

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

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Speaker*

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-First Legislature

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, April 19, 2018

The House met at 1:30 p.m.

Madam Speaker: Good afternoon, everybody. Please be seated.

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

Bill 215—The Election Financing Amendment Act

Hon. Steven Fletcher (Assiniboia): I move, seconded by the member from The Maples, that Bill 215, The Election Financing Amendment Act, be now introduced a first time.

Motion presented.

Mr. Fletcher: This bill simply takes the campaign finance limit from \$5,000 to \$1,575, which is the limit that is used federally. It was \$3,000, but, Madam Speaker, there has been very few MLAs—in fact, almost none—that have ever maxed out or even gone over the \$2,000 limit. So it seems appropriate to bring it to what has become the consensus across the country. And I know that some MLAs would like a refund from their donation of last year as well.

Thank you.

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

Committee reports? Tabling of reports?

MINISTERIAL STATEMENTS

Madam Speaker: The honourable Minister for Sustainable Development, and I would indicate that the required 90 minutes notice prior to routine proceedings was provided in accordance with our rule 26(2).

Would the honourable member please proceed with her statement.

Earth Day

Hon. Rochelle Squires (Minister of Sustainable Development): I rise to note that this Sunday is Earth Day.

Earth Day is the day when we recognize how important and indispensable our ecosystems are to our health and well-being. Celebration of this day is significant in educating our younger generations and raising awareness among our citizens with a key

message. It reminds us that conservation of nature is fundamental to our quality of life and, indeed, to our very existence as human beings.

Earth Day has a vibrant history. At a UNESCO conference in San Francisco held in 1969, peace activist John McConnell proposed a day to honour our earth and the concept of peace to be first celebrated on March 21st, 1970, the first day of spring in the northern hemisphere. A month later, a separate Earth Day was founded by US senator, Gaylord Nelson, to be celebrated on April 22nd, 1970. Earth Day is now celebrated by more than 1 billion people every year in more than 190 countries.

This year, the Earth Day theme relates to ending plastic pollution. Scientists assert that plastic waste has tremendous negative impacts on marine life, beaches, landscapes, communities and more. Now, every minute on Earth, nearly two million single-use plastic bags are distributed worldwide, and 1 million plastic bottles are purchased. This number is expected to top a half a trillion by 2021. It is estimated around 8 million tons of plastic waste winds up in the earth's oceans each and every year.

We must educate and activate Manitobans by working together with producers, educational institutions and environmental groups to minimize plastic pollution through reducing, reusing and recycling plastics.

We are committed to maintaining our unique ecosystems that we inherited from our past generations for the benefit of present and future Manitobans. Our government has already put forward a comprehensive and dynamic Made-in-Manitoba Climate and Green Plan, which is founded on four pillars: the climate, jobs, water and nature. We have a bold vision to make Manitoba Canada's cleanest, greenest and most climate-resilient province. We all have to work together to make this a reality.

I must congratulate the organizers of events here in Manitoba, including Fort Whyte Alive, Oak Hammock Marsh Interpretive Centre, Manitoba Children's Museum, Downtown Winnipeg BIZ and Science Teachers' Association of Manitoba. These events help us think about the fundamental shifts we

can undertake in our daily lives that can help make a difference to improve our province and our planet. We will continue our efforts to make Manitoba clean and green by furthering efforts in waste management and recycling, and I encourage fellow Manitobans to join me in enjoying the day with families and friends, and show Mother Earth our love with renewed commitment to protect Manitoba's valued ecosystems.

Thank you, Madam Speaker.

Mr. Rob Altemeyer (Wolseley): Madam Speaker, happy Earth Day to you and to everyone in the Chamber, to all Manitobans.

For many of us we strive to make every day Earth Day, and I certainly appreciate the tone that the minister has brought forward. I think it would give all of us much more to celebrate if this government's actions on a day-to-day basis reflected the importance of Earth Day and the message that it contains.

The minister referenced the so-called plan that they have brought forward and four different categories. Well, let's review those very quickly.

On the jobs front, there was an opportunity this morning for this government to step forward and help landlords and tenants together to fix up our aging building stock, reduce our consumption of utilities and save everyone money. Instead, this government spoke the bill out, wiping out the opportunity to create thousands of more green jobs here in Manitoba.

On climate, the government is going to be charging a carbon tax but not providing anyone with new opportunities or programs to reduce their emissions. They're also using a phony accounting system so that their emissions will be counted multiple times for the same action and they're going to ignore any increases in emissions that occur elsewhere in the economy.

And let's not leave out transit. Two years ago, this government was facing the election that all of us were in. Not a single time did they mention they would be cutting funding from the Province to all municipal transit services across Manitoba.

So that's jobs, that's climate. Quickly on water: Where did they tell everyone that under their privatization of the provincial fishery four fish sheds within the first month would lose up to a million dollars and some of those Manitoba fish would be

exported in a, quote, brown liquid goo substance, to the United States?

Also on water: How about the poor mayor of Gimli, who has taken offense to this government's timeline of 27 years for the City of Winnipeg to fix up the combined sewer program?

And let's finish with waste, which the minister was referencing. In the legislation they have brought forward under Bill 16 there is not a single mandate for new waste reduction initiatives.

This government has a long way to go. Again, I appreciate the tone that the minister brought forward, but her government's track record leaves so much to be desired.

We will be here to expose their flaws, to propose creative solutions and to oppose this government's current direction when it comes to environmental sustainability in Manitoba.

Hon. Jon Gerrard (River Heights): Madam Speaker, I ask leave to speak to the minister's statement.

Madam Speaker: Does the member have leave to speak to the statement? *[Agreed]*

Mr. Gerrard: Madam Speaker, today more than one million people will take part in the largest day of action in the world. This year's theme we focus on a worldwide epidemic of plastic waste. Plastic water bottles and shopping bags continue to be used widely and discarded in spite of the knowledge that they do not degrade in landfills.

Vast numbers wash up on beaches all over the world. They slowly break down over time into smaller particles, many of which can be carcinogenic, causing life-threatening cancers, or affect human hormones, causing early puberty as well as having effects on waterfowl, fish and the—and our ecosphere.

Several times in the past decade Liberals have called for the elimination in Manitoba of single-use plastic checkout bags and we also call for a drastic reduction in water bottle use. The goal is to reduce our dependence on polluting plastic bags and polyethylene water bottles, and yet they are still widely used.

We see more and more evidence of major problems with plastic and the environment. One million plastic bottles are bought around the world every minute and that number is expected to jump by

200,000 more by 2021. That's 1,200,000 water bottles per minute every day worldwide, creating an environmental crisis some predict could be as serious as climate change.

*(13:40)

Earth Day is a delay of political action and civic participation. Let us act today to stop using single-use plastic bags and dramatically reduce our use of plastic water bottles. Save our planet. It is our home.

Madam Speaker: The honourable Minister of Education, and I would indicate that the required 90 minutes notice prior to routine proceedings was provided in accordance with our rule 26(2).

Would the honourable minister please proceed with his statement.

Education Week

Hon. Ian Wishart (Minister of Education and Training): Madam Speaker and honourable members of the Manitoba Legislature, it is my pleasure to rise in the House today to invite all Manitobans to recognize the importance of education in our communities and to celebrate this week as Education Week in Manitoba.

Education Week provides us with an opportunity to take a moment and turn our attention to the excellent educators and schools we have in Manitoba. Many of us have spent time in classrooms learning the intricacies of literacy and numeracy, which is fundamental to all learning. This allows us to understand, to create, to communicate and to interact with others and the world around us. We do not learn these things on our own. These literacy and numeracy life skills become our own through the guidance and perseverance, talents and support of educators and educational leaders in our schools and community.

Madam Speaker, this government values our educators in Manitoba, so we are pleased to invite all of us to take this opportunity to extend appreciation to those who know—who we know are involved in educational system. Our government recognizes a strong education system is important part of how we build a stronger Manitoba. We know that our young people will determine the future of our province, so that they deserve our best effort. That is why we're investing in priorities to support improved education for our students.

Some of these highlights include early learning initiatives, enhancing early school educator training and seeking greater alignment with the cradle-to-careers approach of education. We co-creating a long-term literacy and numeracy strategy based on the feedback we received from Manitobans who participated in our literacy and numeracy summit. In March, we released the Manitoba College Review, which highlighted several opportunities to enhance and modernize college education in our province by building on existing strength. We plan to work together, implementing several key recommendations and work with others to develop long-term. These are just some of the highlights of how our government and how staff in Manitoba Education and Training are working in partnership with educators and educational stakeholders to help foster a culture of innovation and quality education here in Manitoba. This week and every week, educators and educational organizations are engaging in important discussions on how to work together and support student learning. I encourage all Manitobans to take this opportunity to thank them and celebrate the great work that our schools, communities and provinces are accomplishing. Thank you, Madam Speaker.

Mr. Matt Wiebe (Concordia): I stand to recognize Education Week and recognize and thank those incredible educators in the classrooms throughout our province, including those from Kildonan-East Collegiate who once again join us here in the gallery today. Our caucus certainly understands the value that full access to quality education has for children and youth.

We know that a solid foundation in school leads to successful leaders in our province. Unfortunately, the Pallister government is failing its obligation to our students. Their budget for K-to-12 schools is less than the growing rate of enrolment, let alone that of inflation. School divisions are forced to make impossible choices like cutting educational assistance or delaying much-needed maintenance and renovations. The Pallister government's approach to education means cuts to the resources our kids need to succeed. We also are very concerned that the Pallister government is letting class sizes grow. During the election, it was the Pallister government that said that class sizes mattered as a factor to improve educational opportunities. But, as soon as they took the reins, they cancelled the good work being done to reduce those class sizes. The results

are obvious: growing class sizes and less one-on-one time with teachers for our kids.

When the Pallister government took office, they cancelled construction projects across the province. Hundreds of millions of dollars in capital projects—*[interjection]*

Madam Speaker: Order.

Mr. Wiebe: —were cancelled. Instead of moving forward on important new school projects that were coming forward, they dithered and they delayed. Similarly, for the first time in a generation—*[interjection]*

Madam Speaker: Order.

Mr. Wiebe: —the budget for post-secondary education has seen an absolute reduction. As a result, students will see their tuitions rise by 7 per cent, nearly 7 per cent every year for the foreseeable future. In just a few short years, tuition will have climbed by over \$1,000, wiping out the effectiveness of many bursaries and making accessible education that much harder for thousands of Manitobans.

It's all smoke and mirrors with this Pallister government. They took over \$60 million out of the hands—*[interjection]*

Madam Speaker: Order.

Mr. Wiebe: —of post-secondary students when they cancelled the Tuition Fee Income Tax Rebate that encourages post-secondary students and supports new graduates to stay here in Manitoba.

We know that investments in education help our children and prepare them to succeed in the future. Our NDP team will continue to support funding education and provide the necessary resources for our children to be successful.

Thank you, Madam Speaker.

Madam Speaker: Order. Order.

Hon. Jon Gerrard (River Heights): I ask leave to speak to the minister's statement.

Madam Speaker: Does the member have leave to speak to the minister's statement? *[Agreed]*

Mr. Gerrard: Madam Speaker, it is Education Week. I thank Manitoba teachers and other staff for their hard work, their dedication and their commitment to providing students with the best possible education, and parents for supporting this effort.

Manitoba Liberals believe that our children's education at all levels, primary, secondary and post-secondary is the key to our future.

Yet, halfway through their four-year mandate, this government has done little to improve Manitoba's education system. The Pallister government has shown no leadership on indigenous education issues when graduation rates for indigenous students are at an alarmingly low rate of 48 per cent.

Instead of working collaboratively with Manitoba teachers to build a stronger education system, the PCs have blindsided them with a zero per cent pay increase and reductions in support.

This government cuts to francophone services and education have put 50 years of progress in French language education in Manitoba at risk, even as the number of children in French education is rising.

Today, we need future-thinking ideas, not cuts. That is why I am hosting a forum in River Heights on April 29th on the future of primary and secondary education in Manitoba. You're all welcome—*[interjection]*

Madam Speaker: Order.

Mr. Gerrard: —to come. Thank you.

Madam Speaker: Order.

I'll ask for everybody's co-operation. We have a lot of guests in the gallery, including students, and normally during ministerial statements I don't think we hear this much noise. Respect is to be given to members as they speak on these issues and I would ask for everybody's co-operation.

Hon. Steven Fletcher (Assiniboia): I wonder if I could ask for leave to respond to the ministerial statement.

Madam Speaker: Does the member have leave to respond to the statement?

Some Honourable Members: Agreed.

An Honourable Member: No.

Madam Speaker: I did hear a no. Leave is denied.

MEMBERS' STATEMENTS

Elder Jack Robinson

Mr. Kelly Bindle (Thompson): Madam Speaker, many indigenous people of all ages in Manitoba are

learning about, embracing and reconnecting with their culture. In doing so, they gain—

Madam Speaker: Oh, pardon me. Sorry.

The honourable member for The Maples.

Mr. Mohinder Saran (The Maples): Madam Speaker, I would like to ask for leave if I can speak on this minister's statement.

Madam Speaker: Is there leave to revert back to ministerial statements? *[Agreed]*

MINISTERIAL STATEMENTS

(Continued)

Education Week

(Continued)

Madam Speaker: And is there leave now for the member for The Maples to address the ministerial statement? *[Agreed]*

* (13:50)

Mr. Mohinder Saran (The Maples): This is a very important issue for me and for my constituents and especially immigrant communities.

All the education institutions, they have other languages, especially indigenous languages, in these schools are taught. But Punjabi, which is the third language in Canada, and also Tagalog, which is second language in Manitoba, they are not being taught in the schools. And I ask many times, those languages should be third language, which could be compulsory and optional. Compulsory means third—students should not be graduated until they have third language and—but they can have any third language, either Ukrainian, Tagalog, Punjabi, whatever, they can have. And I hope this is worth it, to spend money, for this government, to think about the other cultures, because we want our children can learn about other cultures and other languages. And it will be beneficial for the government to deal with the other countries. The children born over here—they've been—they become adult, they will be able to talk in those languages better, have better business.

And also, although we are getting two schools in The Maples, which are already—were approved, previous government, but then I was afraid they may not be approved again. But I thank the minister for that.

But I will also ask the minister: We need one high school in The Maples, too, because that area is expanding. So I would request that, too.

Thank you very much, Madam Speaker.

Madam Speaker: Member's statements; the honourable—oh—the honourable member for River Heights?

Hon. Jon Gerrard (River Heights): Yes, Madam Speaker, I would ask in fairness if there was a possibility of returning to the ministerial statement to ask Steven Fletcher to give—

Some Honourable Members: Oh, oh.

Madam Speaker: —point out to the member that, when rising, if he was rising on a point of order it should have been indicated as such. And he also mentioned the member by name, and the rules of the House do not allow that to happen in the House.

So is the—does the member want to reiterate, then, on a point of order?

Point of Order

Mr. Gerrard: On a point of order, Madam Speaker. I would ask, in fairness, if we could revisit the possibility of the member from Assiniboia speaking on the minister's statement.

Madam Speaker: Is there leave to allow the member for Assiniboia to speak on the minister's statement? *[Agreed]*

* * *

Hon. Steven Fletcher (Assiniboia): I'd like to thank all the members of the House for their accommodation, Madam Speaker, and the member for River Heights for his sense of fairness.

And that's one of the things we learn early on in life through the school system, is fairness. Fairness to opportunity. Fairness to reach our full potential in life. Fairness in how we deal with each other, our friends, our enemies and our colleagues. Fairness.

Madam Speaker, education is the best investment society can make in an individual, and the best investment an individual can make in themselves. Education is a lifelong process. I've been very fortunate to have been a product of the Manitoba public school system, a proud graduate of Shaftesbury High School and went to our local university. Did engineering; I graduated and did an MBA after my accident. And I only raise that because education is something that, once you have it, nobody can take it away. They can take your

money; they can take your property. You may lose people you love. Friends may disappear. But you will always have your education. And that is why, of all the public spending that we do in government, the best return—the most important—is investing in our young people and anyone who wants to invest the time to learn and educate themselves at any age.

Madam Speaker, education is just not attending school; it's about a way of life. It's about living to your full potential. Education is one of the most Canadian things that we can do and we should provide the opportunity for everyone to have an education, and for those who don't have that opportunity, and the indigenous communities seem to have—there seems to be a lot of challenges in that area and we need to invest—

Madam Speaker: The member's time has expired.

MEMBERS' STATEMENTS

(Continued)

Elder Jack Robinson

(Continued)

Mr. Kelly Bindle (Thompson): Madam Speaker, many indigenous people of all ages in Manitoba are learning about embracing and reconnecting with their culture. In doing so they gain personal strength, pride and a sense of belonging that brings hope and joy into their lives.

They are gaining this knowledge through teachings shared by elders like Jack Robinson who are committed to helping anyone interested to learn more about indigenous history, belief and culture. Elder Jack Robinson knows first hand the positive transformative power that cultural understanding and acceptance can have in saving people from despair and hopelessness.

Jack was born and raised in Norway House. His father was Metis from Norway House and his mother Cree from Cross Lake. He is a member of the Cross Lake Cree Nation. He belongs to the Thunderbird clan and he has lived in Thompson for going on 20 years now.

Just over 20 years ago, after having lived in The Pas working as a paralegal for eight years, Jack lost everything he valued in life to addiction. Feeling desperate and hopeless, he decided to retreat to living in the bush for two years and sought teachings from five elders who helped him reconnect with his culture. That decision saved his life and he has now built a life full of joy and meaning.

Madam Speaker, Jack has been working at the Ma-Mow-We-Tak Friendship Centre in Thompson for the past 19 years, sharing his story, reconnecting indigenous people with their culture and bringing hope to countless young people. Jack's message is clear: there is always hope. Jack keeps himself busy connecting people to nature and culture through ceremonies and teachings. His seven children have provided him with nine grandchildren and four great-grandchildren, all of whom he takes great pride in. Jack is well known throughout the North as genuine, humble and sincere with a wonderful sense of humor. He was telling me he met his partner Maryann Denechezhe, a Dene from Lac Brochet, when he was up there hunting caribou one time. Now, when he goes back to Brochet, they tease him saying, you come back here after taking four of our caribou and one of our women, you are one brave Cree. Please join me in welcoming my brave friend, Elder Jack Robinson, to the Chamber today and recognizing him for his dedication to helping people. Thank you, Madam Speaker.

Madam Speaker: For the record, technically I need to point out that the member for River Heights did not have a point of order earlier on in the day.

Manitoba Maple Syrup Festival

Hon. Eileen Clarke (Minister of Indigenous and Northern Relations): I had the pleasure of attending the 2018 Manitoba Maple Syrup Festival this past weekend in McCreary, a town that is designated as the Maple Syrup Capital of Manitoba. In its sixth year, this event continues to grow and draw people from many parts of the province, offering a glimpse of rural life and Manitoba heritage to urban attendees as well as new Canadians. The festival highlights the long history of maple syrup sugar tapping that was initiated by our First Nations and Metis peoples of the area. Local volunteers share the history and the knowledge of sugar tapping and help visitors understand the relationship of the people to the trees, the land and the importance of maple sugar to our culture.

The weekend event typically attracts 400 to 500 visitors to the area, bringing families together and getting residents active and outdoors. With a variety of festivities offered over the weekend, there was something for everyone to see, touch, listen to and of course many sweet things to taste. Many local businesses, clubs and organizations came together to market their products, provide food as well as entertainment or share their time in volunteer hours.

* (14:00)

I would like to recognize and thank the Manitoba maple sugar festival board, committee members and volunteers that are present with us here today: Pam Little, Bernice Dillman, Debbie Johnson, Bob and Betty Ann Gass, Amanda and Justin Asham and Claude Desrosiers. Thank you for your vision and your commitment to the festival and the investment in your community of McCreary.

Madam Speaker, I ask that all members of the House join me in congratulating the Manitoba maple sugar festival board members, staff and the many volunteers that participated in this weekend's celebration.

Madam Speaker, I ask that the members of—names of those in attendance be placed in Hansard.

Madam Speaker: Is there leave to include the names of all those in attendance in Hansard? *[Agreed]*

Manitoba Maple Syrup Festival: Amanda Asham, Justin Asham, Claude Desrosiers, Bernice Dillman, Betty Ann Gass, Bob Gass, Debbie Johnson, Pam Little

Sharon Taylor

Mr. Rob Altemeyer (Wolseley): Over the years, it has been a pleasure to work alongside a woman of incredible humility and full of passion. Sharon Taylor, a long-time activist, has made many contributions to the Wolseley and West Broadway community. In a month Sharon will be entering creative retirement, leaving behind great accomplishments and big shoes to fill, one of Sharon's greatest being Wolseley Family Place.

For over 20 years, Wolseley Family Place has fostered the development of healthy moms, healthy babies and healthy families within our community. Wolseley Family Place started when Sharon identified a lack of resources for young single mothers after they gave birth. She founded it from scratch, relying on her network of friends, colleagues and users to go from a small hallway operation to the centre that now has 30,000 visits each and every year.

With Sharon's priority being accessibility and accommodation for all, she relied upon participants for guidance and direction. She listened to what they were saying and set out to help them reach their fullest potential with holistic programming and services to combat the systemic poverty that they

face. Wolseley Family Place now offers parenting, nutrition, crafting and athletic programming, to name just a few, as well as an on-site nurse practitioner. This unique approach ensures that Wolseley Family Place succeeded and grew.

A common theme for the users of Wolseley Family Place is poverty. For Sharon, it has always been difficult to understand how we live in such a rich world and continue to have poverty, how, if society truly values children, why aren't we feeding and housing them properly? These are questions and battles she will never stop fighting.

Sharon's working career has been a gift, a wonderful journey, and she prides herself on having had the opportunity to work with people whom society would call the marginalized.

I know her journey isn't over yet by far. She will certainly not be forgotten anytime soon in Wolseley or West Broadway. Her presence will continue, and she will find new causes to fight for. The Sharon I know will never be silent or stagnant. She will continue to work towards changing society's views to value people over profit.

I invite all members of the Chamber to join me in congratulating and thanking Sharon for her amazing service to our community.

Madam Speaker, if I may, Sharon has a number of friends and colleagues who have joined her. I respectfully ask that their names be included in Hansard as well.

Madam Speaker: Is there leave to include those names in Hansard? *[Agreed]*

Sharon Taylor, Dina Juras, Valerie Gompf, Bev Gray, Kathy Strachan, Noelle Campbell, Carol Opaleke

Hutterian Emergency Aquatic Response Team

Mr. Cliff Graydon (Emerson): The Hutterian Emergency Aquatic Response Team, HEART, is a group of volunteer divers from Oak Bluff Hutterite Colony and from Steinbach who specialize in underwater search and recovery operations of drowning victims.

The team was started four years ago in response to two recent drowning tragedies in Hutterite colonies where they felt that the timely recovery of the drowning victims was inadequate. Although the team is very small and they have limited equipment and technology, they're constantly upgrading their

training and capabilities at time—as time and funding permits.

HEART has been involved in some recent recoveries of drowning victims. In July of 2016, a 16-year-old, Travis Bauman, from Plum Coulee, Manitoba drowned when he dove into the churning flood waters of a flooded spillway and didn't resurface. After more than a day of unsuccessful searching by the RCMP and local fire departments, HEART was called to help with the search. The HEART divers braved the swift flowing flood waters and conducted a thorough search of the creek bottom in zero visibility, located and recovered the body of Travis.

