make sure that the rules are being followed, and, of course, we all know that that's not the case, that we don't have sufficient conservation officers, even though this minister's—*[interjection]*

**Mr. Deputy Speaker:** Order.

**MLA Lindsey:**—added to their duties now for various different things—*[interjection]*

**Mr. Deputy Speaker:** Order.

**MLA Lindsey:** And I'm sure the member from Swan River will get a chance to stand up and say something. One would hope that it makes sense—*[interjection]*

**Mr. Deputy Speaker:** Order.

**MLA Lindsey:**—and he carries on in relation to what we're talking about here, but it may not, who knows?

So, I just want to make sure that the minister has actually done everything he can to make sure any changes he's proposing to any of these bills is something that's going to be a positive thing for the province, for wildlife, and to make sure that he understands the negative impacts of his department's inability, refusal, to actually hire enough conservation officers to make any of these acts meaningful and able to have them carry out the job that they're supposed to do.

When we're running 30 per cent, 20 per cent—whatever the vacancy number is—it makes it hard for them to do their job, and so the minister has made some commitments elsewhere about that and so far hasn't lived up to those commitments, so we really

want to encourage him to do that, to make sure that we're training.

And not just training conservation officers, but paying them a wage so that they will stay in this province and do the job that we want them to do, not get the training and go across the border into Saskatchewan where they can make substantially more money, which is a failing in a lot of areas in this government, but we won't talk about all those areas now; there'd be other opportunities to talk about them.

So, with those few words, Mr. Deputy Speaker, I'll cede the floor.

**Hon. Jon Gerrard (River Heights):** Mr. Deputy Speaker, thank you for the opportunity to speak.

Just a few words on this particular bill. It is mostly sort of in the realm of housekeeping changes. I'm pleased that the minister was able to clarify that it wasn't his intent to require guides, although that power is there and could be used in the future.

But I think that would have a number of people quite concerned if he went around a wide scale requiring of guides for people to hunt or, in some circumstances, to fish. Although, in terms of fishing, on some of the northern lakes, with the rocks and so on, in the Canadian Shield, guides are actually a pretty good idea.

Now, we're, from a Manitoba Liberal point of view, we're fine with this bill; we'll support it. We look forward to any comments that may come up at committee stage and it moving forward and becoming law.

Thank you.

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

**Some Honourable Members:** Question.

**Mr. Deputy Speaker:** Question before the House is second reading of Bill 13, The Wildlife Amendment Act.

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

I declare the motion carried.

### Bill 31—The Animal Care Amendment Act (2)

**Mr. Deputy Speaker:** As previously announced, we will now move to Bill 31, the animal care amendment act.

**Hon. Derek Johnson (Minister of Agriculture):** I move, seconded by the Minister of Transportation and Infrastructure (Mr. Piwniuk), that Bill 31, the animal care amendment act, be now read a second time and be referred to a committee of this House.

**Mr. Deputy Speaker:** It has been moved by the honourable Minister of Agriculture, seconded by the honourable Minister of Transportation and Infrastructure, that Bill 31, the animal care amendment act, be now read a second time and be referred to a committee of this House.

The honourable minister—*[interjection]* Okay, I'm going to read that again because I made a very slight error, and for the record it has to be perfect.

So, it has been moved by the honourable Minister of Agriculture, seconded by the honourable Minister of Transportation and Infrastructure, that Bill 31, The Animal Care Amendment Act (2), be now read a second time and be referred to a committee of this House.

**Mr. Johnson:** I think the applause will go on all night if I don't get started here. So, on behalf of Manitoba Agriculture, I'm pleased to present Bill 31, the animal care amendment act, as Minister of Agriculture. I move that this bill be given second reading today because it is a great bill, and I've already read that, I think; that's just repeated here.

So, the Animal Care Appeal Board is an independent appeal board created in 2009. The proposed animal care amendment act streamlines Animal Care Appeal Board procedures and powers, to ensure animal care and welfare. The bill introduces greater efficiency for Animal Care Appeal Board in adjudicating appeals for citizens who have come in contact with The Animal Care Act.

The proposed amendments reduce the burden associated with the appeal process. These include costs of animal care associated with seizures of the animal, and appeal panel administration. The proposed animal care amendment act is an important part of ensuring regular and timely review of the Animal Care Appeal Board. This bill supports Manitoba Agriculture's ongoing mandate on animal welfare.

The Animal Care Appeal Board was created to hear appeals on animal seizures and orders made by the director or the Chief Veterinary Officer for Manitoba. Appeals can vary in length from three weeks to 50 days; the bill provides that the time limit for an appeal may be extended by the Animal Care Appeal Board. It also amends The Animal Care Act

regarding collection of costs under the act; the animal care amendment act provides that the director can register the debt with the court, and the debt due to Manitoba can be collected via a collection agency.