Last summer, HEART was called by Shady Lane Colony in northeastern Alberta to help in the search for a 16 year old, Jerald Tschetter, who was swept away by the fast currents of the Smokey River. The team drove non-stop for over 20 hours from Morris to get on site and spent three days diving the swift waters until his body was finally found.

So far, HEART is entirely funded by donations from partner colonies, businesses and from individuals using their GoFundMe page. Besides continually upgrading their skills and expertise, HEART divers are actively educating colony children in promoting swimming and water safety by presenting at farm days. They have also been invited to present at a Hutterite Farm Safety Day in Saskatchewan in June.

In conclusion, I would ask all my colleagues to welcome and congratulate the HEART team for their volunteering that they do.

Madam Speaker, I ask for permission to have the names of the team included in Hansard.

Madam Speaker: Is there leave to include those names in Hansard? [*Agreed*]

Hutterian Emergency Aquatic Response Team: Adrian Maendel, Brendan Maendel, Jack Maendel, Manuel Maendel, Paul Maendel, Tyler Maendel, Brent Stoesz

Geo-Positioning of Ambulances

Hon. Jon Gerrard (River Heights): Madam Speaker, I rise to talk about the government's approach to geo-positioning ambulances at sites which are far away from the communities they serve.

The government's approach would have paramedics and ambulances positioned around the

clock at what are called geo-positioned sites derived from a computer. These sites are often a considerable distance from any community and where population density is low. While paramedics are positioned at these sites they are waiting for emergency calls, but are not able to contribute in other ways to health care because they are some distance from any community.

The alternative, Madam Speaker, is exemplified by the situations in Boissevain and Grandview. Here, close to the highest local population density and, in particular, the highest density of seniors who are the most likely to need an ambulance for heart attacks or strokes, paramedics are stationed in the community. Because the ambulance station is within or close to the hospital complex, paramedics contribute to care within the hospital when there's not an emergency call for them to attend. This is helpful and adds to the quality of health care that's available. Average ambulance response times are quick. I'm told it is only six minutes in Boissevain. I'm also told having the paramedics and ambulances on call and available during the night in town works well in Boissevain.

I ask the government to do what Reg Toews suggested in his report: complete a full consultation with people before committing to implementing the geo-positioning system. It may work well for Nova Scotia, but may not be optimum for health care in Manitoba.

Introduction of Guests

Madam Speaker: Prior to oral questions, we have some guests in the gallery that I would like to introduce to you.

We have, seated in the public gallery from Kildonan-East Collegiate 25 grade 9 students under the direction of Kim Way, and this group is located in the constituency of the honourable member for Concordia (Mr. Wiebe).

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

ORAL QUESTIONS

Rural ER Closures Government Intention

Mr. Wab Kinew (Leader of the Official Opposition): In December, the Premier (Mr. Pallister) said that he may close some hospitals in rural Manitoba. That was nearly 5 months ago now, and many people across rural Manitoba are still wondering if the emergency rooms, the emergency

departments in their home communities are in fact going to be shuttered by this government. People in St. Pierre Jolys would like to know that, if there's an accident on the highway, whether or not there's going to be a hospital in town. People in Eriksdale would like to know if there is going to be health-care services in their community for today and also for tomorrow.

Now, we've asked the Premier (Mr. Pallister) several times in Estimates to answer these questions and he refuses.

So I'd ask the Minister of Health: When does he plan to close emergency departments in rural Manitoba?

Hon. Kelvin Goertzen (Minister of Health, Seniors and Active Living): Madam Speaker, the Leader of the Opposition might remember, because it was, well, only two years ago that they were in government, but then Manitobans decided to go a different way. So happy anniversary to my colleagues on their two—

Some Honourable Members: Oh, oh.

Mr. Goertzen: But he might remember, at that time, that the NDP had closed dozens, in fact 20 emergency rooms across rural Manitoba over their time in government. In fact, when I came in as Minister of Health, I was told that there were temporarily closed ERs that had been temporarily closed for 15 years, Madam Speaker.

* (14:10)

That was the legacy of that government: temporarily closing emergency rooms and health-care facilities for almost two decades. *[interjection]*

Madam Speaker: Order.

The honourable Leader of the Official Opposition, on a supplementary question.

Mr. Kinew: In the two years that I've been here, I've only seen this Minister of Health close hospitals: closed the emergency department at Victoria General, closed the urgent care at Misericordia. But, again, this is his Premier, the Premier that he serves under—*[interjection]*

Madam Speaker: Order.

Mr. Kinew: —that has said he wants to close rural emergency departments.

We know that in their wait times report that they recommended that many rural emergency departments be transformed to non-emergency

department function. You could 'interpretate' that—interpret that as a directive to closure.

Now, they did set out a standard that rural EDs with less than 12 level ones or 200 level twos should be considered for closure. However, when the media analyzed that, when they looked at that they found that that would mean that potentially the majority of emergency departments in Westman could potentially be targeted for closure.

So I'd ask the minister again: Now, when is he going to tell the people of western Manitoba whether or not he plans to close emergency departments in their communities?

Mr. Goertzen: Well, Madam Speaker, the Leader of the Opposition started off by talking about what he's seen in two years. One of the things he's seen is the reduction of wait times in emergency rooms in Winnipeg.

Year after year after year, the wait times increased in Winnipeg under the former NDP government. They shovelled more money at it and the wait times went at—went up. They had task force, and the wait-times went up. They couldn't solve the problem, Madam Speaker.

Now there's much more work to do, but for the first time in a long time there's a sustained reduction in wait times in emergency rooms in Winnipeg. We're working to fix the problem. That member has no solutions other than shovel more money at the problem. It didn't work before. It won't work now, Madam Speaker. *[interjection]*

Madam Speaker: Order.

The honourable Leader of the Official Opposition, on a final supplementary.

Mr. Kinew: Well, the minister's shovelling, but I don't think it's money. Keeps digging himself deeper, because we know that there has not been a sustained reduction in wait-times. In fact, since he started closing emergency departments and urgent cares the wait times have been going up.

But, again, this question was about their plans to close rural emergency departments. We've seen that recommendation there in black and white. It puts a question mark over many of the emergency departments across Westman.

Now, that leaves people in communities like Grandview and Boissevain to wonder, if they lose their emergency room—and this is what they've

shared with me, this is a real concern—if they lose the emergency room, are they going to lose the doctors who work in those communities as well? And if they lose doctors in those communities, that's a real hit to the long-term health of a community like Grandview or Boissevain.

So when will the minister tell the residents of Westman whether or not he plans to close emergency departments in their communities?

Mr. Goertzen: While the member follows rhetoric, we follow evidence, and that's bearing out in the results that we're getting.

When the NDP left government two years ago, Madam Speaker, there was more than 100 people, each and every day, in Winnipeg hospitals waiting to get into personal-care homes. They were blocking the system, but more importantly than that, they were people who really should have been in a more appropriate place to get care. So we brought in transitional care, transitional housing and, in fact, now we see that there—as of yesterday—were only nine, only nine people in Winnipeg waiting to get into a personal-care home from the hospital.

But, of course, the NDP and the Leader of the Opposition, they voted against that. Why did they vote against it? Because there was some private care involved. They followed their union leaders, their union bosses. They continue to do that, they'll be in opposition for a long time, Madam Speaker. *[interjection]*

Madam Speaker: Order.

The honourable Leader of the Official Opposition, on a new question.

Fiscal Responsibility and Taxpayer Protection Request to Withdraw Bill 27

Mr. Wab Kinew (Leader of the Official Opposition): We can see clearly the priorities of this Premier (Mr. Pallister) and this government. We see that tuition is going up, the cost of transit is going up, the price of hydro will go up. We know that the cost of filling up a tank of gas will also go up. And how many bills has this government brought in to keep hydro and to keep gas prices affordable? Zero.

Now, how many bills has this government brought in to protect their salaries since they've been elected? Three, Madam Speaker, three bills to protect their salaries, ever more complicated schemes now involving derivatives and multi-year predictions which will allow them to get a big six-figure payday

some time in the future, even after they lose the next election.

This shows the disconnection between this Premier (Mr. Pallister) and the real priorities of Manitobans, Manitobans who deserve to have an affordable cost of living.

So that is why I'm proud to announce that we are going to delay passage of Bill 27, also known as—

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

Madam Speaker: Order.

Hon. Cameron Friesen (Minister of Finance): It feels a little weird in here. It must be a full moon or something, but we have an Opposition Leader for the former NDP government talking about the fact that he is afraid that costs are going up. When that—when they were in government, they presided over years and years of costs going up on Manitobans.

Failure to index tax brackets, failure to raise the BPA; they raised the PST from 7 to 8 per cent. They bring—didn't bring tax relief. They presided over \$17 billion of Hydro capital investments. They rushed it past the PUB and now rates are going up as a result of NDP poor planning and interference, and they say costs are going up.

This government will stand up for Manitobans and a fairer deal on costs and household affordability. *[interjection]*

Madam Speaker: Order.

The honourable Leader of the Official Opposition, on a supplementary question.

Mr. Kinew: Like to thank the Minister of Finance for confirming that costs are going up as a result of him passing repeated bills to protect the salaries of those sitting around the Cabinet table.

So as I was getting to, we are going to delay Bill 27, also known as the government salary protection act of 2018, the reason being we think Manitobans deserve more time to learn about these bizarre legislative moves that the government is bringing in to hold on to their salaries.

Again, they're proposing a move where they would be able to be repaid many, many years in the future, tens of thousands of dollars, perhaps even more than a hundred—perhaps more than \$100,000 at some—*[interjection]*

Madam Speaker: Order.

Mr. Kinew: –day in the future, even if they lose the next election.

So it would be better if they withdrew Bill 27, but in the absence of that we will hold it over.

So I'd ask the Minister of Finance: Is he prepared to withdraw the bill and bring forward real legislation to the floor that reflects the real priorities of the people of Manitoba?

Madam Speaker: Over the last number of days I have been asking for co-operation on the floor of this Chamber, and I have asked very respectfully if everybody would please respect our level of decorum here and that when people are asking questions and answering that we please give them the opportunity to be heard in a respectful and a civil manner.

I would ask the member for Point Douglas (Mrs. Smith) and the member for Lac du Bonnet (Mr. Ewasko) to please be co-operative as we are trying very hard to ensure that everybody is heard in this Chamber in a respectful manner. Everybody will get a chance at some point to have their say. But I would ask everybody's co-operation to please heed the efforts that are made to decrease heckling and the kind of provocative types of comments that are starting to pervade our Chamber.

Mr. Friesen: Well, thank you, Madam Speaker, and I thank the member for the question. He's helped to clear things up because now we clearly understand.

Bill 27 is The Fiscal Responsibility and Taxpayer Protection Amendment Act. No wonder he's opposing it, Madam Speaker.

This is an act that is designed to bring accountability where there was none under the NDP. What was said about the failure to make progress on behalf of the NDP against the deficit? It was, continues to disappoint; it was, continues to miss the mark; it was, target fatigue.

* (14:20)

Madam Speaker, this bill is designed to provide accountability to make sure that government keeps its foot on the gas when it comes to eliminating the deficit. We're ahead of schedule. On behalf of all Manitobans, we're going to keep going.

Why do they not get on board for measures designed to bring accountability?

Madam Speaker: The member's time has expired.

The honourable Leader of the Official Opposition, on a final supplementary.

Mr. Kinew: I appreciate that the Minister of Finance has to try and sell this bill to his backbenchers, but the real priorities of Manitobans are things like keeping hydro rates affordable, keeping tuition affordable, ensuring that a carbon price actually goes to help people transition to a lower carbon environment.

Now, has this government delivered on any of those measures? No, they have not. They've done nothing, and yet since they've been elected, they've brought in three pieces of legislation all designed to try and preserve their salary. They're giving ever more complicated—we know that the member for Assiniboia (Mr. Fletcher) even said that, in his year spent with them, the only substantive issue that they discussed was their own salaries. It's a sad reflection of this government's performance to date, halfway through their own mandate.

Knowing that we will delay this bill to the fall, will the Minister of Finance instead withdraw Bill 27?

Mr. Friesen: Well, Madam Speaker, because we have guests, let me clearly explain. That member clearly knows that this bill is a bill that withholds 20 per cent of every minister's salary and that salary is not reinstated unless government makes \$100 million of progress against a deficit.

When the NDP was in power they took and amended that legislation to allow NDP ministers to keep their salary. We're standing up for Manitobans. We're standing up for accountability. We found a way to strengthen that bill and we will take it, and they should get on board and support these important measures that get better results for all Manitobans.

Winnipeg Free Press Premier's Response to Media Story

Mr. Andrew Swan (Minto): Madam Speaker, an unprecedented attack on freedom of the press in our province by a sitting premier. This Premier (Mr. Pallister) has threatened to sue Manitoba's largest newspaper, and his actions are meant to cast a chill on the press. The Premier wants to send a warning: if you dig too deep or if you ask too many questions, threats and possibly lawsuits will follow.

The actions of the Premier are at odds with Canadian democracy. They also prove the importance of the questions the Premier refuses to

answer, questions he, himself, acknowledged were legitimate.

Will the Premier (Mr. Pallister) today withdraw his threat of a lawsuit against the Winnipeg Free Press?

Hon. Heather Stefanson (Deputy Premier): You know, it's no shock that the member opposite continues along with his smear tactics of our Premier and of Manitobans, and I would suggest, Madam Speaker, that, you know, Manitobans elected us to fix the finances, repair the services and rebuild our economy. That's what we are focused on.

While they are playing gutter politics, we will continue to focus on what's in the best interests of Manitobans.

Madam Speaker: The honourable member for Minto, on a supplementary questions.

Government Notices Act Request to Withdraw

Mr. Andrew Swan (Minto): Madam Speaker, I'm defending freedom of speech and I would think the Minister of Justice (Mrs. Stefanson) of Manitoba should do the same.

This—the Premier has threatened to sue the largest newspaper in Manitoba and his minister introduced legislation to end the long practice of advertising important government notices and information in newspapers across the province. The Premier's government are attempting to hide important information from Manitobans and force the silence of the media—the opposite of openness and transparency.

Will the minister listen to Manitobans and withdraw Bill 8?

Hon. Cathy Cox (Minister of Sport, Culture and Heritage): I'd like to take this opportunity to indicate that members on this side of the House are celebrating a two-year anniversary: a historic win by this party on this side of the House.

And I'd also like to say that Bill 8 is about modernization. It's about providing Manitobans the opportunity to have 24-7 access to information regardless of where they live in Manitoba.

Why is the member opposite opposed to information to Manitobans?

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

Mr. Swan: Well, the problem, Madam Speaker, is this minister plans to pass—*[interjection]*

Madam Speaker: Order.

Mr. Swan: —but not proclaim Bill 8. With the stroke of a pen this government could enforce those provisions that will cut off information from regular Manitobans. They'll do that without any further discussion or consultation or debate or notice. It's a threat that'll always hang there, just like this Premier's threat against the Winnipeg Free Press, and that's why our NDP caucus will be holding back Bill 8 into the fall, in the hope that it will give the government time to do the right thing.

I will give the minister, though, one final chance today.

Will she do the right thing and commit today to withdrawing Bill 8?

Mrs. Cox: I am always happy to listen to Manitobans. In fact, this—members on this side of the House engaged over 36,000 Manitobans when it came to Budget 2018, and Budget 2018 is reflective of their priorities. We'll continue to listen to Manitobans each and every day, Madam Speaker.

Women's Health and Finances Government Record

Ms. Nahanni Fontaine (St. Johns): So recapping the different ways the Premier directed attacks on Manitoba women in this two-year anniversary, I'll start with the Premier's callous decision not to raise the minimum wage despite knowing the vast majority of minimum wage earners are women. When he finally did decide to raise the minimum wage, Madam Speaker, he raised it by three nickels, and now by a measly four nickels. So in three budgets this Premier has raised the minimum wage by 35 cents. This, while attempts to piecemeal a daycare strategy to deal with the over 17,000 required spots, thwarting women's attempts to engage fully in the Manitoba economy.

Why has the Premier chosen to attack Manitoba women?

Hon. Cameron Friesen (Minister of Finance): Thank you, Madam Speaker, and I thank you for the opportunity to address that charge of callous behaviour on the part of a government.

I'll tell you what callous looks like. Callous looks like saying you stand up for marginal income earners by—like the NDP did—while they kept an effective tax rate, at the lowest level, that was twice Ontario's. They took money on the backs of low-income Manitobans.

That's why we are raising the basic personal amount by over two—\$2,020 by the year 2020, leaving hundreds of dollars more in the pockets of every hard-working Manitoba family. We are standing up Manitoba families. We're standing up for women, standing up for men, standing up for Manitoba families who are working hard.

Madam Speaker: The honourable member for St. Johns, on a supplementary.

Ms. Fontaine: Women have watched the Premier (Mr. Pallister) rush through massive health-care changes, including the closure of three emergency rooms, five QuickCare clinics and the Mature Women's Centre. The Premier asked women about to birth and labour to bring their own feminine pads, underwear and blankets, then the Premier saw fit to fire two lactation consultants so vital in helping women learn to breastfeed their newborns. All of this coupled with the Premier's refusal to make—*[interjection]*

Madam Speaker: Order.

Ms. Fontaine: —the abortion pill fully available to Manitoba women, particularly in the North and in the rural areas.

Will the Premier stop his attack on women's health and on our reproductive health?

Madam Speaker: Order.

Hon. Rochelle Squires (Minister responsible for the Status of Women): Well, while this member opposite feigns concern for women, our government is taking real meaningful action to improve the lives of women throughout the province. We are letting women keep more of their hard-earned dollars so that they can care for their families. We are ensuring that women are provided respectful workplaces. While that government did nothing to provide a safe workplace for their own employees, never mind the rest of the employees throughout the province, our government is taking meaningful action to enhance women's equality in all spheres of this province.

Madam Speaker: The honourable member for St. Johns, on a final supplementary.

Ms. Fontaine: The bottom line is that the Premier has made it clear that women are simply not his priority. He's made it clear that when he's faced with a choice to save money or support Manitoba women, he will choose cuts every single time.

* (14:30)

Women will struggle without the front-line services of shelters and community organizations that they rely on, like the North Point Douglas Women's Centre, because of this Premier's funding cuts. We know this Premier certainly doesn't care about women with addictions, considering he couldn't even come outside yesterday to hear directly from women who are struggling with meth crisis.

When will the Premier start actually standing up for Manitoba women and our rights?

Ms. Squires: Well, again, this member feigns concern for women, but when women were struggling in her own caucus, when women were struggling under the employ of her own caucus, what were they told? They were told to shut up and suck it up.

This government is ensuring that we have no-wrong-door approach when we're dealing with creating a respectful workplace for people who work for the Manitoba government. We are playing a leadership role. We're taking real meaningful action to eradicate gender-based violence throughout this entire province, and where they failed to stand up for women, where they failed to close the pay equity gap, where they failed to enhance women's equality in this province, we will succeed.

Public Transit Funding Ministers' Salaries

Mr. Rob Altemeyer (Wolseley): Two years ago, during the election, where was the promise from the Conservative Party in Manitoba to all Manitobans that a 20 per cent salary increase for our Premier and a 20 per cent salary increase for every Cabinet minister was going to be more important than sustaining funding to public transit?

Will the minister responsible for transit cuts, the minister for municipal affairs, please answer that question?

Hon. Jeff Wharton (Minister of Municipal Relations): It's just a true pleasure to stand up today on the second-year anniversary of forming government in Manitoba.

Madam Speaker, we are very proud of our investments in transit. As a matter of fact, we're so proud of the investments we make, we're continuing on with bus rapid transit to ensure that those programs continue on for the betterment of Manitobans.

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

Mr. Altemeyer: Where was the Conservative Party of Manitoba's promise to Manitobans that that minister's salary, the Premier's (Mr. Pallister) salary, all of the Cabinet ministers' salaries were going to be so important that they had to be a priority, but a carbon tax was going to be introduced and assigned to the very same public transit services that he just stood up and claimed to be supporting?

Will the minister please answer that question?

Mr. Wharton: Again, I can reiterate, maybe I'll make it more clear for the member opposite. I mean, the bottom line is, Madam Speaker, we are communicating with our municipal partners, including the City of Winnipeg. We are focused on what's best for Manitobans.

Madam Speaker, unlike members opposite, we'll make sure we get it right.

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

Transit Authorities Municipal Loans

Mr. Rob Altemeyer (Wolseley): If the minister wants to get it right, he need only look to this morning when the local president for the amalgamated transit users and myself and a representative from Functional Transit gave this government a perfect opportunity to, for once, work with others productively and do the right thing.

Will his government provide a no-interest loan to all municipal transit authorities who want one so they can get electric buses, save money, reduce fares, reduce emissions and create local jobs here in Manitoba? That's a two-year promise I can get behind.

Hon. Jeff Wharton (Minister of Municipal Relations): I'm glad the member opposite brought up this morning. I just wanted to share with the House what a lovely morning we had with my colleague, Minister Cox, when we shared information—

Some Honourable Members: Oh, oh.

Madam Speaker: I would just remind all members that when referring to members in the House that they be referred to by their ministerial portfolio name.

Mr. Wharton: The member from River East and I, we were at an event this morning, Madam Speaker, introducing the new Heritage Trust, and we actually were looking—we had an excellent morning with The Winnipeg Foundation, and I can tell you that those organizations, museums and archives, are so thrilled to have the open dialogue and communication with our government.

Again, Madam Speaker, where they got it wrong, we'll get it right.

Concordia and Seven Oaks Hospitals Hip and Knee Surgery Wait Times

Hon. Jon Gerrard (River Heights): Madam Speaker, quick access to good health care, including emergency rooms, operating rooms and ICUs is essential. ERs are being closed and already the median wait time in March is at more than two hours, up from 1.4 hours in October.

But that plan is also to close operating rooms and intensive-care units. Concordia Hospital specializes in hip and knee replacements, which can have complications, and if the ICU at Concordia is closed patients will have to be moved post-op to another hospital.

Is the government planning to close the ICUs and operating rooms at Concordia and Seven Oaks, as well as their emergency rooms?

Hon. Kelvin Goertzen (Minister of Health, Seniors and Active Living): Well, the member is correct, quick access to care is important. That's why we're pleased to see, after phase 1, that when we compare the times—the wait times at the beginning of the transformation to now, recognizing it's still early, they are down 16 per cent, Madam Speaker. That represents hundreds of hours, thousands of hours that Manitobans are not waiting in an emergency room.

Quick access is important. If the member truly cared about quick access he would have supported the plan.

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

Mr. Gerrard: Madam Speaker, as the minister and the government well know, this year the federal government is transferring record amounts of funds

to the Province of Manitoba, including for health, and yet waiting times at emergency rooms are too long and waiting times for hip and knee surgeries are getting longer, not shorter.

Manitobans have a right to know what this government has planned.

With closures of ICUs, ERs and possibly ORs, how are hip and knee surgery wait times going to be shortened?

Mr. Goertzen: Well, Madam Speaker, the member continues his defence of Ottawa. He continues to fail to represent Manitobans and continues to represent and defend the federal Liberal government, the very same federal Liberal government that ran in the last election on having all the premiers come together and have a national discussion and negotiation on the future of health care when it comes to funding from the federal government, where they've gone from a 50 per cent partner to a 19 per cent partner.

They reduced the funding by \$2.2 billion over what was expected. They didn't have that national discussion. They refused to discuss it—the Prime Minister did—with the premiers, and that member today, still, two years after, continues to defend a cut to funding to health care in Manitoba. He should be ashamed of himself, Madam Speaker.

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

Rural Ambulance Services Patients' Distance from Stations

Hon. Jon Gerrard (River Heights): Madam Speaker, if the blame game were an Olympic sport, the minister would be working hard to try and get there.

The government has a credibility gap. Wait times across our system are too long. *[interjection]*

Madam Speaker: Order.

Mr. Gerrard: In rural areas, for example, ambulance stations are being closed. As I heard last week in Boissevain, if its ambulance station is closed, some Manitobans will be more than half an hour from an ambulance, especially in winter.

Now, this government has made its—*[interjection]*

Madam Speaker: Order.

Mr. Gerrard: —formal commitment and promise that cannabis will be available to any Manitoban within a 30-minute drive.

I ask: Why is this government more committed to ensuring Manitobans have better access to cannabis than they have to health care?

Hon. Kelvin Goertzen (Minister of Health, Seniors and Active Living): Madam Speaker, I've been accused of many things. This is the first time I'm being accused of being an Olympic athlete—

Some Honourable Members: Oh, oh.

An Honourable Member: It's never too late.

Mr. Goertzen: It's never too late, but it might be a little bit late for me.

But Madam Speaker, you know, the member talks about the federal Liberal government deciding to legalize cannabis—the federal Liberal government that hasn't given proper time, proper consideration to the provincial governments. The unified position among provinces is there should be more time because we know of the harm that it can cause for young people, particularly those 25 and under.

* (14:40)

Our Premier (Mr. Pallister), our Minister of Justice (Mrs. Stefanson), took the lead nationally to ask for more time to ensure that we really could have a—the right plan to protect young people. We all stood up in defence of that; that member sat and said nothing, Madam Speaker.

Sexual Assault Survivors Third-Party Reporting

Ms. Janice Morley-Lecomte (Seine River): Unlike the NDP government who ignored and let permeate a culture of accepting or hiding sexual harassment in the workplace, I'm proud our PC government is undertaking swift and strong measures to ensure a safe environment for government employees.

Recently, a new protocol was announced in Manitoba for survivors of sexual abuse.

Can the Minister for the Status of Women please update the Assembly on what this important initiative means to survivors of sexual assault in Manitoba?

Hon. Rochelle Squires (Minister responsible for the Status of Women): I'd like to thank my friend from Seine River for that question.

Earlier this week I had the honour of standing with our Justice Minister, law enforcement and many, many service providers to make this announcement about third-party reporting becoming a reality here in Manitoba. Manitoba will be the third province in the country to have third-party reporting. It is a tool that will give survivors of sexual violence control back to them after they have been stripped of control after, arguably, the most horrific act that can happen to a person in their life, and so we're very proud that third-party reporting is a reality here in Manitoba,

And I do want to thank everyone who works on the front lines of sexual violence. They really are angels on earth.

Social Services Appeal Board Act Charter Issues Before Board

Mrs. Bernadette Smith (Point Douglas): I want to acknowledge representatives in the gallery today from Winnipeg Harvest, Social Planning Council of Winnipeg, Make Poverty History Manitoba and the University of Winnipeg Students' Association.

Madam Speaker, last year, the Manitoba Court of Appeal found that the Charter of Rights and Freedoms is not some holy grail, that the Charter belongs to the people.

Does the minister agree with that?

Hon. Scott Fielding (Minister of Families): We have made some changes to the social—or proposing, through legislation, some changes to the Social Services Appeal Board. We think that is in line with other provinces, as well as changes that were made under the previous NDP government, as it relates to the Workers Compensation Board.

Madam Speaker: The honourable member for Point Douglas, on a supplementary question.

Mrs. Smith: We agree with the Court of Appeal.

Martin Stadler, a disabled Manitoba man, was denied EIA and told he must live on CPP payments instead. Martin took it to the Social Services Appeal Board and argued that this was a violation of his Charter rights.

Bill 24 would prohibit Martin and other Manitobans from bringing Charter issues to the board.

Why is this minister refusing to give Manitobans access to the justice that they deserve?

Mr. Fielding: That is not accurate. A fellow—anyone that has that appeal can take it to the higher courts level. That is something that the former NDP government did in terms of changing the criteria in terms of the Workers Compensation Board in 2005.

Madam Speaker: The honourable member for Point Douglas, on a final supplementary.

Mrs. Smith: The Court of Appeal ruled that the Charter of Rights and Freedoms plays an essential role in helping Manitobans get the social benefits that they need to live. But this minister wants to deny Manitobans their constitutional right to the Charter. He has defied a court appeal decision that protects vulnerable Manitobans.

The NDP will stand up for this Charter. We will hold this bill over and protect low-income Manitobans.

Will this minister stand with us?

Mr. Fielding: The courts also deemed that the provincial Legislature has an ability to limit that Charter regulation upon the Social Services Appeal Board. There is the fact that people need timely access. That is something that's important, that social appeal board plays, and that's something that we very much support.

It is very similar to what other provinces are doing. In fact, it's very similar, the change in legislation, to what the NDP did with the Workers Compensation Board in 2005.

Thank you, Madam Speaker.

Churchill Manitoba Government Plan

Mr. Tom Lindsey (Flin Flon): Madam Speaker, a junket, that's what two ministers went on—or what ministers went on two years ago when they went to Churchill with nine people to re-announce a program that had very little to do with Churchill. But they did get some nice pictures of beluga whales, I'm told.

When will there be real action for the people of Churchill and for the North from this government?
[interjection]

Madam Speaker: Order.

Hon. Blaine Pedersen (Minister of Growth, Enterprise and Trade): Thank you, Madam Speaker, for the question, and Churchill remains important to all of Manitoba, and we know that. There is federal responsibility in terms of the rail line

and the port, which the federal government needs to take action on.

We have been supporting—the first thing we did when the rail line went under was make sure that there was fuel supplies to Churchill to get through this winter, which they did, and without that support Churchill would have been in very dire condition, and we made sure that they were safe through the winter.

Madam Speaker: The honourable member for Flin Flon, on a supplementary question.

Mr. Lindsey: The port is closed to grain shipments. The rail line is out of service. But the governing party is so deaf to these concerns that they're now having a political fundraiser for the PC Party of Manitoba with a prize of two tickets to Churchill. Of course, you'll have to fly there because there is no rail line going there.

Madam Speaker, the people of Churchill need their port reopened. They need the rail line restored. They need leadership from this government. *[interjection]*

Madam Speaker: Order.

Mr. Lindsey: The governing party shouldn't be trying to profit from people's earnest desire to support Churchill.

When will there be real action from this government to support the Port of Churchill and the people of Churchill?

Mr. Pedersen: Two years ago today, Manitobans made an historic change in the government in Manitoba and put back in a government that really relates to the people of Manitoba, including—and that would include the people of Churchill.

Churchill is a top tourism destination from around the world, and we're very proud of Churchill and what it has to offer to the tourism industry and we will continue to support Churchill each and every day.

Madam Speaker: The honourable member for Flin Flon, on a final supplementary.

Mr. Lindsey: Well, I'll go a little off script here, Madam Speaker.

If the minister truly believes what he just said, then I would fully expect the PC Party of Manitoba to turn all profits from their little sale over to the people of Churchill to support Churchill.

Madam Speaker, this government is so deaf to the people of northern Manitoba that there's no action on the Port of Churchill.

Will they now actually stand up and do something to support the port and to support the people of Churchill?

Mr. Pedersen: Madam Speaker, we support Churchill each and every day.

Food Security in the North Government Initiatives

Mr. Kelly Bindle (Thompson): Madam Speaker, our government has always recognized that access to healthy food is a critical component of an individual's health and well-being, especially in northern Manitoba. The former NDP government achieved very little in the way of tangible, meaningful, concrete progress on food security in the North.

Can the Minister for Indigenous and Northern Relations update this House on how government is delivering the new Northern Healthy Foods Initiative?

* (14:50)

Hon. Eileen Clarke (Minister of Indigenous and Northern Relations): Very proud of our government that's committed to addressing the issues of food security in the—northern Manitoba through programming such as the Northern Healthy Foods Initiative, the Affordable Food in Remote Manitoba retail subsidy program and supporting school nourishment programs.

As of April 1st a performance measurement framework is in place, as well as a development plan that aligns with the Look North strategy and the truth and reconciliation calls to action.

The expanse and tragedy—the expansion strategy will reach out to MKO and SCO as new program partners, allowing 21 new communities to receive improved health outcomes and support the community in food-led security approaches that reflect cultural values.

Madam Speaker, unlike the former NDP government, our—

Madam Speaker: The member's time has expired.

The time for oral questions has expired.

MATTER OF PRIVILEGE

Mr. Mohinder Saran (The Maples): It's a matter of privilege, Madam Speaker.

Madam Speaker: The honourable member for The Maples, on a matter of privilege.

Mr. Saran: Yes, Madam Speaker, I listened that the member for Minto (Mr. Swan) is worried about freedom of the press. I agree with him. But why my freedom of asking questions is being taken away in the question period?

Other independents, Liberals, are allowed to ask a question every day. That means each member has a chance to ask a question every third day. On the other hand, I am allowed to ask the 11th question every second Wednesday, which is not possible.

Why is there systemic discrimination? Why all members are not treated equally? Why there's a double standard and this—in this House? Why the reduction of mental stress does not start in this House?

Madam Speaker: Before recognizing any other members to speak, I would remind the House that remarks at this time by honourable members are limited to strictly relevant comments about whether the alleged matter of privilege has been raised at the earliest opportunity and whether a prima facie case has been established.

Hon. Steven Fletcher (Assiniboia): I rise just to express my support for the sentiment from the member from The Maples. It meets the test of prima facie, as he has raised this immediately after question period, and the matter at hand is a demonstration of the challenge that this member and other independents have in asking questions and participating in question period.

Madam Speaker, one only needs to look at the record to see that there is a wide disparity between the number of questions between each independent member. This is also due to another issue, which I've already raised. And I won't ask you to talk about it again, but it is that the continuous time that all the heckling—

Madam Speaker: Order, please.

The member's gone off track from the matter of privilege that is raised on the floor, and I am going to intervene at this point because this issue has been brought up several times by both members. Every time, it has been ruled as not a matter of privilege.

Members cannot keep bringing up something that the Speaker has ruled on because that is very disrespectful to the Speaker of any legislature. It has been ruled on.

And I would point out that, on the matter of privilege raised by the honourable member for The Maples, I would like to inform the House that a matter concerning the methods by which the House proceeds in the conduct of business is a matter of order, not privilege. Joseph Maingot, in the second edition of *Parliamentary Privilege in Canada*, states on page 14 that allegations of breach of privilege by a member in the House that amount to complaints about procedures and practices in the House are, by their very nature, matters of order. He also states on page 223 of the same edition, a breach of the standing orders or a failure to follow an established practice would invoke a point of order rather than a question of privilege.

On this basis, I would therefore rule that the honourable member does not have a prima facie case of privilege. And I would also indicate to both members, as I have many times, that if they have concerns about the rotation of their questions or their speaking order, they are to discuss that with the House leaders. That is not a matter that is discussed on the floor of this Chamber and that has been raised many times. I don't think I should have to stand here this many times to keep repeating what has already been dealt with in this House.

PETITIONS

Hon. Steven Fletcher (Assiniboia): Point of order.

Point of Order

Madam Speaker: On a point of order.

Mr. Fletcher: The solution which you propose has not taken place, will not take place, because they will not participate. And where else can we raise an issue if not in this Chamber?

Thank you.

Madam Speaker: I would point out that the member does not have a point of order. He has not outlined a breach of a rule or a practice of this House.

And I have reiterated many times the standard procedure for dealing with that is not in the Chamber. It is with the House leaders, and if the member would be co-operative with the House leaders then maybe we could see some progress moving ahead on changes in rotation, but at this

point in time the rotation has been set. And if the member wants to raise it as an issue with the House leaders, he's welcome to do that. But that is not to be raised here in the Chamber, on the floor. That is a long-standing tradition in this House and across Canada that those types of issues are dealt with outside of the Chamber, speaking to House leaders or addressing a rules committee.

So I would point out the member does not have a point of order.

Petitions.

University of Winnipeg—Campus Safety

Mr. Andrew Swan (Minto): I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

(1) Students, faculty members, members of the community and/or individuals with close ties to the university are troubled about the number of incidents that have occurred on and around the University of Winnipeg's campus.

(2) Six notable incidents have emerged during the 2017-2018 school year, including stabbings, robberies, sexual assault and an attempted abduction.

(3) Individuals should not feel afraid to walk around the university or community at any time of day or night.

(4) The university's security/safety measures have changed over time to address these issues, but it has not been enough.

(5) Students should be able to trust their institution to protect them and make them feel safe during their post-secondary experience.

(6) The university is located in the downtown area, so it is still important to keep the university's doors open to the wider community.

We petition the Legislative Assembly of Manitoba as follows:

(1) That the provincial government be urged to support a funding increase towards the safety and security of the University of Winnipeg students, faculty members, members of the community and/or individuals with close ties to the university.

(2) That the provincial government be urged to recognize that the University of Winnipeg is an institution located downtown, which needs additional

support to be able to make sure that the doors remain open to the wider community.

This petition is signed by Alexander Richert, Keith Bennett, Edward Seo and many other Manitobans, Madam Speaker.

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

Medical Laboratory Services

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

The background to this petition is as follows:

(1) The provision of laboratory services to medical clinics and physicians' offices has been historically, and continues to be, a private sector service.

(2) It is vitally important that there be competition in laboratory services to allow medical clinics to seek solutions from more than one provider to control costs and to improve service for health professionals and patients.

(3) Under the present provincial government, Dynacare, an Ontario-based subsidiary of a US company, has acquired Ucity labs, resulting in a monopoly situation for the provision of laboratory services in medical clinics and physicians' offices.

(4) The creation of this monopoly has resulted in the closure of many laboratories by Dynacare in and around the city of Winnipeg. Since the acquisition of Ucity labs, Dynacare has engaged in anti-competitive activities, where it has changed the collection schedules of patients' specimens and charged some medical offices for collection services.

(5) These closures have created a situation where a great number of patients are less well served, having to travel significant distances in some cases, waiting considerable periods of time and sometimes being denied or having to leave without obtaining lab services. The situation is particularly critical for patients requiring fasting blood draws, as they may experience complications that could be life-threatening based on their individual health situations.

* (15:00)

(6) Furthermore, Dynacare has instructed that all STAT's patients, patients with suspicious internal

infections, be directed to its King Edward location. This creates unnecessary obstacles for the patients who are required to travel to that lab rather than simply completing the test in their doctor's office. This new directive by Dynacare presents a direct risk to patients' health in the interests of higher profits. This has resulted further in patients opting to visit emergency rooms rather than travelling twice, which increases cost to the health-care system.

Medical clinics and physicians' offices service thousands of patients in their communities and have structured their offices to provide a one-stop service, acting as a health-care front line that takes off some of the load from emergency rooms. The creation of this monopoly has been problematic to many medical clinics and physicians, hampering their ability to provide high-quality and complete lab-complete service to their patients due to closure of so many laboratories.

We petition the Legislative Assembly of Manitoba as follows:

(1) To urge the provincial government to request Dynacare to reopen the closed laboratories or allow Diagnostic Services of Manitoba to freely open labs in clinics which formerly housed labs that have been shut down by Dynacare.

(2) To urge the provincial government to ensure high-quality lab services for patients and a level playing field and competition in the provision of laboratory services to medical offices.

(3) To urge the provincial government to address this matter immediately in the interests of better patient-focused care and improved support for health professionals.

Signed, John Smith, Mike Karozowski, *[phonetic]* Karen McNall *[phonetic]* and many others.

University of Winnipeg—Campus Safety

Mr. Matt Wiebe (Concordia): I wish to present the following petition to the Legislative Assembly of Manitoba.

And the reasons for this petition are as follows:

(1) Students, faculty members, members of the community and/or individuals with close ties to the university are troubled about the number of incidents that have occurred on and around the University of Winnipeg's campus.

(2) Six notable incidents have emerged during the 2017-2018 school year, including stabbings, robberies, sexual assault and an attempted abduction.

(3) Individuals should not feel afraid to walk around the university or community at any time of day or night.

(4) The university's security/safety measures have changed over time to address these issues, but it has not been enough; number four—sorry—

(5) Students should be able to trust their institution to protect them and make them feel safe during their post-secondary experience.

(6) The university is located in the downtown area, so it is still important to keep the university's doors open to the wider community.

We petition the Legislative Assembly of Manitoba as follows:

(1) That the provincial government be urged to support a funding increase towards the safety and security of the University of Winnipeg students, faculty members, members of the community and/or individuals with close ties to the university; and

(2) that the provincial government be urged to recognize that the University of Winnipeg is an institution located downtown, which needs additional support to be able to make sure that the doors remain open to the wider community.

And this petition is signed by many Manitobans.

Tina Fontaine—Public Inquiry

Ms. Nahanni Fontaine (St. Johns): I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition.

(1) Tina Fontaine was murdered at the age of 15 years, and her body was found in the Red River on August 17th, 2014.

(2) Tina Fontaine was robbed of her loving family and the Anishinabe community of Sagkeeng First Nation.

(3) Tina Fontaine was failed by multiple systems which did not protect her as they intervened in her life.

(4) Tina Fontaine was further failed by systems meant to seek and pursue justice for her murder.

(5) Tina Fontaine's murder galvanized Canada on the issue of missing and murdered indigenous women and girls, MMIWG, as she quickly became part of our—as she quickly became our collective daughter and the symbol of MMIWG across Canada.

(6) Manitoba has failed to fully implement the recommendations of numerous reports and recommendations meant to improve and protect the lives of indigenous peoples and children, including the Manitoba Aboriginal Justice Inquiry, Royal Commission on Aboriginal Peoples and the Phoenix Sinclair inquiry.

We petition the Legislative Assembly of Manitoba as follows:

(1) To urge the Premier of Manitoba and the Minister of Justice to immediately call a public inquiry into the systems that had a role in the life and death of Tina Fontaine, as well as the function of the administration of justice after her death.

(2) To urge that the terms of reference of a public inquiry be developed jointly with the caregivers of Tina Fontaine and/or the agent appointed by them.

Signed by many Manitobans. Miigwech.

Madam Speaker: Grievances?

ORDERS OF THE DAY

(Continued)

GOVERNMENT BUSINESS

House Business

Hon. Cliff Cullen (Government House Leader): On House business, I would like to announce that the Standing Committee on Private Bills will meet on Tuesday, April 24th, 2018, at 6 p.m., to consider the following: Bill 212, The Invasive Species Awareness Week Act; Bill 213, The Allied Healthcare Professionals Recognition Week Act; Bill 219, The Workplace Safety and Health Amendment Act (Inappropriate or Unsafe Footwear); Bill 221, The Rail Safety Awareness Week Act; and Bill 300, The University of Manitoba Students' Union Amendment Act.

Madam Speaker: It has been announced by the honourable Government House Leader that the Standing Committee on Private Bills will meet on Tuesday, April 24th, 2018, at 6 p.m., to consider the following: Bill 212, The Invasive Species Awareness Week Act; Bill 213, The Allied Healthcare

Professionals Recognition Week Act; Bill 219, The Workplace Safety and Health Amendment Act (Inappropriate or Unsafe Footwear); Bill 221, The Rail Safety Awareness Week Act; and Bill 300, The University of Manitoba Students' Union Amendment Act.

Ms. Nahanni Fontaine (Official Opposition House Leader): Madam Speaker, on House business, and in accordance with the rule 2(9), I would like to table a list of the five bills designated by the official opposition for completion in the fall sittings of this Third Session of the 41st Legislature.

The designated bills for this session are: Bill 8, The Government Notices Modernization Act (Various Acts Amended); Bill 2—or sorry—Bill 12, The Red Tape Reduction and Government Efficiency Act, 2018; Bill 16, The Climate and Green Plan Implementation Act; Bill 24, The Social Services Appeal Board Amendment Act; and Bill 27, The Fiscal Responsibility and Taxpayer Protection Amendment Act.

Miigwech, Madam Speaker.

Madam Speaker: It has been announced by the honourable Official Opposition House Leader, who has tabled a list of five bills designated by the official opposition for completion in the fall sittings of this Third Session of the 41st Legislature. The designated bills for this session are: Bill 8, The Government Notices Modernization Act (Various Acts Amended); Bill 12, The Red Tape Reduction and Government Efficiency Act, 2018; Bill 16, The Climate and Green Plan Implementation Act; Bill 24, The Social Services Appeal Board Amendment Act; and Bill 27, The Fiscal Responsibility and Taxpayer Protection Amendment Act.

Mr. Cullen: On House business, I'm announcing that, in accordance with the provisions of rule 2, the following bills will be considered by the government as specified bills for this Third Session of the 30–41st Legislature: bills 3, 4, 5, 6, 7, 9, 10, 11, 14, 15, 17, 18, 19, 20, 22, 23, 25 and 26.

Madam Speaker: It has been announced by the honourable Government House Leader in accordance with rule 2, the following bills will be considered by the government as specified bills for this Third Session of the 41st Legislature: bills 3, 4, 5, 6, 7, 9, 10, 11, 14, 15, 17, 18, 19, 20, 22, 23, 25 and 26.

* * *

* (15:10)

MATTER OF PRIVILEGE

Hon. Steven Fletcher (Assiniboia): On a matter of—

Madam Speaker: On a point.

Mr. Fletcher: Madam Speaker, on a point of privilege.

Madam Speaker: A matter of privilege?

Mr. Fletcher: A matter of privilege, yes.

Madam Speaker: The honourable member for Assiniboia, on a matter of privilege.

Mr. Fletcher: Madam Speaker, the issue in Bill 4 is before the courts. It would be—seem inappropriate for this Chamber to interfere in the proceedings of the court, as would it—that that's exactly what is happening with Bill 4. The court date is on—was December 18th, and I can table right now the documents, and I will table right now the documents of the court proceedings.

So it's clearly in front of the courts, and it says clearly that the judge is going to make a decision in—you know, almost immediately. So it is inappropriate for this House to raise that.

Thank you. Here are the matters. And this is a prima facie case because this is—when I've heard that this is a designated bill. So I met the criteria of timing and also the fact that the Legislature cannot interfere with the courts in this manner.

Here are the tabled documents.

Madam Speaker: Before recognizing any other members to speak, I would remind the House that remarks at this time by honourable members are limited to strictly relevant comments about whether the alleged matter of privilege has been raised at the earliest opportunity and whether a prima facie case has been established.

Seeing as there are no speakers, I would indicate to the member that that is not a matter of privilege. The Speaker does not determine questions of law or questions of constitutionality. So I would indicate to the member that he does not have a matter of privilege.