Approximately 1 in 3 animal care appeals can be considered vexatious; appeals are considered vexatious when an application for the appeal is meritless. For example, an appeal is made even though the conditions that led to the director's decision has not changed; there is no reason for the decision to be overturned if there is no new evidence. Or, the applicant is not able to identify what a reasonable outcome or decision should be. That is why the proposed amendments will allow the appeal board to dismiss appeals in certain circumstances.

Circumstances include if the appeal request is frivolous or vexatious, was late, is subject to other processes or if there is no chance of success of the appeal. This will save time and resources, as well as improve animal welfare. The bill also provides an opportunity for the appealant to make a written submission to the board before dismissing an appeal or part of an appeal. This is in the interest of the fair access to justice, who can provide one last opportunity for the appealant to be heard by the board.

Manitoba Agriculture proposed amendments will enhance the hearing process by introducing electronic submissions of appeals as well as allowing hearings to be held by telephone or other electronic means, like Teams, for example. The bill aims to ensure the appeal process is made more flexible by reducing the burden on an appealant and parties involved. This provides added flexibility to the Animal Care Appeal Board by reducing the requirement for physical presence at a hearing.

These enhancements to the process will facilitate citizens' ability to present to the Animal Care Appeal Board. The bill streamlines appeal board procedures and powers to ensure animal care and welfare.

Thank you, Mr. Deputy Speaker.

### Questions

**Mr. Deputy Speaker:** A question period of up to 15 minutes will be held. Questions may be addressed to the minister by any member in the following sequence: first question by the official opposition critic or designate; subsequent questions asked by critics or designates from other recognized opposition parties; subsequent questions asked by each independent member; remaining questions asked by

any opposition members. And no question or answer shall exceed 45 seconds.

The floor is open for questions.

\* (19:10)

**Mr. Diljeet Brar (Burrows):** I thank the minister for the second reading of this bill.

And I want to ask the minister if there was any consultation done for this bill, and if it was done, who was consulted?

**Hon. Derek Johnson (Minister of Agriculture):** Yes, of course. On this side of the House, we're absolutely a consulting government.

I'll go through some of the list. I don't know if I can get it all through in this portion of the time allotted that's left: Manitoba Beef, Manitoba Egg Farmers, Dairy Farmers of Manitoba, Bee-Manitoba Beekeepers' Association, Manitoba Turkey, Manitoba Bison Association, Manitoba Chicken Producers, Manitoba Forage and Grassland, Manitoba Pork.

And I would like to table a letter in support of this from Keystone Ag Producers, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** Are there any other questions?

**Hon. Jon Gerrard (River Heights):** Yes, just interested in the range of animals—birds, reptiles—which are covered under this animal care amendment act. I presume that it covers livestock. I presume it would cover pets—cats, dogs.

What about birds like emus and parrots and reptiles like snakes and geckos, and so on?

**Mr. Johnson:** The birds and the bees. The answer is yes.

**Mr. Brar:** I thank the minister for the list that he just read out and support.

Was there any opposition to the changes, or were there any other changes proposed during the consultation process that are not part of this bill?

**Mr. Johnson:** None that we heard of, and no.

**Mr. Gerrard:** Yes, I'm curious, I ask the minister: This bill will set out a notice of appeal must be filed within the time limit. What sort of time limits is the member—minister considering?

This is particularly important in today's world when information circulates in many different ways, from the Internet to the local newspaper. And it's often more difficult, partly because of the multiplicity of

sources of information, to make sure that you, you know, find out in time to make an appeal.

**Mr. Johnson:** If the member would have attended the bill briefing, as we offered, he would know that there are no changes to the time limit.

**Mr. Brar:** I'd like to ask the minister, how will this bill improve animal welfare in Manitoba?

**Mr. Johnson:** It ensures a timely response and to get the animals into a loving family, for lack of a better—loving environment—for lack of a better word. The vexatious appeals can be dismissed if there's no perceived outcome or if there is no new evidence. So they can be dismissed, and then the animals can be turned over to a new adoptive family, so that will help get them in a better environment quicker.

**Mr. Gerrard:** I ask the minister, could the minister clarify the changes that are being made with respect to certifying debts and collecting costs?

**Mr. Johnson:** It allows—the Chief Veterinary Officer can register the amount owing to—in court, and then they can be collected by a collection agency.

I don't know if that answered his question. It was pretty short but I couldn't quite hear it all either.

**Mr. Brar:** What sort of impact will these changes have on the animal owners in Manitoba?

**Mr. Johnson:** Well, in some cases, a herd of animals may not be fed, and they're malnourished, and those animals will be seized and that will, you know, get them fed.