Mr. Fletcher: Thank you, Madam Speaker. And you are absolutely correct, but that wasn't the matter of privilege. The matter of privilege that I'd like you to rule on is the Legislature interfering in the business of the courts while there's a pending court hearing. It's not uncommon for ministers not to comment when matters are before the court as this matter is

before the court. And it would be inconsistent with the traditions of this place to discuss it, let alone vote on a matter that's clearly before the courts. And the judge in the hearing indicated that he would have a decision in March. And now, to have this place circumvent the courts is improper.

I'd also like to point out, Madam Speaker, that this issue had come up during the parliamentary break, so this is the first time it's been suggested that this bill would be in any way debated or certainly voted on, and it'd be inappropriate for the judge to see the Minister of Justice (Mrs. Stefanson), for example, or the Premier (Mr. Pallister) comment on a case. What is the judge supposed to do?

Madam Speaker: I would indicate to the member that he should not be challenging the Speaker, and that is exactly what he is doing.

He also has it wrong. The courts should not be interfering with the Legislature and not vice versa. So the minister—or the member is actually wrong in his assertion. What he is referring to is the concept of sub judice, which is a voluntary restraint that the House could use if it feels appropriate. And the member has also not raised this at the earliest opportunity.

So I would urge the member, I don't think he wants to be challenging the ruling of the Speaker and, also, the courts should not be interfering with legislative business.

So the member does not have his facts correct.

Point of Order

Madam Speaker: The honourable member for Assiniboia, on a point of order.

Mr. Fletcher: We try and raise the level of decorum in this place. What—that would include being positive rather than negative. The issue that you say I'm wrong in, is exactly—

Madam Speaker: Order, please. Order, please. Order.

The member is not to be challenging the ruling of the Speaker and he is just doing that, and I'm going to ask him to cease and desist with that immediately because I don't think he wants to go down that road.

Point of Order

Madam Speaker: The honourable member for Assiniboia, on a point of order.

Mr. Fletcher: Madam Speaker, can you tell us in regard to what the constitution has to say about freedom of the press and the government's involvement with reducing funding to the press?

Madam Speaker: Order, please.

The member should know the rules, and the rules do not allow him to ask questions of the Speaker.

He is also challenging the ruling of the Speaker, and I have just indicated, a few times now, that he is way out order.

So I would ask the member to cease and desist with where he is going at this point in time. He does not have a point of order.

* * *

Madam Speaker: Today is the 14th sitting day after first reading completion day. All government bills that had first reading moved within 20 sitting days of the Throne Speech and have been designated by the government as specified but not designated by the opposition as designated bills, are eligible to have second reading moved today. For each such bill, the minister, critic and independent members can each speak for a maximum of 10 minutes per bill, followed by and up to 15-minute question period for each bill. The House is to not adjourn until these actions have been completed. The list of bills that will follow this process include the following. Bills 5, 6, 14, 19, 20, 22, 23, 25 and 26.

SECOND READINGS

Bill 5—The Public Interest Disclosure (Whistleblower Protection) Amendment Act

Madam Speaker: So I will now call the first bill, and that is Bill 5, second reading, The Public Interest Disclosure (Whistleblower Protection) Amendment Act.

Hon. Cameron Friesen (Minister of Finance): I move, seconded by the Minister for Growth, Enterprise and Trade, that Bill 5, The Public Interest Disclosure (Whistleblower Protection) Amendment Act, be now read a second time and be referred to a committee of this House.

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

Madam Speaker: It is been moved, seconded by the honourable Minister of Finance, seconded by the

honourable Minister of Growth, Enterprise and Trade (Mr. Pedersen), that Bill 5, The Public Interest Disclosure (Whistleblower Protection) Amendment Act, be now read a second time and be referred to a committee of this House.

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

Mr. Friesen: I am pleased this afternoon to present amendments to The Public Interest Disclosure (Whistleblower Protection) Act, known as PIDA. PIDA facilitates the disclosure and investigation of significant and serious wrong-doing in or relating to most public bodies. It protects persons who make disclosures from reprisals.

Manitoba, it's interesting to know, was the first province to introduce stand-alone whistle-blower protection legislation. It continues to be cited as a model for other jurisdictions. The amendments under consideration in today's debate are based on recommendations of the Auditor General, the Ombudsman and an independent review. Bill 5 also contributes to our commitment to an open government.

I am pleased to advise that Bill 5 will extend the protections under PIDA to include school divisions and school districts and their employees. This aligns with whistle-blower protection in jurisdictions like Alberta, Nova–New Brunswick, Nova Scotia, Newfoundland and Labrador.

*(15:20)

The government, by regulation, under these measures can identify municipalities, including cities like the city of Winnipeg, and local government districts to be covered by the act. Manitoba will be the first jurisdiction to expand the scope of whistle-blower legislation to include municipalities and local government districts.

Under the current legislation as it now stands, the only avenue for whistle-blowers to address active reprisal is by filing a written complaint with the Manitoba Labour Board. Bill 5 would authorize the Ombudsman to receive and investigate reprisal complaints and to make recommendations to address acts or threats of reprisal. The amendments require that any complaints regarding reprisal be filed with the Ombudsman. This is a positive change for whistle-blowers. It would expedite the process by which reprisal complaints are being addressed, and that change would make our act consistent with Saskatchewan and Alberta.

It is important to note the Labour Board in these proposals still has a role, and any employee or former employee could still file a further complaint about the alleged reprisal with the Labour Board if he or she is not satisfied with the outcome of that process undertaken by the Ombudsman. The Labour Board must further treat complaints as new and not a review of the investigation, decision or recommendations of the Ombudsman or Auditor General. And the Labour Board has the power to issue an order under The Labour Relations Act.

There are further protections in this bill by prohibiting the disclosure of the whistle-blower's identity in a civil court proceeding or a proceeding of an administrative tribunal. And the bill also specifies that an investigator must take steps to protect the identity and procedural rights of all people involved in an investigation, including the whistle-blower, a witness and even the person alleged to have committed the wrongdoing.

Mr. Doyle Pivniuk, Deputy Speaker, in the Chair

It amends—it introduces amendments which clarify and strengthen the roles and investigatory powers of designated officers and the Ombudsman. Amendments empower a designated officer to compel an employee to produce documents and to be interviewed for the purpose of an investigation. Amendments simplify that a designated officer may consult with the Ombudsman, the CEO of a public body or any other persons necessary for the investigation. And Bill 5 specifies the circumstances in which a designated officer or the Ombudsman may decide not to investigate a disclosure. It allows the designated officer or Ombudsman to determine the manner in which the whistle-blower is to be informed of the results of the investigation. And, finally, it contains an amendment that will authorize the Ombudsman to request, review and provide recommendations regarding the disclosure procedures of a public body.

Bill 5 requires information about PIDA to also be communicated to all employees on an annual basis, and the minister responsible for the act will be required to review the legislation every five years.

Mr. Deputy Speaker, Bill 5 effectively fosters a more open and accountable government. It strengthens Manitoba's whistle-blower legislation, and I look forward to the support of all members in respect of these amendments. Thank you.

Mr. Matt Wiebe (Concordia): I'm pleased to rise and speak this afternoon on Bill 5, The Public Interest Disclosure Amendment Act, an act that has been introduced, I understand, to ensure that the identity of whistle-blowers is protected and is not disclosed in civil court or in administrative tribunal proceedings.

And I do appreciate the minister putting on the record that it was, in fact, our government back in 2007 that was a leader in the nation in bringing forward a stand-alone whistle-blower legislation here that did put us far out front of other provinces in making sure that whistle-blowers were protected here in this province.

We also know that this particular bill, Bill 5, brings in protections under the act to extend to school divisions and districts, and disclosures are handled by their designated official or the Ombudsman. And those roles are expanded and clarified.

While it's certainly true, Mr. Speaker, that our NDP team fully understands and—understands those changes that need to be made to protect whistle-blowers and victims of improper workplace behaviour, too often whistle-blowers fear that doing the right thing will lead to a hostile workplace or worse career opportunities. We need to have legislation that supports and protects those victims, and especially—this is especially true, Mr. Speaker, in the wake of the #MeToo movement, that we have seen how government must conduct itself in a transparent and accountable fashion.

For it—to create healthier and more accountable work environment, employees need to be able to raise legitimate concerns without fear of reproach or negative repercussions. Improper workplace conduct is unacceptable, and we recognize that every employee needs a safe, designated person to talk to without fearing the repercussions.

Our team is committed to doing our part to make sure that every work environment is a place that is accountable, is inclusive, and is accepting. Our caucus is also in fully—in full support of anything that increases the opportunities for employees to be protected in their work environments, and we support the expansion of these protections in The Public Interest Disclosure Amendment Act to school divisions and to districts. We need all employees, whether they be in our education sector or elsewhere, to be able to raise those legitimate concerns without fear of repercussions against them.

We are however, disappointed, I would say, Mr. Speaker, that the Premier (Mr. Pallister) chose not to be more proactive when it comes to municipal government workers or those who work in local government districts.

The Premier did have the opportunity here to expand this act to cover municipalities, including the City of Winnipeg, which has been very vocal in asking for these protections and asking for the provincial government to step up and be more proactive and also extending that to local government districts.

But, unfortunately, he ignored that opportunity.

We believe that the government should use its power to include municipalities, and local governments and districts under this amendment so that all municipal employees feel protected and able to report anything without fear of reprisal.

Protections for whistle-blowers are needed to create safe, fair, responsible, and accountable work environments, and we want to see Manitoba as a province where employees no longer have to be afraid of being in a hostile workplace after they raise a legitimate concern with a designated officer.

And just in closing, Mr. Speaker, I will say that this attitude of accountability and openness does start at the top. And when it comes to accountability in this province, when Manitobans look to the top, they see a Premier who has a lot of trouble being transparent, has a lot of trouble being accountable and really just answering those most basic questions that Manitobans have and have the right to know about.

It seems that this Premier is constantly ducking and weaving and hiding and refuses to be accountable in his own conduct. We think that that sort of attitude at the top doesn't send the right message through the rest of the civil service and beyond.

So we ask that this government does embrace true accountability and moves forward in a way that creates safe and respectful workplaces and allows those whistle-blowers to be truly protected. Thank you, Mr. Speaker.

Hon. Jon Gerrard (River Heights): On this bill we certainly welcome the additional protections that are extended to school boards and school districts and their employees. This is a step forward.

We continue to have some concerns overall whether the process is as good as it could be. But at the same time, we're quite concerned about the situation with municipalities. It really doesn't make sense that this is done on a one-by-one basis for municipalities, and it really should cover all municipalities. We've seen during this last year, a number of concerns be brought forward about harassment at the municipal level.

And, although the complaints—which have been brought forward, were elected officials and may not be covered under this, this certainly would be very important to extend to all municipal officials and to all employees of municipalities.

* (15:30)

I think that this is a mistake for the government to, you know, only do part of the job here that needs to be done, and I would hope that we have representatives coming from municipalities to talk about the need to make sure that this legislation really encompasses all municipalities.

There—of course, because it doesn't encompass all municipalities, you may have the paradoxical situation that some employees who might be directly affected by this and might want to bring issue forward are going to be reluctant to come to the committee because they are afraid that they won't have the protection that they actually should have and they should need.

So, Mr. Speaker, I think that this lack of attention to municipalities is of considerable concern, and hopefully the government will bring in an amendment at committee stage to make sure that municipalities are fully covered.

Thank you.

Hon. Steven Fletcher (Assiniboia): I am pleased that the issue of whistle-blower protection is here, and when the opportunity arises for the minister to answer questions, I wonder if he could answer the questions or tell us how the following scenarios would be anticipated to carry out under this legislation.

Schools and school boards is probably a good catch on the legislation. We know that schools at all levels are notorious for bullying—bullying amongst the kids, certainly, but bullying amongst the staff is also known to happen, bullying of—from staff to students or students to staff. Now, if it's a student to a staff member or a member of the staff

or faculty complaining about a student or an observation from another staff member about the actions of a colleague, how would that play out?

Also, intimidation and threats and other types of bullying occur in other work environments and throughout government, I am sure. And even in this place, the issue of intimidation and bullying has been raised by other MLAs. And one could argue even in recent readings of Hansard in the last very short while that one of the MLAs in this place provided a threatening tone and demeanour and—about future consequences if an individual asked certain questions that were uncomfortable.

So my question, then, also extends to the minister. How would this legislation apply in the workplace, just not at schools, but throughout government, Crown corporations and even in the Legislative Building and the context?

In fact, what would happen if a whistle-blower raised an issue in the Department of Finance or Infrastructure, for example, and then—and, say, a minister was implicated—not saying that's at all the case, but we're going through a thought exercise here—how would that member—how would that whistle-blower be dealt with if it turned out to be a political issue? Would we see a vote in the Chamber occur to absolve the people responsible for doing things that are inappropriate? Would we see a minister ask questions that would put the whistle-blower in a difficult situation, either professionally or personally with—and it can be done—and the minister's very skilled, I know, he would—and I'm not saying he would do this, but, you know, it's a—it is possible to expose the person without actually naming the person. So how does the whistle-blower legislation apply in those kinds of situations? Just in the administration of government, in Crowns, at school boards, in schools, but also in this place, and this is not a theoretical issue.

Just the other day, in Estimates, questions were asked about the sole-source contracting dealing with the St. Martin outlet and, when asked, the minister simply said it's a process done by the department, okay, and therefore he wasn't able to answer the questions. So the minister points to the department, and let's say hypothetically that there's someone in the department that is advising people that the government's own process is not being followed. How is that person supposed to defend themselves when the minister won't take responsibility for the political decision and then points the finger to the

department, and when asked to—when the MLAs ask at committee to talk to members of the department, they're said—they're told, no, they can't talk or ask questions to members of the department. Questions can only go to the minister. Okay.

So the minister has put the department officials in a very difficult position. There are probably officials—and you could put any—that know that things were not done appropriately, but then the last level of accountability, political accountability, the minister doesn't take responsibility and it goes into a black hole of red tape—I guess blue tape and orange tape, but no answers. So House does that work, really?

How does the—in that scenario, say a sole-source contract, which is clearly against conservatism and Toryism and free trade, the internal trade agreement, the New West Partnership, principles of transparency and accountability. Now, we know that's happened once. Let's say it happens again or a civil servant steps up and says yes—but we already know what the minister has said. Is that whistle-blower going to pay a heavy price for just explaining what happened? Because that is the other explanation, Mr. Chair, and that is the minister is at Estimates or at question period or there about, refuses to answer the question, points to the department to provide the answers, the department doesn't have any answers because it was a political decision and then the member—well, it's a—and Tiger Dams fits in this scenario as well. You know, it's just not any one government.

* (15:40)

But what happens to that individual or group when they step up and say yes, that wasn't according to procedure, we told our bosses, our ministerial—our ministers who make the political decision but don't take the responsibility for that decision. So you see, there's a Catch-22, and I don't know that this legislation catches the Catch-22.

And it is particularly timely—or, this discussion, because sole-sourced contracting is occurring. We're told that only the department knows what has happened there. The minister will not explain or take responsibility, or even admit that there was a mistake.

And sometimes mistakes are made, that's fine. Like, of course, there's mistakes. And that's a part of accountability and transparency.

But, when it's hide, hide, hide, whistle-blowers are in trouble.

Thank you.

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

Questions

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

Mr. Matt Wiebe (Concordia): Did the minister meet with the mayor or other officials at the City of Winnipeg to discuss this legislation?

Hon. Cameron Friesen (Minister of Finance): This legislation is brought with the full agreement and support and recommendations of the Auditor General, the Ombudsman. It acts on an independent review conducted by Dianna Scarth and it goes directly to an Ombudsman's report.

Where under the NDP, it was seen that—in an Ombudsman's report—that three out of four individuals would not come forward in the civil service if they saw wrongdoing because they feared reprisal. We've acted on the strong evidence of this, and we've stayed constantly in contact with other levels of government.

Hon. Jon Gerrard (River Heights): Yes, I'm going to ask the minister why it is that municipalities aren't fully included here and would only be put under regulation. Isn't that putting municipalities in a second-class status compared with school boards and school districts?

Mr. Friesen: The member for River Heights has not done his homework. He should know that this is the most extensive legislation of its type in all of Canada. He should also know that there are protections that are similar in other jurisdictions, and there is no other jurisdiction in Canada that has extended any kind of provision to municipalities. So he should know that this is the most extensive provision of its kind to extend these provisions to other levels of government in the form of a municipal government.

Hon. Steven Fletcher (Assiniboia): I wonder if the minister could provide some answers to the scenarios

that I mentioned earlier. If it needs to be, I can repeat the questions and scenarios in the next round of questions but I think the minister was listening.

And what would you do in a hypothetical sole-source contracting situation where the department knows the decision was wrong and the minister won't take responsibility. How does the whistle-blower legislation affect this?

Mr. Friesen: I would start instead with an answer to the member's question when he talked about what happens in a school when students are involved. He should know clearly that by definitions and the terms provided in the bill, these provisions extend to employees. So schools and school divisions will have their own policies in terms of what to do in the case of wrongdoing when it would come to students.

These provisions are for employees of these institutions, employees of these entities. So this bill applies to regional health authorities, Crown and family service authorities, Crown corporations, universities, personal care homes, any government body designated by regulation, as well as central government.

I invite the member to ask further questions.

Mr. Wiebe: I take it from the minister's answer to my first question that he did not meet directly with the mayor on this particular bill.

I'm wondering, though, if he says he's been in touch with other municipal officials throughout the province, what kind of repercussions can those municipal employees who speak out against illegal activities, what kind of penalties or other repercussions can they face.

Mr. Friesen: Well, to the member's question, as I stated for the member for River Heights, this would be the broadest application of a mechanism that would extend to municipalities. We've been clear that we feel, as autonomous and mature governments, municipalities should have that right to opt into such provisions, and as I said to the member for River Heights, no jurisdiction in Canada that has similar whistle-blower protections extends these provisions to municipal government.

So, when the member asks what kind of penalties would be in place—none, until a municipal government would choose to want to opt into the act, and then, in accordance with that, this bill provides

the mechanism by which a municipal government could be scoped in.

Mr. Gerrard: It seems to me that if the government is trying to be comprehensive that surely to goodness the minister would want to be fully inclusive of municipalities and not just allow this opt-in, opt-out scenario.

One would predict that municipalities, where there are potential problems, would be the very ones who would opt out, and that would, you know, get around the inclusion of these municipalities who are the most in need of being included, are the very ones who may be opting out.

What does the minister say to that?

Mr. Friesen: The member is missing an important part of these amendments, which is the extension to 35 school divisions and two school districts and all of those employees. At the end of these amendments, if adopted, this act would apply to over 600 public bodies. This is extensive legislation. This has the full support of the Ombudsman, has the full support of the Auditor General. It has the full recommendation of the Scarth report. And the government, as we've said, by regulation, can identify municipalities, including the City of Winnipeg and others, and local government districts, to fall under the act, but this gives control to those municipalities to—the choice to opt into the framework.

We would be the first in Canada to expand the scope of whistle-blower legislation to include municipalities and local government districts.

Mr. Fletcher: Well, why don't we take the real case that we just experienced last week with Estimates. You know, there's a question about sole-source contracting. The minister says it's up to the department, but the department is not allowed to comment. But what if the department did comment, either the deputy minister or one of the engineers commented? Would they face reprisals from the minister, and how would this legislation affect that individual one way or the other?

Mr. Friesen: So, first, the overarching response is that this government favours an ethical environment and that's why we are taking these steps to improve accountability, to improve transparency. We're correcting the mistakes of the past and we're going boldly into places where other jurisdictions have not yet gone when it comes to these provisions.

Let that member understand that these protections are there for individuals who are employees who see wrongdoing and want to report that and should report that, and we should provide the framework in which those employees can do this.

Let's understand that that wrongdoing means any omission or deliberate act, and those persons, if they fear that there—a rule is broken, they can report that up, and then this mechanism provides them to do so, not just to the Labour Board but to the Ombudsman—

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

Mr. Fletcher: The minister is right to bring forward legislation, and these questions aren't supposed to be looked at as an attack, but just a question, and I hope they're taken in that spirit.

* (15:50)

But if a sole-source contract is given, the—you go—you say it goes up, okay? So let's say what—it should go up to the deputy minister. But they're not—like, how would that be dealt with? Because at committee the deputy minister is not able to speak. Does he raise it with the minister? Because that is as far up as you can go, or does the minister just—

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

Mr. Friesen: The member should take comfort in the fact that these potential situations were all contemplated by the Scarth report. They were contemplated by the Ombudsman and the AG, and that is why in section 24.3 it clearly shows the levels of ascendancy whereby if a deputy minister is in question, where does the complaint go? If the minister's in question, where does the complaint go? In the case of a minister, that complaint can go to the Speaker of the Legislature, and I would not impugn the Speaker's reputation or ability to handle that complaint fairly and appropriately.

Mr. Fletcher: I'd like to thank the member for that.

So if a—again, a hypothetical situation—a member in the Department of Infrastructure has a complaint and it goes to the deputy minister, the deputy minister doesn't deal with it or it isn't addressed, and it goes to a minister politically and it's not addressed there, that political decision goes to the Speaker? Is that what the minister is saying?

Mr. Friesen: Let's be clear that there's always the backstop provision that if anything is unsatisfactory

to an individual who is bringing forward a complaint there is always that secondary mechanism to say, I am unsatisfied with the Ombudsman's work on this issue and I'm going to go to the Labour Board and start the process all over again. This—these amendments clearly spell out the appropriate role for the Labour Board to complete a separate process.

Individuals are protected in a number of ways under these amendments. The situation that the member raises was contemplated. These levels of ascendancy are clear. If at any point this drops off, the member can start again—or the individual can start again in an entirely new, unprejudiced process. These questions are important. But they were contemplated.

Mr. Fletcher: The—if these were contemplated, I've actually had personal experience with the Ombudsman in a different life at a different time, but they seemed to be very under resourced. It took a lot of time to go through the Ombudsman's office. Has the minister contemplated additional resources for this new legislation?

Mr. Friesen: The Ombudsman has made no mention of the fact that resources would be necessary to undertake these amendments.

Mr. Fletcher: Can the minister be more specific on how much—what the resources that have been additionally allocated for this additional work, and can he guarantee that the Ombudsman will be able to make decisions in a timely manner? Not years, not even six months, but, say, 30 days. It does, although—where are the numbers? Show us, if it's contemplated.

Mr. Friesen: I no longer understand if the member is talking about the amendments that we're debating or if he's got a personal axe to grind, or if he's referring to a case in history that he wants to see a different response to.

Mr. Deputy Speaker, these—the act will be strengthened if these provisions are passed. I invite the members to support these amendments. We believe they're reasonable. We believe they stand on the side of protection of all Manitobans. We've clearly shown that the evidence is there. It has broad support by the Ombudsman, by the Auditor General and by the Scarth report's recommendations, and that's why we've recommended them to this Legislature.

Mr. Fletcher: Okay, I'll put it very clearly, then, for the minister, so hopefully he will understand. And I

wish, you know, the personal remarks would not be necessary.

The fact is the minister is hanging his hat on the Ombudsman's office. The Ombudsman's office is already understaffed, does not have the resources. There's going to be more workload. The minister says it's been contemplated. Well, where does that—have they hired new people? Has there been more training? How much this has cost, or does he think it's a free lunch for the government?

Mr. Friesen: Well, this government takes an evidence-based approach to decision-making, and that would mean that we would be constantly in contact with the independent offices of the Legislature including the Ombudsman, the Auditor General's office, the child advocate office, Elections Manitoba. There is a committee called the legislative management committee that undertakes to interface with those offices.

That member clearly knows that I have no ability to prescribe because they are independent offices. As that work goes on, evidence will be collected and resources will be allocated in a scientific and evidence-based way.

Mr. Fletcher: Okay. So, let's just be clear. We have this whistle-blower legislation. It's—there's all these tiers and all these steps. The minister hangs his hat on the Ombudsman's office, says it's being contemplated, but is unable to provide any information on the sums that have been budgeted for this, the people that are required. It doesn't seem that the legislation is supported through the necessary machinery of government. Why doesn't the minister just answer the question? Please, how much money is being invested in whistle-blower—

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

Mr. Friesen: Well, this minister can take comfort in the fact that the 26.1 provision requires for an annual report by the Ombudsman to indicate the activities, the functions and duties in the exercise and performance of his or her role in overseeing these responsibilities, and that member will be in possession of data and be able to talk, with evidence, about whether he feels that there has been a run on the bank when it comes to activities. This is a provision designed to create a more accountable system for individuals in the employment of our government. We stand on the side of that. If he doesn't, he should just say so.

Mr. Deputy Speaker: The time for question period has ended. The debate remains open for—on this bill.

An Honourable Member: On a point of order.

Point of Order

Mr. Deputy Speaker: The honourable member for Assiniboia, on a point of order.

Mr. Fletcher: Mr. Chair, we, on Q and A, seem to be very fixed on the amount of time that a member speaks. I was within my time, and the minister went far beyond his time. And the audio of these proceedings will demonstrate that. The clock was zero. He was not cut off as is allowed to happen. So why the double standard?

Mr. Deputy Speaker: On that point of order, I just want to let the member from Assiniboia know that we always let the—even with the time going on on these questions, but each—10- to 15-minute questions, we always let the person finish off on their 45 seconds. And we've done it in private members' statements; we've done it in the past. So it's no point of order.

Bill 6—The Public Sector Compensation Disclosure Amendment Act

Mr. Deputy Speaker: So, now we'll go on to Bill 6, The Public Sector Compensation Disclosure Amendment Act.

Hon. Cameron Friesen (Minister of Finance): I move, seconded by the Minister for Crown Services, that Bill 6, The Public Sector Compensation Disclosure Amendment Act; Loi modifiant la Loi sur la divulgation de la rémunération dans le secteur public, be now read a second time and be referred to a committee of this House.

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

Mr. Deputy Speaker: It has been moved by the Minister for Finance and seconded by the Minister for Crown Services, that Bill 6, The Public Sector Compensation Disclosure Amendment Act, be now read for the second time and be referred to the committee of this House.

The Honourable Lieutenant Governor has advised of the bill, and I table this message—the message has been tabled.

Mr. Friesen: I rise today to talk about Bill 6, The Public Sector Compensation Disclosure Amendment

Act. These amendments would improve the relevancy of public sector compensation disclosure. They would make reports, at the same time, more accessible to members of the public. The amendments will also reduce the amount of red tape for private, not-for-profit organizations that are subject to the act. So this check marks a number of boxes, but important boxes that actually have merit and significance for Manitobans.

* (16:00)

A quick history lesson, Mr. Deputy Speaker, when this legislation was passed in 1996, there was an original threshold set for disclosure of salary. That threshold was set at \$50,000 and it was intended to capture the top 10 per cent of wage earners in the employment of the Province of Manitoba.

Now, currently, the Province's report includes over 10,000 employees and that is equivalent to 50 per cent of all the Province's employees. We now have a compensation disclosure legislation that is disclosing half of all the employees and their salaries in government. The threshold has not been increased since 1996. Yet another glaring example of what happens when the previous NDP government did not index any factors here.

The amendment act that we introduce now would increase this threshold of disclosure from 50,000 to 75,000 and it would index that threshold. That would mean that approximately 20 per cent of the Province's public service would be disclosed and would be in accordance with the original intentions of the original act.

Indexing would begin in calendar 2019, and would be made in accordance with the consumer price index for Manitoba. The result would then be adjusted to the nearest \$5,000 so that we weren't constantly adjusting this by very small factors. The \$75,000 index threshold would also apply to payments under The Legal Aid Manitoba Act and The Health Services Insurance Act.

The Province will also provide additional disclosure for technical officers hired under The Civil Service Act. The employment contract entered by all technical officers must be disclosed within 60 days after being signed, and in the same way, any severance paid to a technical officer must be disclosed within 60 days after being paid.

Technical officers who enter into an employment contract after May the 2nd of 2016, almost two years ago but before this act comes

into force, must be disclosed within 60 days after the section comes into force. Members in this Legislature will know why this provision is contained in this legislation, because it was under the former NDP government that we had, as our Premier (Mr. Pallister) called it, departure payments.

We had six, seven, maybe eight or more technical officers at the highest level of the NDP employment who were essentially paid to go. Departure taxes, the Premier (Mr. Pallister) called them. They were paid over \$600,000, but it was worse than that—[*interjection*]. It was \$670,000, I am corrected by the member for Morris (Mr. Martin).

But it was more than that, because the government at that time used the rules of the Legislature to wiggle around a requirement to get those things on an OIC, an order-in-council, so that the evidence of the payments would be made plain to all Manitobans in the release of the public accounts required by the September of that year.

Instead, they wiggled around those rooms, got those orders-in-council passed in the next fiscal year, which meant it was more than a year and a half almost, before Manitobans became aware of these very extensive arrangements, lucrative payments that did not follow the normal rules for departure. Why? Because the former premier, Mr. Selinger, was trying to win his own leadership back.

And it should be shocking to every member in the gallery today that, at that time, that former premier had hired additional technical officers on arrangements that aligned explicitly with his leadership campaign, essentially paid for by the government of Manitoba, paid for by the taxpayers of Manitoba, but essentially working on the campaign fortunes—sinking fortunes, albeit—of the former member, who managed to hang on by a thread.

Manitobans were outraged to discover that \$670,000 of payments were made, not according to regular formulas, but in addition to that. This was not typical severance. This was in addition, and at the time, when this PC government was then the opposition, we said that payments to individuals should follow a formula. They should be fair, they should be consistent and they should be publicly reported.

So, Mr. Deputy Speaker, let us be clear that when it came to Anna Rothney, Heather Grant-Jury,

Liam Martin, Paul McKie and others, these were people who took money from Manitobans, went out the door. There was no disclosure of these salaries until finally this opposition, the then-PC opposition, raised this issue and stood up for all taxpayers.

The current act as it stands doesn't require the disclosure of public-sector compensation reports in their annual reports or on their website. We're addressing that in these legislative changes. That means that now not only will entities have to report their top salaries and earnings on their own websites, we will also compile the data and find ways to clearly express this information to all Manitobans.

It's not appropriate that Manitobans should go and have to hunt for the information, as they did when the former government tried to mask what they were doing on sole-sourced and untendered contracts. Where did they put that information? On one stand-alone computer in the reading room behind this Chamber where members of the public, if they lived in Dauphin or if they lived in Thompson or if they lived in Swan River, they had to drive to the Legislature and come and look that up, and probably had to use DOS or something to be able to use that computer.

Mr. Deputy Speaker, this is about accountability, just like the last measure was about accountability, and we will get there. That's why we're calling for the acceptance of these amendments. It means that whoever you are—if you are the government of Manitoba, Manitoba Hydro, if you are MPI, a school division, a university, a college, an RHA, a public–personal-care home, a local government, the City of Winnipeg, child and family agencies—you will be required to report your compensation on these sites.

Mr. Deputy Speaker, we'll report this on the Finance website, as well. In addition to this, we've said look, when it comes to non-profit agencies they don't have all of these abilities, and so we have exempted them from a provision to have their compensation reports audited. That doesn't mean they are audited on their annual statements; it means their compensation statements are not having to be audited. That would be a punitive condition.

I hope that these measures are seen by members of this Legislature as clearly strengthening our Public Sector Compensation Disclosure Act. Had we indexed in the beginning, we wouldn't be here now, but we are. We're pleased to bring these measures that will help to ensure transparency and accountability for all Manitoba taxpayers.

Mr. Matt Wiebe (Concordia): That was a lot of bluster coming from this minister, a lot of bluster when he has the opportunity to come clean, to be accountable, to be transparent. He has the ability to do that right now, but has this government been transparent about their staff? No, they have not and, in fact, it was this opposition which has come forward and actually put some facts on the record.

So, Mr. Speaker, everyone knows David McLaughlin, who was hired in 2016 as an adviser to the Premier (Mr. Pallister) on climate change; his salary is currently \$133,375, as reported by the Winnipeg Sun. But it was only after a little bit of digging that we found out just how much compensation Mr. McLaughlin believes he's entitled to, and that includes travel costs over a six-month period to commute home back to Ottawa, and this included more than \$1,700 for food; one—or, sorry, \$7,000 spent on hotels; \$13,000 on flights; \$3,000 in other travel costs; and \$250 in incidentals.

In August 2017 alone, McLaughlin issued—
[interjection]

Mr. Deputy Speaker: Order.

Mr. Wiebe: —over 250—[interjection]

Mr. Deputy Speaker: Order. Order.

I'm unable to hear the speaker. So, if everybody could quiet down their heckling and conversation. I know there's a bit—switch—for—at 4 o'clock. So if I can get back to the honourable member for Concordia (Mr. Wiebe).

An Honourable Member: Point of order.

Point of Order

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

Mr. Wab Kinew (Leader of the Official Opposition): Yes, on a point of order, I believe the rules say that if the Minister of Finance (Mr. Friesen) is going to bring food into the Chamber, he has to bring enough for everybody.

Mr. Deputy Speaker: Well, that's not a point of order. We'll continue.

* * *

Mr. Wiebe: Where was I, Mr. Speaker?

*(16:10)

Well, I was talking about Mr. McLaughlin and his contributions to political discourse over Twitter.

Two hundred and fifty tweets. That's more than eight per day that were issued by Mr. McLaughlin—mostly during work hours, I would say, and this is the kind of money that this government wants to spend for advisers.

Well, if the Premier wants to be accountable, wants to be transparent, he doesn't need this bill before the Legislature to do that. In fact, he could come out and he could disclose that information publicly right off the hop. He could also include his other political staff, Olivia Baldwin-Valainis, who's being paid more than \$130,000 per year, who's doing political spin somewhere in the obscure and effectively silent Transformation Management office, which I haven't seen too many press releases come out of that office recently, Mr. Speaker.

So, you know, this is typical of this government, talking out of one side of their mouth about being accountable and transparent and yet, when the rubber meets the road, they refuse to step up, they refuse to be accountable and transparent about their own affairs, and this, again, comes directly from the top, Mr. Speaker. I feel like maybe there's a theme going on here. When the Premier himself can't answer basic questions about his affairs outside of this Legislature in other countries, he can't answer questions about his own communications, his own spending, how is it that we can believe that this government thinks that transparency is a priority for them? And to bring this legislation forward without addressing those issues just speaks to their complete disconnect from the people of Manitoba, and I would imagine there's not too many people in the province right now that are furiously going back through their records to double-check if they owe some kind of luxury tax in a foreign country, because I can say with some confidence that that's not something that would apply to members of our caucus. But, of course, this comes right from the top, and the Premier has been silent on that.

Now the minister, as I said, comes in with a lot of bluster. He wants to name names. Well, we can continue to do that. We can spend some time talking about how much this government is spending to pay for their own staff to do their spin for them. It's—well, you know what, Mr. Speaker, in the interest of time and the patience maybe of my own caucus members, you know, I will keep my remarks short.

What I will say, Mr. Speaker, it's once again this Premier's priority to make it harder for Manitobans to hold his government accountable, and

we believe that Manitobans deserve to know where their hard-earned tax dollars are going and how much the Premier is paying his own technical officers and how many technical officers, in fact, that he has. This is a matter of transparency and accountability, and this is something that the Premier knows very little about.

The Premier has taken his 20 per cent increase. He's now introduced three pieces of legislation trying to protect his own wage rather than protecting the affordability of Manitobans, and Manitobans do expect this government to lead by example.

So, you know what? You know, despite the bluster, despite the façade, we know what the real aim of this government is. We knew where their priorities are, and it's not with Manitobans; it's certainly not with transparency and it's not with accountability.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I see that in this bill which is—there is—continues to be a problem, and the problem is this: that when you have somebody earning income from two different places, two different agencies, two different government bodies, that income is not summed and so that, when you have somebody who is earning more than \$75,000 but it's coming from more than one place, those individuals are likely to be missed. We had an extraordinary example several years ago of which somebody was earning considerably more on both sides, from two different agencies, and the total would've been a very remarkable number, but the size of the total was missed because each of the agencies, or each of the government bodies, reported it separately and the numbers were not combined. So, if the government is truly going to be able to bring forward this bill and to be able to make the statement that it is going to accurately reflect all people who have more than \$75,000 in income, then we need to make sure that the government is going to do its job and to add income where it comes from more than one source.

So I hope that the minister will look at how this can be addressed, and that it can be addressed, but until this is done, there is a gaping hole in this legislation which needs to be addressed if we're going to have proper recording.

So, with those remarks, I will wait until we have committee meetings and hear the discussion and the presentations that are made at that time. Thank you.

Hon. Steven Fletcher (Assiniboia): Again, the questions are just that, just questions. I think the government's intention is generally very good and—but through questioning, hopefully, we can work together to make the legislation better.

The member from River Heights, who I do not share any kind of political affiliation with, has raised a good point. What happens when an individual is compensated from two different sources? Now, again, I'll—just so we can go through the—through it. So the minister, if he could make note of some of these scenarios—again, I'm going through the thought exercise—if someone works for MPI and is a part-time civil servant, or if someone works for MPI and Manitoba Hydro, or if somebody works for the agricultural stabilization or sustainability corporation and the Manitoba renewal housing corporation, like, how would those situations be dealt with, or between departments or through other agencies and so on. Because that's the intent, right, is to find out how much people are getting compensated from the provincial taxpayer. That's the intent. I don't think people are necessarily too concerned about fair compensation, they just want to know that it's fair to the person but also to the taxpayer.

Another observation I would make—and I respectfully disagree with the minister where he—when he criticizes the Filmon government for not indexing the \$50,000 level. The minister suggests that it was not contemplated when the legislation was drafted. He hasn't proved that. I would submit that, in fact, it was contemplated, that the Filmon government contemplated that the \$50,000 threshold not indexed would mean, over time, more and more people would become—would fall under this legislation. So, if the minister wants to change the legislation, I'm—you know, that's certainly within the prerogative of this place.

* (16:20)

But, please, don't impugn the motives of, or the ability of Gary Filmon, who—not only is he an engineer, he was a great premier, and I think we all can agree with that—these two people I'm looking at. Not the back—I don't see any heads—back of the heads, here, nodding, but everyone else is. And the fact is when Premier Filmon would've brought forward this legislation in 1996 with the \$50,000 threshold, if it's not indexed in this case it's because that was the deliberate intent of the government.

The opposition has raised issues of individuals. Now, this is the double-edged sword when you have these—rule 1 is, yes, it's transparent. But then, you know, one can pick on any individual and I guess that is part of it. But I wonder if there's a way to mitigate that and maybe not from public eye, but if the person is, again, well-compensated in relative terms, say, getting paid more than the base wage of an MLA, if there's a way to—if the person requests to somehow protect his or her privacy—

Madam Speaker in the Chair

Because sometimes these days people on the Internet, they troll; they see someone making X amount and they flip out. But when this legislation was introduced in 1996, I remember, again, for different reasons—I mean, you go down to the legislative library, look up the people I was interested in and see what the amounts were. That is not happening now. Now, as the minister has said, you can just go on the internet and zoom, zip, and you can find out what your neighbour is making, who works for the government, and maybe somehow target that person for whatever reason. So that would be an issue, maybe not for this place, but maybe the public service and others can reflect on that suggestion if it is requested, again, a good-natured suggestion to the minister.

Another question about compensation, of course, is the pension plan. Manitoba remains one of the few—or the province of Manitoba is one of the few places that you can get a defined benefit pension. More and more people are moving to defined contribution and/or pooled savings plan. The reason this is the case is defined benefit—and by the way, I think we all here have defined benefit pension. So we should acknowledge that and it should be changed to a defined contribution at a minimum so the individuals share in the risk. It's the responsible thing for the taxpayer and it is still fair to the employee.

When I was minister responsible for a lot of Crown corporations and on the federal Treasury Board, this was a serious issue.

Canada Post, for example, it's publicly known has a defined benefit package for its employees as of a certain date. But, as it turns out, making those kind of guarantees puts such a huge burden on the corporation it, at times, experiences insolvency and in the worst-case scenario—and Manitoba, by the way, Madam Speaker, is in a bad situation and that has nothing to do with this current government.

Absolutely, the previous government. I think the minister would agree. But there isn't unlimited funds.

It would be disingenuous and harsh, and uncompassionate, and unconservative to make promises today about individual pension plans, defined benefits, when if in the future there's no chance that the Province can afford to pay those pensions. You see what happens when that happens in other countries. People don't get their pensions. And there's nothing—there's no recourse because there's no money.

Now, notwithstanding everything, the to and fro that has happened here, Madam Speaker, it's imperative, and I hope the government is going to continue with strong fiscal conservative—small-c conservative—principles in a compassionate way because fiscal conservatism is compassionate. It is one and the same because if—without the fiscal ability, you can't help those who most need it.

I'd like to ask the minister to share his comments.

Questions

Madam 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.

Mr. Matt Wiebe (Concordia): How will Manitobans be able to access the salary information for the Premier's (Mr. Pallister) technical officers?

Hon. Cameron Friesen (Minister of Finance): In the same manner as the amendments prescribe, that they would be publicly reported, and in the case of those technical officers, it would be done within a 60-day period either from the start of their compensation—or the start of their hiring—or after release,.

That would be reported within 60 days after that release.

Hon. Jon Gerrard (River Heights): My question to the minister is whether he will be addressing this problem of people getting compensated from more than one government body or more than one agency

and make sure that everybody who should be captured at 75,000 and up will be captured.

Mr. Friesen: I spoke about the very many and different entities that will all be captured and are captured currently under the legislative framework. The member should know I've asked these questions myself. He will know that if an individual—it would be a rare individual who's receiving compensation from one entity but could work part time, and part time for another entity. All of that would appear.

If they were publicly reporting entities under the provisions of this act, all of that compensation would be disclosed. And because those things would be alphabetized, it would be very quick for an individual to be able to find the information of an individual receiving salaries from more than one source.

Mr. Wiebe: How many technical officers does the Premier (Mr. Pallister) and his government have?

Mr. Friesen: I'm glad the member raised the question, because he read a long list before of OICs. That is publicly available information, but the difference clearly being when he was taking exception to things like the employment of Mr. David McLaughlin, a leading pre-eminent expert when it comes to climate and climate change in Canada.

The difference being Mr. McLaughlin was paid to work, and Anna Rothney was paid to leave.

Hon. Steven Fletcher (Assiniboia): I know a lot of people in the conservative movement that would disagree with the characterization of Mr. McLaughlin. However, I wonder if the minister can comment on the defined benefit versus defined contribution, and what is the plan, and how is that accounted for when we see these transparent estimates of salary?

Mr. Friesen: I would first want to answer the member's question when he talked about—what about privacy.

* (16:30)

The Ombudsman has actually provided an opinion on this. He has said that those individuals working at the top echelons of compensation throughout the framework of government should have a limited expectation of privacy when it comes to the disclosure of aspects of the compensation they receive through their role within the public body. And why? Because he says that public servants and

their compensation should be subject to the public scrutiny. We agree.

Mr. Wiebe: Would compensation in the form of travel that is covered by tax dollars for technical officers be included in the—in this disclosure calculation?

Mr. Friesen: The definition of compensation does not change from what is clearly stated in the act. Compensation is defined as the total value of all cash and non-cash salary, or payments, allowances, bonuses, commissions and prerequisites including overtime payments, retirement or severance payments, lump-sum payments and vacation payments.

Mr. Gerrard: I will follow up the question and wondered, the minister says that the names will be alphabetized. Will that be one alphabetized for all names above \$75,000, or will there be an alphabetized list for each separate agency or government body?

Mr. Friesen: I understand the member's concern and I share the view, obviously. Within the last number of years, you know, it's come to light that there were individuals in the employment of government under the NDP who clearly had some very unconventional contracts, calling themselves private contracts, but they're clearly operating as senior executives. That culture was allowed to continue; well, we don't favour it. We're scrutinizing it carefully. There are other disclosures that we've actually brought now where we've personally seen to it that the disclosure will be far more in columns alphabetized.

We'll look into this matter for him, to understand whether he'd have to search in one—more than one place according to alphabetized list to be able to see the information he's looking for, because I would be sympathetic to his concerns.

Mr. Fletcher: I'd like to ask the minister if he would agree that, you know, times change, but the intent of the legislation passed by the Filmon government at \$50,000 was, in fact, to capture more public servants over time. So the intent—now, it's fine to change it. But it would seem that that would be the intent, which is quite different than some of the analogies about indexation of taxes and so on. It's really—I think we need to make that clear.

Mr. Friesen: Well, the member should understand that when the legislation was passed in 1996, that the threshold of \$50,000 captured 10 per cent of wage earners at the province. If we were to pick

their brains and think about what their motivations would be, I would assume it would be safe to suspect that they had an intent to display publicly, for the purposes of accountability, approximately 10 per cent. It seems to me that their method or approach seemed to line up well with what the Ombudsmen said about disclosing the top echelon of pay because there is a public interest. Beyond that I wouldn't make any conjecture.

Mr. Gerrard: The concern that I would share with the Minister of Finance (Mr. Friesen) is this, that each agency or government body will only put forward names on the list if they've got—reached the threshold of \$75,000. The problem, therefore, is if agency 1 or body 1 has somebody who has compensated for \$74,000, and agency 2 has somebody who's compensated for \$74,000, that individual, if that's the same individual, would have—be getting \$148,000 which is way above the limit and would be missed. So as a, I can give an example. I think this is a more common problem than the minister is admitting—

Madam Speaker: The member's time has expired.

Mr. Friesen: I thank the member for the question. This legislation is designed to report income of over \$75,000. He should understand that an individual working in any area of government would have to report that income. If the individual has earned \$40,000 working for MPI and \$40,000 working for MBLL, they are under the threshold, but on a summary basis, on a final basis, bottom line, they are over that threshold and their income would be reported. We will take a compiled view of all salaries and related payments pertaining to each employee.

Madam Speaker: Did the honourable member for Assiniboia (Mr. Fletcher) have a question?

Mr. Fletcher: Madam Speaker, I'm full of questions.

The minister has—actually did a good job in answering the question about the Ombudsman and the top-end salaries, so thank you for that.

For the transparency, though, why not just have all government employees on the list of transparency? Like, that seems to be the intent of the previous government, is to eventually allow everyone to be on the list. There seems to be, you know, why one person and not the other? If you accept a principle, it must apply to all.

Mr. Friesen: Well, the member seems to want to set up a quarrel between the Filmon government and this

one. There is none, because the Filmon government, clearly, when they brought this legislation, they disclosed 10 per cent of the wage earners, and this measure would still report over twice as many, even with indexation attached.