But the owner of the animals—quite often, the instance where they're malnourished is often an aging producer that runs into some—maybe some health issues.

So, the goal is to get the animals the nutrition they need and ensure that they're healthy so the animals are safe.

**Mr. Deputy Speaker:** Are there any other—the honourable member for Burrows.

**Mr. Brar:** Just curious if some other organizations, other than the minister listed, for example Animal Justice or Winnipeg Humane Society, were consulted during the consultation process?

**Mr. Johnson:** I can endeavour to get the critic a full, fulsome, complete list of everybody who was consulted. I don't have the fulsome list here; I just have the top 15 or whatever I read out earlier.



**Mr. Deputy Speaker:** Are there any other questions?

Seeing none, the floor—the time for questions is over, and we will move to debate.

### Debate

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

**Mr. Diljeet Brar (Burrows):** We are talking about animal care, which is important. Animals—we care for animals and animals are very important in our lives, may it be farm animals or pets or kept at the zoo or sanctuaries. So, this is an opportunity to talk about this important topic in the Chamber.

This bill amends The Animal Care Act, and the time length for an appeal may be extended by the Animal Care Appeal Board. So, this bill mostly talks about the Animal Care Appeal Board, because it's focused.

The appeal board may also dismiss a matter without a hearing in certain circumstances. Administrative amendments are made regarding notices of appeal filed for the appeal board. Amendments are also made regarding collection of costs under the act.

Treating animals ethically is very important, and there must be repercussions for those who fail to do so. Bill 31st—Bill 31 would change how the animal care board hears and processes appeals to make the process more flexible. Under Bill 31, the time limit for an appeal may be extended by the board. The appeal board may also dismiss a matter without a hearing in certain circumstances.

In addition, the bill will enhance the hearing process by introducing electronic submission of appeals, as well as allowing hearings to be held by telephone or other electronic means. The proposed amendment will bring greater clarity to Animal Care Act, introducing a more efficient way to adjudicating appeals brought before the Animal Care Appeal Board.

I do not have any specific concerns with what has been proposed in this bill, but as per my interactions with a few Manitobans, there was an expectation that a few other changes or amendments could be part of this bill.

And I just wanted to share this, that I understand that a few organizations and a few Manitobans have contacted Agriculture Department and the minister for their concerns, especially about the accreditation of the zoos and aquariums, and they have specific concerns. I'm sure that the minister has received that

information and concerns, and I expect that the department—his department would be considering those proposals and issues and work towards addressing those issues to satisfy the people that are really concerned and—looking forward to improve animal care in Manitoba.

\* (19:20)

So, with those words, I would just hand over the floor to the next person who is interested to speak.

Thank you so much, Mr. Deputy Speaker.

**Hon. Jon Gerrard (River Heights):** Bill 31, the animal care amendment act makes some amendments with respect to appeals specifically, and some clauses relate to the costs.

This is a bill which we are prepared to support. I continue to have concerns with the way that things are happening with the timeline for appeals, that there is adequate notice and adequate time for people who are served with situations where there's concern about animal care, that they have the time to prepare and put in that appeal.

It is important in Manitoba that we're looking after animals and that is the whole suite, from birds and animals and wild animals and livestock. This is increasingly important. People are increasingly conscious of how animals are cared for and looked after. And this is—doing this well generates respect for what we do in Manitoba, and so it's important to do it well.

With those few comments, I'll look forward to whatever comments may come at committee stage and this bill moving forward and passing by June the 1st, probably.

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

**Some Honourable Members:** Question.

**Mr. Deputy Speaker:** The question before the House is second reading of Bill 31, the animal care amendment act.

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

I declare the motion carried.

**DEBATE ON SECOND READINGS***(Continued)***Bill 7—The Liquor, Gaming and Cannabis Control Amendment Act**

**Mr. Deputy Speaker:** As previously announced, we will now move to Bill 7, The Liquor, Gaming and Cannabis Control Amendment Act.

Are there any speakers?

Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Deputy Speaker:** The question before the House is Bill 7, The Liquor, Gaming and Cannabis Control Amendment Act.

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

I declare the motion carried.

\* \* \*

**Hon. Kelvin Goertzen (Government House Leader):**  
On House business.

**Mr. Deputy Speaker:** On House business, the honourable Government House Leader.

**Mr. Goertzen:** I wonder if it's the will of the House to call it midnight.

**Mr. Deputy Speaker:** Is it the will of the House to call it midnight? *[Agreed]*

The hour being 12 midnight, this House is adjourned and remains adjourned until tomorrow morning at 10 a.m.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, April 17, 2023

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