I would answer a different question of the minister—member, though. He did ask about, when could privacy be protected. He will understand that there are provisions in this act that protect police officers by disclosing their salary only by badge number and always in accordance with these same ideas about sensitivity. Where an individual has a restraining order or there's some other reason to demonstrate that their identity should not be disclosed, there are other ways. We find alternate ways to show salary without putting them in harm's way.

Mr. Gerrard: The problem I share with the Minister of Finance (Mr. Friesen) is that in the past it's been the bodies who report to compensation, not the individuals who report their compensation. The specific example I will give the minister is a physician who received compensation directly from an RHA and received compensation at the same time on fee for service. These were left—listed in two completely different lists, and unless you searched very hard, you were not going to find the added amount.

Mr. Friesen: Well, first of all, because I know something about remuneration for doctors, I'm going to suggest to that member that it would be very difficult to find a Manitoba doctor who's both working in the employment of an RHA for fee for service and on a contract basis who would not reach the threshold requirement for \$75,000 of reporting.

Mr. Fletcher: That answer to the minister for river—or the member from River Heights was completely off base, but the way to address the issue that—in a productive way is just to list all income for everyone. So if someone's earning 30 in one place and 120 in another, we will know that, so there will be transparency. That's the advantage of having everyone on the list. And, again, if one person's on the list, why is there an arbitrary number? Just put everyone on the list so it's fair, through and through.

Mr. Friesen: Well, I think the members are missing the point. This is very significant legislation. It gets at accountability and transparency.

The Ombudsman reflected that this information only has value inasmuch as it discloses that which

will be of value to citizens. I don't know what the particular interest would be to know what my front-line assistant in my minister's office would be making because I know it's protected and it will be measured and it will be equivalent to what that front-line assistant is making in the Minister of Health's office.

I'm wondering if the members could indicate what they think the public interest of an individual making \$25,000, \$50,000 or \$60,000 would be.

Now, this was the Ombudsman's opinion, not my own. I intend to—

Madam Speaker: The member's time has expired.

Mr. Gerrard: I want to (a) emphasize that this is a more common problem than the minister recognizes, but I also want to raise another issue, and that is that doctors are essentially getting money which is—they use a considerable portion of that to pay staff. It's like a contract.

*(16:40)

Is the government going to make sure that all contracts which are similar to what doctors have, where they provide contracts to individuals who are paying other people, are reported on a similar basis?

Mr. Friesen: Legislation is provided, it extends to everything from school divisions to other entities. It's very—it's very robust in its view. It sets a level that indexation would have kept it at, were indexation originally attached to the 1996 provisions.

This is clearly in accordance with similar legislation in other jurisdictions designed to report the top echelon on earners because there is a public interest in doing so.

The government has brought these measures because we feel that they strengthen provisions on accountability and transparency and that's why we support them, that's why we think all members should support them.

Mr. Fletcher: In the Public Accounts, where a lot of this information is listed under name but also the expenditures per company are listed, now, there are a great deal of numbered companies. It's not inconceivable that the numbered companies are just someone who has incorporated themselves.

Will the minister provide an listing of who is behind these dozens of numbered companies that are in the Public Accounts record? And does this legislation capture those people?

Mr. Friesen: The member's confusing a few things. This bill is designed to report disclosure at certain threshold levels. He's speaking about the disclosure of contracts in the Public Accounts. The government has—*[interjection]*

Madam Speaker: Order.

Mr. Friesen: —also strengthened our disclosure of contracts. We have moved to a far more proactive disclosure. *[interjection]*

Madam Speaker: Order.

Mr. Friesen: We've moved to a far more proactive disclosure. We've gone to a columnar form instead of just a single-text form. All of these things add values to Manitobans, but it's a different issue than the one the member approaches.

Madam Speaker: The time for this question period has ended. Debate will remain open on this bill.

Bill 14—The Traffic and Transportation Modernization Act

Madam Speaker: We will now move to Bill 14—second reading of Bill 14, The Traffic and Transportation Modernization Act.

Hon. Ron Schuler (Minister of Infrastructure): Madam Speaker, I move, seconded by the Minister of Sport, Culture and Heritage (Mrs. Cox), that Bill 14, The Traffic and Transportation Modernization Act; Loi sur la modernisation des lois relatives à la circulation et au transport, be now read a second time and referred to a committee of this House.

His Honour the Administrator has been advised of the bill, and I table the message.

Madam Speaker: It has been moved by the honourable Minister of Infrastructure, seconded by the honourable Minister for Sport, Culture and Heritage, that Bill 14, The Traffic and Transportation Modernization Act, be now read a second time and be referred to a committee of this House.

His Honour the Administrator has been advised of the bill, and the message was tabled.

Mr. Schuler: Madam Speaker, I would like to thank the Manitoba Legislature for taking time to debate this important piece of legislation today.

Bill 14 supports this government's commitment to give municipalities a fair say, review Manitoba's boards to eliminate duplication and red tape and to align Manitoba with the New West Partnership.

Bill 14 eliminates the Highway Traffic Board, along with the board's power to set speed limits on Manitoba roadways. Going forward, municipalities will set the speed on their own roadways under bylaws. The responsibility for setting roads on provincial roadways will be moved to the Department of Manitoba Infrastructure.

Provincial regulations will set broad parameters for municipalities to set speed limits no less than 30 kilometres an hour and guide development of their bylaws to help ensure accuracy and the enforceability of speeding offenses on their roads. Regulatory guidelines will be developed with input from key stakeholders like the Association of Manitoba Municipalities.

Dissolution of the Highway Traffic Board will also free municipalities, communities, businesses and everyday citizens of Manitoba from the requirement to go to a provincial board for permission to build, for instance, a highway or put up a sign along a provincial roadway. Archaic Highway Traffic Board processes slow down decision making on rudimentary requests like building a wheelchair ramp onto a community centre. Every request requires public notice, and a decision cannot be made until the board holds a public hearing where citizens, municipalities and businesses take time out of their busy schedules to be heard by the board. Under Bill 14, these requests will go directly to Manitoba Infrastructure where they will be determined by departmental staff. Decisions will be subject to an internal review and, when necessary, brought to the minister for Manitoba Infrastructure for final decision.

Bill 14 also dissolves the Motor Transport Board, a board that has existed in various forms since 1926 when it started as their Motor Carrier Board. Although historically this board was a key entity in regulating Manitoba's transportation service industry, today its role is redundant. The board's primary purpose today is the economic regulation of the charter bus industry. That includes telling charter bus operators where they can travel and the number of vehicles they can use. The Motor Transport Board's policies and procedures create red tape and place walls around Manitoba's charter industry, limiting consumer choice. 'Moreover', in light of Manitoba's commitment to align with the New West Partnership, we can no longer justify maintaining the existing framework of economic regulation on the charter industry.

The Motor Transport Board does not play a role in the safety of charter operators. The safety of the charter operators will continue to be monitored by the Department of Infrastructure through Manitoba's Safety Fitness Program. This program was implemented years ago with the adoption of the National Safety Code standards to ensure safe operation of heavy trucks and buses.

The Motor Transport Board is also responsible for overseeing Manitoba's short-line railways. But, again, the board does not play a role with the safety of these railways. Short-line railways are required to meet national safety codes. Again, it is the current responsibility of the Department of Manitoba Infrastructure to enforce short-line railway safety, and Bill 14 does not change this.

Under Bill 14, a superintendent of railways for Manitoba Infrastructure will be appointed to oversee policy matters for the industry; for instance, issue an operating authority. The superintendent's decisions can be appealed to the minister for Manitoba Infrastructure, as well.

Eliminating the boards will save time and money. Approximately \$300,000 spent annually on board processes will be saved, but these savings don't even begin to account for the cost of the countless hours other departments, local governments, business owners and taxpayers have spent applying to the boards and attending hearings to deal with obscure regulatory requirements. In fact, dissolving the Highway Traffic and Motor Transport boards will eliminate more than two and a half thousand outdated and redundant regulatory requirements associated with the boards.

While developing this extensive bill, and in consideration of this government's key priorities of the elimination of red tape, reducing redundancies and bureaucracy, the department has done some housecleaning on our legislation. Bill 14 streamlines processes both outside and inside of government. One thing we have thoughtfully pursued under this bill is modern legislative practices. This means moving content that will change over time out of legislation and into regulation. What this achieves will be a modern, more forward-thinking legislation for Manitoba and much more rapid revision as technology and the business environment evolves.

* (16:50)

Some of what we are doing with this legislation change is—for example, I would point out to

the House—to remove references to an antiquated equipment like, for instance, frost shields. It will simplify definitions in 'preperpay'—in preparation for simplified vehicle classifications or one plate. And it will let the minister declare provincial highways instead of spending Cabinet's valuable time on administrative matters.

And, Madam Speaker, there are many further examples. For instance, headlights are now being gauged according to candlelight power and we're going to modernize it from going to be compared to candlelight power to a more modern standard.

We're also going to remove the necessity for some vehicles to have a hand-operated turn single-signal, seeing as the last time a vehicle was produced that had a hand-operated mechanism for indicating their turning, to the new modern system—last time a vehicle was produced in that form was in 1951.

An example of the streamlining of this legislation, bringing Bill 14 to force, will take almost a year and require review of over 200 regulations, policies and forms. Right off the top, about 15 regulations under The Highway Traffic Act will be repealed and many others being reviewed and streamlined where possible.

Madam Speaker, I look forward to debating this bill in the Manitoba Legislature and to passing this important piece of legislation.

Madam Speaker: Are there any speakers on the bill?

Mr. Jim Maloway (Elmwood): I'm very pleased to speak to Bill 14. I see it's quite a substantial bill, it's about 120–125 or so pages. It's not quite up there. It's kind of Harper lite, you know? The Harper government used to bring in 800-page budget bills and bury all the bad things it wanted to do in those 800 pages and it's very difficult to make sense out of it.

This particular bill, The Traffic and Transportation Modernization Act, is a serious and substantial change that includes five different acts. We would advise the government against the use of an omnibus bill for this substantive overhaul of so many pieces of legislation. We do support efforts that might improve road safety, and our highways, but we do have some concerns that we hope the government will address in the coming days.

The minister will now serve, as a point of appeal, with regard to concerns on speed limits on

provincial highways, while his own department directs requests for changes. And we can see that the minister may be conflicted on these matters. Actually, history may, as it evolves, show that this was not entirely a very smart move on his part, but it will be up to him to do a lot of adjusting that he—previous ministers didn't have to worry about, some—what—60 years, or whatever, this—these current—the current act has been in place. The minister also intends to open up regulations with regard to the charter bus industry. In some areas of the province charter service levels are low. The minister has not yet explained how these changes may impact service levels. So I look forward to hearing more at committee on these matters.

Hon. Jon Gerrard (River Heights): A few comments on this bill. First of all, I think it is a welcome move to have municipalities being able to set their own speed limits, and I think that's a positive step forward.

The minister has made the claim that by transferring all sorts of activities that were done by the Highway Traffic Board and the Motor Transport Board into the department, that things will speed up and there will be much more quick and effective processes. The last thing I recall that the government moved under the department was the East Side Road Authority and just about as soon as that East Side Road Authority was moved under the department, the activity totally shut down. And so there's been no activity this year whatsoever, and no activity I think last year. There was a little bit the first year but the answer here, is that we want to make sure that the job gets done. And I think that in opposition, it's—we need a little bit of healthy skepticism at times as to the efficiency, or so-called efficiency of the minister and the department.

So, if indeed we get progress, then that's fine. But if the minister shuts it down, then we got a problem. And we'll have a big problem if the minister shuts down activities within—that he's transferred to his department.

Thank you.

Madam Speaker: Any further members wishing to speak on debate?

Questions

Madam Speaker: If not, 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 for 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.

Mr. Jim Maloway (Elmwood): I'd like to ask the minister: How will the loss of the Highway Traffic Board and the Motor Transport Board affect regulations in this province?

Hon. Ron Schuler (Minister of Infrastructure): Well, Madam Speaker, other than simplifying matters, it won't.

I'd just like to point out to the previous speaker, however, that not just did we complete Berens River but also the Freedom Road, which wasn't accomplished in 17 years under the previous government.

Mr. Maloway: I'd like to ask the minister, how will highway drivers be impacted by the cuts to more than—the 2,000 safety regulations?

Mr. Schuler: Well, Madam Speaker, as already stated, frost shields will no longer be needed in vehicles. *[interjection]*

Hon. Jon Gerrard (River Heights): Yes, I just, in follow-up—*[interjection]*

Madam Speaker: Order.

Mr. Gerrard (River Heights): The minister talks about being very proactive, but the problem is that once Berens River was reached, the continuation of the road has not happened. So when is the minister going to precede with the East Side Road going north from Berens River?

Mr. Schuler: Well, Madam Speaker, in fact it was his colleague, one of his own Liberal members of the Legislature, who joined us out there in the celebration at Berens River of the completion of that highway. It was just a great celebration. Appreciated very much the reception we got up there. Appreciated very much the feast they put on us—for us. The fresh bannock and the jam was just unbelievable. The member from River Heights should have joined us.

Madam Speaker: Can I just indicate there's some clicking noise that is very loud in the Chamber. Oh, okay. I would ask—okay, okay.

Mr. Maloway: I'd like to ask the minister to give us a list of some of the more important regulatory requirements that are going to be eliminated by this legislation. He's indicating there's 2,000 of them. Well, just give us five or 10.

Mr. Schuler: Well, Madam Speaker, I only have 45 seconds and I already gave the member three.

There are all kinds of ridiculous regulations that involve vehicles that no longer exist any more. And there used to be a time when a lot of these regulations were put into law. We don't do that anymore and most of them find their way under the MPI act.

The Manitoba Public Insurance Corporation does a lot of the safety things. So a lot of this is being covered already under MPI, and we are covering things off that were for vehicles that are—40 and 50 years ago.

Mr. Gerrard: Yes, I—you know, it's good that the road got to Berens River, but there's a long way yet to go. Why did things stop at Berens River instead of continuing?

* (17:00)

Mr. Schuler: Well, Madam Speaker, we've also now, not just completed phase 1 of Freedom Road; we are now working on phase 2. So the work has never stopped on that site. We are now working on Freedom Road, something that was talked and talked and talked about—the member knows this—for 17 years; 17 years, there was all kinds of talk about roads on the east side. We're actually building them, and when we're ready to open it up, maybe he wants to join us for the celebration.

Mr. Gerrard: Well, I'm pleased about the progress on the Freedom Road, but I'm asking about what's happening with the east-side road beyond Berens River because that's important for a lot of people. There's a—probably 20,000 people north of there who are not connected to a road.

What is the minister going to do?

Mr. Schuler: Well, and I thank the member very much for that question, because his question is what are we doing for northern Manitoba, besides building the road to Berens River, besides doing Freedom Road and besides the fact that this week our Premier (Mr. Pallister) announced that we're going proceed with the Lake Manitoba channels—\$540 million—doing something that's been talked about for 60 years, including the dark, dark, last 17 years of the

NDP. We are building a lot in northern Manitoba. We are getting the job done which—and the last 17 years was nothing but talk.

Mr. Gerrard: Madam Speaker, you know, I—the member, the minister is very passionate, but you know there are many communities north of Berens River: St. Theresa Point, Gods Lake Narrows, Wasagamack, Garden Hill, Oxford House, Red Sucker Lake, and they're not collected by all-weather roads. And so the question is, my concern is, that if handing things over to the department is not an efficient way of getting things done, then I'm concerned.

Mr. Schuler: Well, the member for River Heights (Mr. Gerrard) got elected the same time I did, and he knows, for 17 years the NDP talked and talked and talked and talked about doing the channel on Lake Manitoba and got none of that done, including the roads on the east side. We're getting roads done on the east side. But I'd like to point out to the member, 7,000 people had to leave their homes because they were being flooded, and we are now going to do the right thing. We are going to build the channels on Lake Manitoba. That is a big project for Manitoba. It has \$540 million. If the NDP would've gotten that done in their long 17 years in office, we could then be building roads again on the east side, Madam Speaker. Our government is committed to, and is developing in, northern Manitoba.

Mr. Gerrard: My word to the minister is this: we're going to be watching very closely. And, if the example of the east-side road continues, that there's nothing more north of Berens River, to all of those communities I mentioned, then we will be asking questions about that very frequently. And we'll be watching very closely with this bill to make sure that where functions have been transferred to the department, that they're actually getting done efficiently and quickly, because that's also very important.

Thank you, Madam Speaker.

Mr. Schuler: Well, and again, I thank the member for his question, but he can't just be asking questions in a vacuum. Our government has announced we're going to be spending \$540 million on infrastructure in the North. I don't know what about that the member of River Heights doesn't get. We are going to be building a project that has been talked about in this province for over 60 years. It's gone through successive governments. We are finally going to get

it done. That is a big, big project for this province. We are building in the North; we are living up to the commitments that we made during the election. Madam Speaker, I'd ask the member to get on board.

Madam Speaker: If there are no further questions, debate will remain open on this bill.

Bill 19—The Planning Amendment Act (Improving Efficiency in Planning)

Madam Speaker: We will now move to Bill 19.

Second reading, Bill 19, The Planning Amendment Act (Improving Efficiency in Planning).

The honourable member for—the honourable Minister of Municipal Relations.

Hon. Jeff Wharton (Minister of Municipal Relations): I move, seconded by the Minister of Indigenous and Northern Relations (Ms. Clarke), that Bill 19, The Planning Amendment Act (Improving Efficiency in Planning), be now read for a second time and referred to a committee of this House.

Motion presented.

Mr. Wharton: Bill 19 will amend The Planning Act to modernize the province's planning legislation by removing regulatory requirements that are overly prescriptive, poorly designed, redundant and antiquated. Our government has worked extensively with municipalities and industry to determine how improvements could be made to our existing regulatory framework. The bill will increase efficiency in planning for municipalities and industry stakeholders.

In addition to modernizing the current municipal zoning bylaw review and approval process, Bill 19 will enhance fair say by giving municipalities the option of setting their own thresholds for conditional-use hearings for livestock according to local needs.

The bill also introduces changes that will ensure municipalities have sound technical information when reviewing proposals for aggregate quarries and allowing livestock producers to meet existing environmental regulations to modernize and renew their barns without having to go through a prolonged approval process.

The bill will also set timelines for a municipal board review of development-planned bylaws and harmonize hearings—the hearing process requirements with those established in The Municipal Act.

Bill 19 also expedites the municipal zoning bylaw approval process by increasing the minor variance threshold from 10 to 15 per cent. It also allows municipal officials authorized by council to grant variances on zoning bylaw requirements such as square footage, height and parking spaces without holding additional council meetings.

The bill enhances our government's commitment to fair say for municipalities and ensures that The Planning Act is modernized to better serve municipalities and industry.

Thank you, Madam Speaker.

Mr. James Allum (Fort Garry-Riverview): Pleased to get up and speak on behalf of the official opposition on Bill 19, The Planning Amendment Act (Improving Efficiency in Planning). On this side of the House, of course, we basically would say this bill should be called planning amendment act, eliminating planning for the hog industry here in Manitoba.

The bill has—contemplates several significant changes that do—take away the very balance that's required in municipal planning to ensure that we have sustainable communities all across Manitoba. The provision that you can now—you need 25 people rather than one to amend—object to an amendment to the zoning bylaw simply makes no sense in communities that are—do not have the population density that's required.

The fact that large-scale livestock operations are no longer required to be designated as a conditional use leaves us jaw dropping in respect of the fact that it favours the hog industry at the expense of communities and at the expense of the residents of those communities.

We have received any number of objections to this bill by concerned residents and by environmentalists across Manitoba who are absolutely concerned with the government's cavalier attitude toward not only planning, but environmental sustainability in our province. Appeals have been utterly taken—struck from The Planning Act. The only ones who can appeal something now, Madam Speaker, are the livestock industry themselves, a owner of a hog barn or a big corporation that owns a quarry. Residents will not have that ability to object and appeal if they wake up one day and find a monster-sized hog barn next door.

The bill also, as we know, combines with Bill 8 to remove public notices from newspapers. That,

obviously, is an attack and an assault on transparency and accountability both in terms of the hog industry itself and the provincial government as well.

Madam Speaker, we're going to let this bill go forward on to second reading. We're going to make sure that there are significant people to attend committee hearings and have their say. And I think it's fair to say, on the day that those committee hearings end, this government is going to feel very, very bad about tabling this kind of legislation in this House.

* (17:10)

Hon. Jon Gerrard (River Heights): Madam Speaker, I'd like to bring forward a number of points.

Section 168(2.1) says: Despite subsection (2), notice of a hearing is not required to be published in a newspaper or posted in any location if the notice is posted on a publicly accessible website or remains posted on the website throughout the 27-day period before the hearing.

Madam Speaker, we have had a tradition in this province that community newspapers provide advanced notices of important events happening in the community.

Mr. Doyle Pivniuk, Deputy Speaker, in the Chair

For this government to come forward and bring in an amendment which would bypass community newspapers and their important role in communication and the communication of local events which are important to their community is a big mistake.

This is something that the government has said, well, maybe we won't actually proclaim that, but I'm afraid that that's not good enough. There's no place for this kind of approach.

Mr. Speaker, we need to make sure that people who rely on their community newspapers to have information about what's happening are able to rely on the government also to make sure that information that is important to their communities is in those community newspapers.

There are various surveys which have been done in terms of the readership of community newspapers. The readership is very high and notices in a community newspaper are easy to find; whereas, if something is posted on a website, it is quite likely that all too often people won't find out until after the event is over. And that would be a terrible situation

for people to be in. And, when we have an important role for community newspapers and an important role in making sure that they have the information and that they post that information, we should not be bypassing the community newspapers.

Our communities, our rural communities, Mr. Speaker, play a very critical and important role in our province. People in rural areas expect to be able to get information that is coming from the government reliably in their community newspapers. It would be a shocking mistake if this government tried to bypass, as it is doing with this legislation, this important role of community newspapers.

So, Mr. Speaker, that is a big, big problem that we have with this legislation, as it has been put forward. We are not satisfied with the minister's comments that maybe he will not proclaim that. The—that section should be removed from this bill and the rightful place is community newspapers as purveyors of important information from government should be maintained. People should have one place that they know where to go and not have to be searching all over websites to try and find the information, and certainly, Mr. Speaker, making sure that that information is available through community newspapers should be a top, top priority of this government. It hasn't been so far; it isn't in the presentation of this legislation and that is of great concern.

I also have some, well, concerns about the way that the government is proceeding with the Municipal Board hearings and funding. The government proposes that the Municipal Board funding—Municipal Board has a 30-day limit on hearing cases. Well, that's good, but, at the same time, the government is cutting the funding of the Municipal Board by \$83,000, expecting the board to work a lot faster with less support. Now, maybe what the government is anticipating is that when they don't put the information in the community newspapers, there won't be people coming out and that they'll be able to push things through much faster.

That's not the right attitude, Mr. Speaker. What we want is to make sure that people have the information, they're aware of what's happening, they have adequate time to speak up where they have concerns, as people have historically.

People in rural Manitoba and in all of Manitoba are engaged in what's happening. They want to know what's going on in their communities, and they want to be sure that they are informed, and that that

information comes to them in a way that is easy to find.

There is no easier way for most people in rural Manitoba to find information than to look in their community newspaper.

It is a sad and sorry day that we have a government which dismisses the importance of community newspapers. And I would say to this government that they should certainly eliminate this bypassing of community newspapers, and if they don't, it will be a very bad mistake.

Thank you, Mr. Speaker.

Hon. Steven Fletcher (Assiniboia): Let's go to first principles for a moment. Conservatives believe in the freedom of the press, Conservatives believe in 'entrepreneurship' and small business, and Conservatives believe in transparency and accountability.

The issue here is the method in which many of these things are achieved in the real world. And in the real world, it's through community newspapers for a lot of people.

Now the government on this may say, well, the community news, that costs money. Yes, it probably does cost money to advertise in a community newspaper, and I think it would be reasonable to say that a community newspaper would have a business plan that would include a revenue stream coming from the Province, or the feds, or the—because no one would ever have imagined that a government would try and take that revenue stream away from community newspapers.

So what we see here is the actual effect of this legislation and that is the small business—and many of these are small businesses—who depend on local advertising—but also for a certain percentage of their income, from the government—are now going to be pinched even more.

It's bad enough they have to pay for an increased PST. It's bad enough that they're going to get hit by the carbon tax, but to withdraw the—one of the main components of their—of entrepreneurs' business plan is not Conservative.

But more important than that is the community newspapers that inform Manitobans, all ages, of what is going on in the community; hence the name community newspapers. People obviously read the community newspapers, otherwise the community

wouldn't buy advertising in the newspapers, or in some cases, even buy the newspaper.

Yes, it's true. People buy newspapers. Free Press, Winnipeg Sun, those are in fact community newspapers as well, and attacking the business plan is an extension of an attack on freedom of the press. I hate to say that.

* (17:20)

Now, when I was—the other observation I would say is that this is a broad issue of accountability and transparency concern or principle. If you put it online, where does it go over time? There's a lot of people who think that in 1,000 years, or even 100 years, that this time in our history will be undocumented because so much is online, and all you need to do is have a very terrible incident and it's all gone.

The only thing that is proven to be—or tested, is newspapers. You want to find out what happened in London in 1847? Go to a newspaper. Go to a public notice. That is the record. They—if you want to go to get your message out—now, this is important—the public notice. Let's think about the Protestant Reformation. Martin Luther famously put his 94 points, nailed them to the chapel door, and then went on with the printing press, and now we have a different point of view on the world. And it started with a public notice.

Public notice in this context is in community newspapers like the Metro or Headingley Headliner. A former MLA in this place, Mavis Taillieu, had a community newspaper called the Headingley Headliner, and it was a small business, but it was critical to the community of Headingley.

Yes, the circulation, I don't know, maybe it was 1,000 or 3,000 people, but if you want, even as the elected 'polit', if you want to get your word out in Headingley, you go to the Headingley Headliner. In fact, I understand now that there's two or three publications competing for that market. So the market says people are reading the community newspapers in this regard.

And the issue when it comes to transparency has to be able to record, go back. With electronic records there is no record. It can be changed easily. Oh, that notice, you can change the seven to an eight and—or add a zero and, you know, it's so easy to abuse. But once it comes out in that newspaper, that's there forever.

The government has said that they'll not enact these pieces of—the offensive portions of the legislation. Really? Well, then, just take them out. Take them out. Because what the government is essentially saying is, we'll not enact these pieces of legislation until people are looking the other way, and then we'll enact them, and we'll hold an axe over community papers and bring down the axe if they cross us if they report the news, if they present a different point of view.

And, Mr. Chair, that is part of the deal in politics. Newspapers present a different point of view, or are used by a community for any number of things. There could even be coupons in a newspaper, things that people still use. There is no substitute for a newspaper. It is part of our heritage, which is another big Conservative thing. It's part of freedom of speech, like it or not. It's part of accountability, about transparency, Conservative views, principles, pillars of Conservatism, of Toryism. And to have this passed by Conservatives—like, I would expect a piece of legislation like this coming from the socialists, actually, like, because only socialists, you know, they don't want you to talk, they don't want you to think, they don't want to have freedom of ideas to get around. But Conservatives, that's not what Tories believe. We believe in transparency, accountability, freedom of ideas, freedom of thought, and the fact is, this legislation undermines that for community newspapers. It undermines many of the pillars of Conservatism. It's not in line with the membership of the Conservative Party, I could tell you that. And it is an existential and real threat to freedom of the press. It has to—

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

A question period up to 15 minutes will be held. Questions may be addressed to the minister by the members of the following sequence—oh, the honourable member for The Maples—

Mr. Mohinder Saran (The Maples): Yes, thank you—

Mr. Deputy Speaker: —to speak at the debate.

Mr. Saran: Yes, I won't blame you. Normally I don't speak because I'm not allowed to speak, and so, but I—listening the other speaker, I would like to add a little bit more.

I'm coming from an ethnocultural community and from immigrant community; I understand how important these ethnocultural papers are, and they

need to be supported. If they're not supported and they will die down. When people come from other countries, first they left their country. They are missing that environment; they are missing that country and they are kind of sad. To make them a little bit entertained, there are some ethnocultural papers. And those papers, they read some news back from their old countries and then read some literature. And, by doing so, at least they have some kind of engagement other than working over here and feel isolated. So if those papers—and also we are multiculturalism society and to promote multiculturalism, and papers are a really good source to improve that.

And also, those—majority, many people may not understand English or may not be so well-versed with the Internet. And they need some kind of information, and that information, most of the time, they get from these ethnocultural papers. Therefore, I think the minister and the government should think twice before they try to save some money. But they don't understand how much damage they are going to do to these communities, how much mental stress will be on their minds if they're not able to entertain themselves, and so they will be going to work, having nothing to—no entertainment; they have a language barrier, and they won't be able to go and look in the paper, because the paper won't be able to afford, unless they are supported by the government, by the ads.

I think the government should encourage those papers and should put more ads. Instead of saving money on this portion, they could save money on a healthy society because their minds will be better served and stay healthy.

So I will ask the minister and the government to—do not force this bill and make sure those papers are supported. Thank you.

* (17:30)

Questions

Mr. Deputy Speaker: If there's no other speakers, we'll go into question period. A question period of up to 15 minutes will be held. Questions may be addressed to the minister by any members of the following sequence: first question by the official opposition critic or designate; subsequent questions be asked by each independent member; remaining questions asked by the opposition members, and no question or answer shall exceed 45 seconds.

Mr. James Allum (Fort Garry-Riverview): Could the minister explain to the House how this legislation serves to benefit developers and leave communities and municipalities at a disadvantage.

Hon. Jeff Wharton (Minister of Municipal Relations): It's obvious by the member from Fort Garry-Riverview in his preamble, that he continues to pick fights with municipalities, agriculture industry, and developers that grow our economy, Mr. Deputy Speaker, and quite frankly, this bill does support municipalities in fair say and in concert with developers.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I'd just like to ask the minister, what's his intention with regard to this exception to newspaper notice requirement, section 168(2.1).

Mr. Wharton: The member from River Heights referenced in his preamble a reduction to a municipal board in his earlier comments. The difference he cited relates to administrative costs. I can confirm the numbers of FTEs from '17-18 to '18-19 remain the same—at eight full-time equivalents, Mr. Deputy Speaker.

On the two-year anniversary of our election, I'm glad member's—River Heights recognizing our efforts. It's smart shoppers and good stewards of our taxpayer dollars, Mr. Deputy Speaker.

Mr. Deputy Speaker: The honourable member for River Heights (Mr. Gerrard)—for honourable member for Fort Garry-Riverview (Mr. Allum).

Mr. Allum: Well, I'm honoured that you would confuse me with the member for River Heights, Mr. Deputy Speaker.

Why does the minister feel it's incumbent on his government to take the voices away from people who object to having livestock operations expand right next door?

Mr. Wharton: You know, the member from Fort Garry-Riverview had a comment earlier, again, in his preambles about the hog industry. Well, I think the member is living within a box, Mr. Deputy Speaker, because you know, quite frankly, there are other barns out there in this great province of ours, as well. We have chickens, we have cow-calf operations, sheep and turkey, et cetera.

Why does the member opposite hate agriculture so much?

Hon. Steven Fletcher (Assiniboia): Conservatism, Toryism, we support entrepreneurs, which is many community newspapers, freedom of speech, economic planning, 'transparency', accountability.

Why is this minister not following Tory principles, but following socialist principles of denying freedom of knowledge.

Mr. Wharton: And again, Manitobans were very clear that the government needs to modernize its process and of course, adapt to the 21st-century technology, Mr. Deputy Speaker. And at the same time, Manitobans also believe government must take a measured and thoughtful approach to achieving this goal, to ensure no unintended consequences occur along the way. We are listening to Manitobans; we'll make sure we get it right, Mr. Deputy Speaker.

Mr. Gerrard: Now, I'd asked about the clause providing an exception to the newspaper notice requirement. There has been some rumours that the government might decide not to proclaim that section of the act.

Are there any validities to such rumours, or will the government just completely withdraw that section.

Mr. Wharton: Again, Manitobans have voiced their concerns about the limited Internet connectivity in the North. I know that we did a tour recently up in Dauphin and through the Parkland area, Mr. Deputy Speaker, and you know, we've also been up to—and we had an opportunity to get up further north too, as well, into the Churchill area, Thompson, and actually, Flin Flon, as well. So we are proud to get up there, too. We understand that there's concerns, Mr. Deputy Speaker, with the connectivity in the North. That's why we're proud of our government's commitment to move forward with connecting the North.

Mr. Allum: Can the minister explain why an existing farm building can be replaced, altered or expanded, without the need for renewed approval?

Mr. Wharton: That's a very good question, and I can tell the member from Fort Garry-Riverview that, again, this would—this—we're talking about barns that are in excess of 25 or 30 years old, Mr. Deputy Speaker, where animal safety can be put at risk. We're partnering with Agriculture to ensure that they can replace these barns, to ensure that they can have a sustainable operation, and again, with the major concern of protecting those animals.

Mr. Fletcher: Will the minister—like, here is the path out of this: It is simply to withdraw the offensive or problematic provisions out of the bill, and we can all move forward. That is very simple. I'm sure we could even get unanimous consent to do that.

But that is not what the government is doing. They're bringing it forward anyway with the right to introduce an existential threat and financial threat to everyone. Listen to the people, and just take it out. Do it. You can do it. We'll help you. I'll help you. Listen to the people. Thank you.

Mr. Wharton: Well, I can tell my colleague from Assiniboine that of course the government will seek—and there's no—I mean, this is fully transparent. The government will seek to ensure newspaper-notice requirements in the bill will be preserved.

Mr. Gerrard: I didn't quite catch the last phrase. Was that the requirements to bypass newspapers or the ability to bypass newspapers will be pursued or will be dropped? I at least should get clarification from the minister in what his intent is with regard to this aspect which would bypass local newspapers.

Mr. Wharton: I'll try to be a little bit more clear for the member from River Heights. The government will seek to amend the bill to ensure newspaper-notice requirements is preserved.

Mr. Allum: Did the minister consult with the Manitoba Community Newspapers Association before putting this legislation forward?

Mr. Wharton: Well again, it's interesting that the member from Fort Garry-Riverview talks about consultations when their government seldom consulted with anybody. They can't even consult within their own party, Mr. Deputy Speaker.

So, you know, we take pride in consulting and moving forward in a collaborative effort with not only our community newspapers, but our communities at large, our municipalities, stakeholders, industry and other drivers of this great economy we have here in Manitoba in the last 24 months that's been created.

That, Manitoba's put us in a position to do, Mr. Deputy Speaker.

Mr. Fletcher: The minister says this is transparent. Why expose conservatives in this province to what is a—looks like a transparent attempt to shut and control the media through financial resources and also reduce accountability of the government by reducing

the number of people who have access to the notices?

Why would the government do this?

Just take out the provision; be transparent, and don't let yourself be open to these allegations because they'll come true. Be true to conservatism. Be a true Tory. #TheLastTory.

Mr. Wharton: Again, I thank the member for the hashtag. I found the Tory, so there's no issue there.

You know, quite frankly—again, this is about ensuring that the—we have fair say for our municipalities as well.

Look, being a former councillor, Mr. Deputy Speaker, I understand the grassroots and I understand what the constituents in my riding, at that time—as a municipal councillor and deputy mayor—the information that they needed and they required in order to be informed and make clear decisions as a municipality. And certainly we want to give that opportunity and fair say to the governments—

* (17:40)

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

Mr. Gerrard: Mr. Speaker, just in follow-up and some clarification as to whether it is the minister's intent to completely remove section 168 or just to temporarily suspend its implementation.

Mr. Wharton: I think I've made that very clear already.

Mr. Fletcher: Again, no; absolutely not. What is being—what is clear is the government wants to have this legislative hammer on community newspapers. Just please, for goodness' sakes, please, just take the provision out of the legislation. Otherwise, it doesn't matter what the government says. It's going to be portrayed by Conservative opposition members as an action against freedom of the press, and, quite frankly, they have a point.

Mr. Wharton: Well, again, I thank the member from Assiniboine for the question, and, you know, just, again, to ensure that the member understands where we're trying to go with our municipal partners, you know, the Commodore 64, I parked many years ago. I think it's time to move forward from that—those eras, and we've heard, loud and clear, from our municipal partners that, you know, we want to move on.

We want to make sure that we get—we have the opportunity to build that good connectivity and ensure that we can get the message out in a controlled and—fashion, Mr. Deputy Speaker, so that they know exactly how to ensure they get their message out clear to their community residents.

Mr. Gerrard: I just, to the minister: It's not just northern Manitoba where there's not always good Internet connection, but there's parts of southwestern and southeastern Manitoba which don't have as good Internet connection as they should have. I heard that just the other day from people in Boissevain.

But, to come back to the essential point: Is the government going to completely remove this ability to bypass local newspapers, or will it, in fact, just delay it?

Mr. Wharton: Well, again, I look forward to having this discussion in committee with the member from River Heights and the other members, as well, the member from Assiniboia, and certainly would look forward to having those discussions further. I think I made it clear. It is in Hansard; it's on the record, so I invite the member to certainly review Hansard.

Mr. Fletcher: On the record, then. The member from Assiniboia is the last Tory, is a Conservative, and what has been suggested from this minister is undermining freedom of the press, and it is that simple. By not answering the member from River Heights' question, he is saying that the item will stay and the undermining of freedom of the press and people's access to information will continue.

Just withdraw the provision. For goodness' sakes, please, for the sake of Conservatives everywhere and Manitobans.

Mr. Wharton: Well, again, and I know that this, obviously, is a concern. It was a concern as we went through the process of consultations with our municipal partners and stakeholders, and we, of course, want to move forward in a measured way and we will continue to do that.

You know, the bottom line is that we want to ensure that we, as I mention again, we get away from the old antiquated ways of the Commodore 64 and move forward with good communication that will enhance the communication with the public within Manitoba.

Mr. Gerrard: Yes, Mr. Speaker, you know, I heard this minister very clearly. He talks about the old antiquated ways of communication, and, clearly,

from his bill, what he's talking about is the use of community newspapers to communicate with people. And there's—this I got, and I hear it very clearly, there's nowhere else in this bill where that would apply.

And I'm—you know, I'm perplexed as to why the minister would consider communicate—community newspapers as the old, antiquated way. I think that's mistaken, and I'm sorry to hear that.

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

Mr. Wharton: The words were pretty clear that we want to make sure that we enhance communication. And if that's a combination of ways of either direct mail, or registered mail, or a newspaper, or Internet websites, email, we want to make sure that communication is wide open for Manitobans.

Mr. Deputy Speaker: The time for question period has ended. The debate remains open on this bill.

Bill 20—The Employment Standards Code Amendment Act (2)

Mr. Deputy Speaker: So we'll go on to Bill 20, The Employment Standards Code Amendment Act.

Hon. Blaine Pedersen (Minister of Growth, Enterprise and Trade): I move, seconded by the Minister of Families (Mr. Fielding), that Bill 20, The Employment Standards Code Amendment Act (2), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Pedersen: I'm pleased to provide some comments on Bill 20.

This bill makes a variety of amendments to the Employment Standards Code that will provide greater flexibility for working Manitobans, reduce red tape for employers, and lessen administrative burden for government.

The bill introduces two changes to 'protective'—to protected job leaves. First, the existing parental leave is being extended from 37 weeks to 63 weeks. This will allow new parents to take advantage of the option recently made available by the federal government to extend their parental leave employment insurance benefits by six months. Secondly, the bill brings in a new leave for up to 17 weeks for employees to care for critically ill adult family members. This leave also aligns with available employment insurance benefits.

Another area in which this bill provides additional flexibility is in standard hours of work. The default in the code is an eight-hour day and 40-hour week. For most workers, hours beyond this are overtime hours and must be paid at overtime rates. However, in many cases, workers would prefer to have a more compressed working schedule that allows them to work longer days or more hours in a given week, provided they are subsequently given additional time off in return.

The code also—the code already allows for employees and their employers to agree to alternate-hour arrangements under collective agreement or under a permit issued by the director of Employment Standards. Bill 20 introduces new provisions that are intended to reduce red tape by allowing employers and employees to agree to alternate standard hours of work without a permit from the director provided that certain conditions are met, such as a requirement for 75 per cent of affected employees to support the arrangement, a cap of 12 hours per day and 60 hours per week before overtime rates must be paid, and a requirement for the number of hourly—weekly hours to average back to 40 in no more than a 12-week cycle.

The third area in which Bill 20 makes changes, is in the area of youth employment. We are reducing red tape by eliminating the need for employers to obtain a permit from the director of Employment Standards in order to employ a worker under the age of 16. Instead, we are requiring all workers under 16 to have taken and passed the work readiness course before they are eligible for employment. The course will ensure that all our young workers have basic knowledge of safe work principles and their rights and responsibilities in the workplace.

In addition, we are increasing the minimum age of employee—employment from 12 to 13, bringing Manitoba in line with the International Labour Organization's minimum age convention, C138. Existing restrictions on hours of work for young workers, such as working at night or working too many hours during a school year, will remain in place. We will also be developing new regulatory provisions in the coming months, setting out additional industries, occupations, and job tasks that young workers will be prohibited from participating in.

* (17:50)

On the whole, we believe these changes will improve safety for young workers while eliminating

the need for employers and young workers to obtain government approval before entering into an employee relationship.

Lastly, the proposed amendments to the code will allow Employment Standards resources to be better focused on those who need them by authorizing the director the ability to refuse frivolous and vexatious complaints and no longer accepting complaints to Employment Standards by employees covered under a collective agreement, given that they have the ability to pursue employment disputes through the grievance process.

Thank you, Mr. Deputy Speaker.

Mr. Tom Lindsey (Flin Flon): I want to talk a little bit about this bill. It's kind of a shame that lots of times what this government does is they'll take one good idea and put it in a bill and then lump it in with a bunch of bad ideas, and then it puts you in a bit of a quandary as to whether you should support the bill, when, really, the good idea in the bill was actually our idea in the first place that the government got caught flat-footed on and had no idea what the federal government was doing. So I appreciate the fact that now they have actually tried to catch up with that as far as the parental leave goes, but then they go and turn the bad penny over and put in a bunch of changes that are somewhat egregious to working people in this province.

That the—things such as the—or the director can now decide without any kind of investigation that a worker's complaint is frivolous and without merit. When we had the bill briefing, I asked him how many of those were investigated and found to be without merit. Well, the number was so small that he didn't really have a number, and yet he thinks that, well, it's always the same workers that are complaining and so therefore I shouldn't have to investigate their complaints. We'll put that in this act, that the director can now decide what's frivolous, no investigation involved, leaving the worker with no recourse. And then they turn around and take the double swipe and say, well, if you're a unionized worker, you can't go to Labour Board anyway. That's gone.

So, you know, I'm not sure why this government is so hell-bent on attacking working people in this province, but that seems to be their *modus operandi*. And there's no changing that.

Some of the things in this bill, like raising the age that children can work from 12 to 13, they came

so close—so close. They have an actual advisory body, the Labour Management Review Committee, that offered them a joint recommendation between labour and management. Both sides together said that 14 should be the age. The government didn't listen to that; they picked 13 instead.

The concern I have with the work-readiness course, the concept sounds good. I hope it pans out. The other part to that puzzle needs to be that the employers need to make sure that they live up to their obligations to train workers when they come to their workplace. A generic training course put on over the Internet is not the answer to addressing safety concerns in a specific workplace. So I hope this government has no intention of that being the case, and, certainly, they haven't said that, but knowing how these things start down the slippery slope of less protection for working people and seeing that they're already providing less protection for working people, I'm concerned that that's where we're going.

Someone asked, well, you get to hold back five bills, why didn't you hold this one back? Well, the answer to that, Mr. Deputy Speaker, is really simple: we only get to hold back five bills, when, really, what we'd like to do is hold back all the bills that this government is putting forward, because most of them are so egregious to the people of Manitoba that they should be held back. We don't want to stand in the way of working people, mothers, families, being able to take the extended child-care leave, so we won't hold this back, but we will fight the rest of the provisions as we go forward. I'm sure that we'll be introducing some amendments at committee stage.

So, Mr. Deputy Speaker, I will conclude my comments on that point that one good part to this bill doesn't make the overall bill a good bill, and we will try our best through the committee process, through the amendment process, to turn this bill into something better than what it is today.

Thank you.

Hon. Jon Gerrard (River Heights): Just a few comments on this. The extension of the leave of absence—the parental leave, this is a good and necessary measure, and we certainly support that.

The minimum age for employment, we have some potential concerns around this. I think that the measure here, as I see it, is intended to make sure that we don't have child labour and that is a good principle, but I think we also have to recognize that

there are a variety of exceptions when it comes to age, and I think somehow this should be built in.

There was a young lady who is rather amazing in terms of her musical ability, who started composing when she was aged 10, and has been—done a remarkable thing, from a musical point of view. Are you going to limit the opportunities for somebody like that, under parental supervision, to be able to explore her talent? Are we going to prevent children from being in plays, or theatre, or film under certain circumstances and with the appropriate parental supervision?

Are we going to prevent young people from being able to deliver newspapers, or have lemonade stands, or learn a little bit of entrepreneurial activity? I would ask these questions because I think that they are relevant in terms of what our employment is and what our plans are, and I hope the government is going to be able to clarify these sorts of issues.

I have also a concern about the requirement for employees covered by a collective agreement to work through the union, and may not be able to make a complaint directly to the director. While I am a supporter of unions and by and large they do a wonderful job, I have certainly had some people who have come to me over the last number of years to say that in my case, the union is not ready to represent me. And I think there needs to be this opportunity because in a number of instances, this has been a valid concern.

And so I think that the—let us, you know, embrace the ability for unions to represent people, but I think also there needs to be the ability of people to go directly to the director when they feel that they have a significant concern which, for one reason or another, the union is not ready to take up for them.

So those are my comments at this stage, Mr. Speaker. I'm certainly looking forward to comments that come up at the committee stage.

Questions

Mr. Deputy Speaker: If there's none of—further speakers, a question period up to 15 minutes will be held. Questions may be addressed in—by the—to minister by any of the members of the following sequence: first question by the official opposition critic or designate, subsequent questions asked by each independent member, remaining questions asked by the opposition members, and no question or answer should exceed 45 seconds.

* (18:00)

Mr. Tom Lindsey (Flin Flon): Could the minister explain to us why the government voted down our private member's bill that would have allowed the necessary changes—was it way back in December—instead, they turn around and introduce the same thing now. What was the cause for the delay?

Hon. Blaine Pedersen (Minister of Growth, Enterprise and Trade): The reason's very clear. The NDP opposition forgot that it has to go to the Labour Management Review Committee first for their review, and then the legislation is brought in.

Mr. Lindsey: It's good to hear the minister say that he's going to actually listen to the LMRC, because certainly didn't when it came to the age of employees.

So could the minister explain what the LMRC's recommendations were on banning unionized employees from making complaints to the director?

Mr. Pedersen: Mr. Deputy Speaker, all union labour contracts have a dispute resolution system built in—mechanism built into them. So there is no need for them. It's within the union contract to resolve disputes. And they still have the opportunity, anybody who doesn't—like the member from River Heights said, sometimes people don't agree with their own union—they still have the Ombudsmen and the Human Rights Commission that they can go to.

Hon. Jon Gerrard (River Heights): I'm curious as to the minister's approach in terms of young people who would be underage in his bill to be employed and participants in movies or theatre or TV. What will be the process under those circumstances?

Mr. Pedersen: The process is young people aged 13, 14 and 15 will be—apply, will do an online course. And that's a very extensive course; I encourage all members to look it up. The—we're basing it on the Saskatchewan model, and it's a very extensive course. After they've done that review of the textbook, then they write a test and they get their certificate, so when they go to apply to an employer they'll have their test in hand. And it's a very extensive process we believe will help educate our young people as to their rights and responsibilities in the workplace.

Mr. Lindsey: Could the minister explain, he talked it—a little bit about there's going to be regulations that come into play at some point in time that talk about exemptions, and which industries, which workplaces

underage kids will be allowed and which ones they won't be allowed.

Could the minister explain who he plans to consult with as they develop those regulations, seeing as he's done away with the minister's advisory committee on workplace health and safety, which would have been the ideal place to discuss it.

Mr. Pedersen: There are a number of industries right now where young people cannot work in, such as the mining or logging industry. Their—the department will be consulting with all industries and making recommendations back as to which—if there should be any further restrictions for young people. Safety is always first of mind for all these regulations.

Mr. Gerrard: I thank the minister for his comments to my last question. But part of what I'm asking is, a individual, a young person who is 12 years old, are they completely banned from ever appearing in, performing or being hired so that they can be in a movie or a TV production or something like that?

Mr. Pedersen: Any 12-year-old right now that is currently working will not have to apply for the permit system. And it's only for those who are not currently employed. And it will continue to be—they'll be—continue to be employed as before.

Mr. Gerrard: So a 12-year-old who has not been employed would not be able to be hired and participate in a movie production or a film or a theatre performance?

Mr. Pedersen: Mr. Deputy Speaker, one of the questions that came up was babysitting. And there are, in school they begin training, do their babysitting courses in school. Babysitting is exempt from this, because they're considered contract workers. So, if you are going to work in a film, I would expect that you would get a contract to work in there, and you'd be considered a contract worker, not a steady employee.

Mr. Gerrard: Will there be, you know, restrictions in terms of contracts to protect young people, or what is the procedure?

Mr. Pedersen: I think the restrictions will be the parents. This—you're talking 12 years old and younger in there. I would hope that the parents would be involved in any contracts that children are employed, because they're not of legal age to be signing contracts; so they would have to have parental consent.

Mr. Gerrard: And would this apply to young people who are employed delivering newspapers, or what about young people who are running lemonade stands and things like that?

Mr. Pedersen: Mr. Deputy Speaker, as long as the NDP aren't running the lemonade stand, it should be profitable.

Mr. Deputy Speaker: If there's—the honourable member for River Heights.

Mr. Gerrard: Yes, I—let me give the minister a chance to answer that a little more clearly and without such partisan intonations. Perhaps I'll give the minister another chance.

Mr. Pedersen: Mr. Deputy Speaker, if a 12-year-old or younger is going out to set up a lemonade stand, which the member from River Heights seems to have this fixation on, I'm sure that that's considered a private enterprise. That child is making the lemonade, going out to the street and selling it, and private enterprise is not outlawed in Manitoba.

Some Honourable Members: Oh, oh.

Mr. Deputy Speaker: Order.

Mr. Gerrard: Mr. Speaker, just moving on to the complaints to the director. I think the minister has indicated that there would be other avenues to complain instead of—why is the minister barring individuals from complaining to the director instead of them having to go to the Human Rights Commission or to the Ombudsman, which may be good under some circumstances, but may not always work.

Mr. Pedersen: Mr. Deputy Speaker, the member from River Heights has to understand that there—it gives the director the discretion to reject vexatious claims; it doesn't automatically mean that the director will not look at any claims. The other part of it is that we've seen what happens is people are exhausting claims and in the—before this legislation comes in, they could be even unionized employees who are not happy with their union; they've gone through various different complaints, and they're still not satisfied with the answer they got. It takes up a lot of the director's or the—a lot of the department's time and energy on a claim that has been rejected at every other step of the way—

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

Mr. Gerrard: I'm glad that the minister clarified that there is still an avenue for individuals to go to the director and that that's on the record. I thank the minister for that.

Mr. Deputy Speaker: Okay, if there's no other further questions, question period has ended. The debate remains open on this bill, and we'll go on to Bill 22, The Queen's Counsel Act.

Bill 22—The Queen's Counsel Act

Hon. Heather Stefanson (Minister of Justice and Attorney General): I move, seconded by the Government House Leader (Mr. Cullen), that Bill 22, The Queen's Counsel Act; Loi sur les conseillers de la Reine, be now read a second time and be referred to a committee of this House.

Motion presented.

* (18:10)

Mrs. Stefanson: I'm pleased to rise in the House today for second reading of Bill 22, The Queen's Counsel Act.

Madam Speaker in the Chair

Queen's Counsel appointments are made in nearly every province in Canada. Provinces of British Columbia, Saskatchewan, Alberta, New Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland and Labrador all make Queen's Counsel appointments. However, for nearly two decades, Manitoba has been an outlier in Canada by ending its ability to honour outstanding members of our legal profession.

Back in 2001, the then-Attorney General, Gord Mackintosh, decided to replace Queen's Counsel with Senior Counsel, who would be appointed by the Law Society of Manitoba. In the NDP's news release at the time, Mr. Mackintosh stated, and I quote: We believe excellence in the legal profession should nevertheless be recognized. End quote.

Madam Speaker, the Law Society of Manitoba rejected the NDP plan as being completely inappropriate and unacceptable to its members. But rather than improve the selection process for Queen's Counsel appointments, the NDP simply did away with the legal authority to bestow this honour and stop recognizing the excellence and outstanding service in the legal profession.

We're taking a different approach, madam—or, mister deputy—oh, Madam Speaker. We recognize

that the previous Queen's Counsel legislation needed to be modernized. That's why Bill 22, The Queen's Counsel Act, not only restores the legal foundation to make Queen's Counsel appointments, it also makes the process for these appointments more open and transparent for Manitobans.

This act clearly outlines the appointment process and composition of the advisory council that will advise the Attorney General of prospective appointees. This committee is comprised of some of the most important legal stakeholders in the province, including the Chief Justice of Manitoba, president of the Law Society, the president of the Bar Association and three representatives of the public.

The legislation also establishes clear eligibility criteria focused on the merit of the appointee, including a minimum 10 years of practice as a lawyer, outstanding work and abilities as a lawyer, demonstrated track record of integrity as a lawyer and contributions to the development of excellence in the legal profession. This could come in a variety of forms including mentorships, leadership in a firm, a role in the Law Society, the Manitoba Bar Association, the faculty of law or the legal help centre.

In keeping with tradition, the legislation reinstates provisions that require an attorney general who is a lawyer to be appointed as Queen's Counsel.

Madam Speaker, our commitment to honour excellence and outstanding service in the legal profession has been embraced by many in the legal community. Melissa Beaumont, the president of the Manitoba Bar Association, wrote in a letter sent to her members that, and I quote: We were pleased to hear this announcement—adding, we think it is important to recognize the great work done by Manitoba lawyers and make sure that they have the opportunity to be granted similar designations as their peers in other provinces. End quote.

Madam Speaker, I also heard directly from a lawyer who is among the last 12 Manitobans awarded a Queen's Counsel designation. He wrote, and I quote: Reinstating the Queen's Counsel designation is a great idea—adding, I am happy to see that mine will no longer be the last QC given in Manitoba.

In closing, Madam Speaker, I hope that all members will support this legislation so that we may once again honour outstanding members of Manitoba's legal profession. Thank you.

Ms. Nahanni Fontaine (St. Johns): I'm pleased to put a couple of words on the record in respect of Bill 22, The Queen's Counsel Act.

Certainly, on this side of the House, Madam Speaker, we support a pragmatic, made-in-Manitoba solution to recognizing excellence in law. I would suggest that we all understand and appreciate the expertise that our legal professionals have and the work that they do in executing justice in Manitoba, and certainly need to be honoured and lifted up for that work. And I don't think that that's in—that we're not disagreeing with that.

We support recognizing excellence in law, but certainly, Madam Speaker, I would suggest to you that we do not support the creation of a new form of patronage. This is an archaic piece of legislation that they're bringing back. And, you know, the danger is that they're highlighting certain lawyers with such a designation insofar as it may imply that they are more capable than their colleagues.

And so, certainly, I would suggest to you that on this side of the House, we wouldn't want to intrinsically create a space where some lawyers are assumed to be better than their colleagues.

And any reintroduction of a Queen's Counsel designation should be done in a way that is neutral and impartial. And it should highlight not only the contributions to the legal counsel, but also the contributions to the broader community. Certainly, this is a possibility that their contributions would be seen as equal with their colleagues.

We know that consultations with legal profession, including the Bar Association in Manitoba, the Law Society of Manitoba and the Manitoba law faculties, is necessary for determining whether or not a Queen's Counsel designation is appropriate and how it should be implemented, if at all.

I do just want to say a couple of things in respect of—really, this government's priorities.

It's not a very robust legislative agenda that we're seeing in this current sitting. And of all the things that are going on in this province, the fact that we're sitting here, you know, looking at Bill 22, which already—I think that we—I know that the minister was talking about that other provinces still have Queen's Counsels, but actually other provinces do other things that this government doesn't even want to touch or even look at.

And, Madam Speaker, I would suggest to you that other provinces are fully supporting Mifegymiso. But—so you can't pick and choose when you're going to use the argument on when it is appropriate to support something because other provinces and territories are doing it. If that is the case, then, I'm hoping to see some type of policy next week about fully supporting Mifegymiso for women in northern and rural communities.

And again, I think that if this is really indicative of the government's priorities, or lack thereof—in—sorry, I will put that down—lack thereof in respect of many of the issues that Manitobans are facing. And I'll give you just one example, Madam Speaker. We saw folks on the front steps of the Manitoba Legislature at noon yesterday. And while the minister for Justice was busy preparing her notes for today, for her 10 minutes' speech in respect of Bill 22, she could've actually be outside, sitting and listening with folks that came from all over.

I know that there were folks from my reserve of Sagkeeng First Nation. There was an ex-Blue Bomber there, who actually runs a secure foster home. There was Marion Willis, who's—I—just standing out there, learned so much in the five or 10 minutes that she was speaking. I mean, we're talking about people's lives, yesterday, to stand out there for an hour or 45 minutes, or even 15 minutes if the minister had thought that that was a priority.

But again—respectfully, clearly she did not, because she was busy with Bill two-two—or, Bill 22, ensuring that, you know—maybe some would suggest that, you know, some of her supporters are going to be getting this Queen's Counsel designation.

So I think that Manitobans should be concerned, when we see that this is the legislative agenda that the member's office are bringing forward, when people are actually dying.

And I will share this with the Minister of Justice (Mrs. Stefanson), because she was not outside, as with—none of her colleagues. But there was a young girl—and I know that the member for River Heights (Mr. Gerrard) spoke about her in his question period—who spoke about—and shared very courageously—losing two of her friends. Two little—just two children, losing their lives to meth. And the Minister of Justice, whose responsibility it is to deal with the meth crisis, along with the Minister of Health, along with the Premier (Mr. Pallister), were not there. Because she was busy with bill two-two—22.

So I think that Manitobans should be concerned with that, and I say miigwech, Madam Speaker.

*(18:20)

Hon. Jon Gerrard (River Heights): One of the concerns with this legislation is that of the six-member advisory committee, three of these will be 'impointed' by the Lieutenant Governor-in-Council and that basically is appointed by the government.

The concern here is that this is a set-up for people who are recognized to be identified based on their political affiliation as well as their competence in legal matters. And the problem that I see in moving forward if this were to be brought back is that it would be really important to have, you know, quite frankly, something similar to what we do in terms of the review of boundaries every two–10 years, that we have three people who are identified by their position, who are not appointed politically and therefore don't—at least come with a background of some considerable level of impartiality, in recognition that it is important when recognizing excellence to maintain that level of impartiality.

So I will have some questions for the minister when we get to question period, but I think this is a significant concern because if you're going to have a designation like this, then I think that it has to be completely clear of some of the things which have happened previously and which I think were some of the reasons for the Queen's Counsel to be abolished in the past, is that the appointments were made too often on a political basis rather than on the basis just of excellence. Thank you.

Hon. Steven Fletcher (Assiniboia): Without delay, I would like to ask everyone in this Chamber to give the Minister of Justice (Mrs. Stefanson) a standing applause, right now. Join me.

This is a fantastic piece of legislation. It's probably the best legislation I've seen in a while, at least since I introduced my bill this afternoon. The fact is this is actually a very serious issue.

The Queen's Counsel is a designation that represents excellence in law. It is, as the minister said, found across the country. It is brought to us from the Bill of Rights act to—and inherited through the articles of our Confederation. That's the historic nature.

Now, Madam Speaker, if this was a classroom, the minister might be accused of plagiarism because I have introduced a bill exactly with this intent and it was one of the first things I did in May of 2016, was introduce the QC bill—didn't let it go to second reading until later, but it was one of the first things I did in this place. And there it sat on the Order Paper, second reading for months and months, and then session ended. So I introduced it again, the Queen's Counsel designation bill, and there it sat. But the minister introduced a similar bill and my bill was thrown out of this place, and I say good, because with the minister putting a very similar bill in its place it means that the government will be supporting this legislation, supporting the legal profession, supporting excellence in the legal profession.

And, yes, you know what, Madam Speaker, all lawyers are not equal. Shocking. It's—no, it's not shocking at all. What am I saying? They're not equal. They're not even close to equal. There are good lawyers and there are bad lawyers. This is a fundamental law of nature. There's—like, how that could be even disputed is amazing to me.

So there are good lawyers and there are bad lawyers, and then there are 'exemplatory' lawyers. And that's what the QC is designed for, is to recognize that there are lawyers who do much for the community or help bring issues to the fore.

I'm going to speak about an NDP member of this place who got a QC—Queen's Counsel. A minister in NDP government of the—I don't know if it's 1870—no, it had to be the 1970s, early '80s. And that is Sidney Green. Sid Green is an example of why we need and why it's so appropriate to have a QC designation. Long before I was involved in politics and dealing with issues around MPI and health care and just survival, Sid Green, without any expectation of anything, took up my case on principle. We went to all the sort of MPI hearings. We went to the Court of Appeal several times. We asked for leave to the Supreme Court twice. And this is not that long ago. The—I was—it was—I was a minister—the—when the court decision came down from the court of appeal, a federal minister, a privy councillor—another designation.

Yes, so there's designations. You know, there's chartered accountants to CA, P.Eng.—what—MBA. But a QC is something that is really special. We don't have to give them all out. It can be—the minister will have that discretion. It won't be partisan. It'll be

based on merit and based on contribution to society. The—people, as much as we hate lawyers—and let's face it, lawyers make politicians look good in many cases, but there are lawyers that put politicians to shame. Or—and they do that through public service, pro bono work, understanding the law well, taking on cases where people may not understand and championing for what they think is right and being successful.

Society has changed fundamentally because of lawyers who have received the QC. See, we all think about the supremacy of Parliament but, in fact, the Supreme Court has a lot of power. And it's lawyers who present there. And yes—and when lawyers go abroad with the QC to our Commonwealth neighbours, yes, they get to wear certain silks and drab to say this is someone who's accomplished something in their life—in their career. And yes, they should be taken seriously. People make judgments all the time about individuals, young, old, young lawyer, old lawyer, male, female. There are stereotypes all over the place. And there's different abilities. The QC helps deal with, in a non-monetary way, to say thank you to these great lawyers.

*(18:30)

Madam Speaker, in this year our—Her Majesty the Queen is celebrating the longest period as our monarch. We have an amazing Lieutenant Governor who, herself and her family, have demonstrated a huge benefit to Canada and it would be completely appropriate and long desired for the QC designation to return to Manitoba where it should never have disappeared. But it's back in a perfect way.

Madam Speaker, I'm going to end on this note: God save our gracious Queen / Long live our noble Queen / God save the Queen / Send her victorious / Long may she reign over us, et cetera. I'm running out of time.

I'm glad that everyone participated in that, and I'd like to thank the gallery for their support in that, and again, maybe we can conclude with God Save the Queen again, but certainly another standing ovation for the Justice Minister for such an outstanding piece of legislation. Here, here. God Save the Queen. Long—

Madam Speaker: The member's time has expired.

Questions

Madam 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.

Ms. Nahanni Fontaine (St. Johns): I'd like to ask the minister: While this designation has been used in the past, how are we to ensure that it does not become a new form of political patronage?

Hon. Heather Stefanson (Minister of Justice and Attorney General): Well, I want to thank the member for the question, and, of course, that's why, specifically, unlike the way the law was written previously, it specifies it's offered more transparency and accountability with respect to the process that is taking place, and it does explicitly detail the criteria as well that are expected of all of the recipients of the QC.

So it will be done based on merits and it will be done based on contributions to society and the length of time that members have been lawyers as well, so we believe that that is a good, transparent approach to this and we look forward to members opposite supporting it.

Hon. Jon Gerrard (River Heights): The three of the people who will be deciding this will be people who are appointed by the government. It is, I think if this is going to be recognized for the merit that it should have, if it's to be back in place, that it becomes important that it be seen right from the start to be based on merit and impartial.

We have succeeded, I think, with the Order of Manitoba, and that success may be in part because it was under the Lieutenant Governor and you have had consistently people who are appointed who are outstanding, but when we're talking about—

Madam Speaker: The member's time has expired.

Mrs. Stefanson: Again, this will be done based on merit and contributions to society, and those were the criteria specifically stated in the legislation: a minimum of 10 years of practice as a lawyer, outstanding work and abilities as a lawyer, demonstrated exceptional qualities of leadership,

demonstrated track record of integrity as a lawyer and community service. So the—it's clear eligibility criteria that is outlined specifically in the bill to ensure that it does adhere to specific guidelines with respect to that.

And with respect to the three appointments that the member opposite refers to, this is very similar to the way judges are appointed, and I'm sure the member opposite will have more questions on that, and I'll have another answer later.

Ms. Fontaine: Does the QC designation mistakenly imply that some lawyers are more competent and capable than others, especially if the designation is given on the basis of professional connections rather than knowledge of the profession?

Mrs. Stefanson: Well, I know the member opposite doesn't like to, maybe, award excellence in a profession, and we believe that when people go above and beyond their duty and their call to the bar and what they do as lawyers and they do for our communities, they should be recognized for their excellence in the profession.

So I know members—the member opposite doesn't want to see that, and recognize at all, that she wants to see that everyone is the same. But you know what? There are some people out there that should be recognized for their excellence and for what they do to contribute to our society. And so we believe that that's why we're bringing this forward, to ensure that those people that do go above and beyond are recognized for that. That's exactly what this is about.

Hon. Steven Fletcher (Assiniboia): Captain von Trapp was right; you should never sing in public. On the issue of designation, we have the Order of Canada, which is another example of excellence. I wonder if the minister could share with us or remind this House of some people in Manitoba who have the QC designation and are examples that she and the government will follow when the QC comes back?

Mrs. Stefanson: Well, I want to thank the member for his question and for his kind words earlier. Certainly, there are a number of people who have received this Queen's Counsel designation. Unfortunately, there haven't been a number for the last 17 years, and so that's what we want to correct.

There's been many, many people over the last 17, 18 years, 19 years maybe now, Madam Speaker, where, you know, there's been incredible people who have made incredible contributions to our legal circle, and we want to ensure that those people are

rewarded for the excellence. And so we've got some catching up to do for the last 18 years, but we do recognize the importance of this issue and we want to recognize those people who go above and beyond.

Ms. Fontaine: Why is there a restriction on the number of possible Queen's Counsel designations? If the designation is awarded on merit, Madam Speaker, shouldn't there be no restriction on numbers?

Mrs. Stefanson: Well, I think it's important that when you're recognizing people for what they do that, you know, it's—and certainly there will have to be some catch-up between—because of the last number of years, under the previous NDP government, when they did away with the Queen's Counsel.

It's important that we recognize those individuals for what they have done, but it's also important not to water down the importance of this designation as well. You can't go out and appoint everybody as a QC. Then there's really no point in having QCs for recognizing those that go above and beyond. So that's the reason for that.

Mr. Gerrard: The minister has mentioned a couple of times a contribution to the community as an important aspect of this appointment. As I read this legislation, there's a requirement to have a practising significant—certificate for at least 10 years, a requirement to have demonstrated outstanding practice as a lawyer, a requirement to have acted with integrity throughout their practice, a requirement of contribution to the development of excellence in the legal profession, but I don't see a requirement for contributions to the community. Is the minister going to add another clause (e) to this, reflecting the contributions to the community and its importance?

Mrs. Stefanson: Yes, I think it's certainly implied in there that the contributions to the community will be considered as well, and it's—so I think certainly I hear from the member opposite, but that will certainly be taken into consideration as well.

* (18:40)

Mr. Fletcher: Queen and country, that is what we are here for, and to represent the people. The fact is, we had a philosophical conversation earlier about Toryism. A Tory by definition, is someone who supports the monarch, and through that, the institutions of this great country and our democratic institutions.

Madam Speaker, as a Tory we also believe in rising to the highest common denominator, not the lowest common denominator. Can the minister discuss—

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

I indicated that the member's time had expired.

Mrs. Stefanson: Just thank the member for his question. And certainly the reason that we're bringing this forward is to recognize those lawyers in our community in Manitoba, all over Manitoba, in different communities across this great province of ours—people who have gone above and beyond their call to duty.

And we believe, you know, there's other professions that have this kind of a designation there for them, but this is a very important one for lawyers who are well respected in our communities. And I think we need to ensure that they do have that designation to show how much we do appreciate the things that they do.

And so that's why we're bringing this forward as well.

Ms. Fontaine: I would ask the minister why should lawyers be the only field to receive this designation? Perhaps—would she consider the designation be broadened to other fields, and would she see that appropriate?

Mrs. Stefanson: Well this is something that's specific to the legal industry, and so to the legal community.

And that's the tradition of this. I'm not quite sure where the member's going. There are other designations to recognize other professions out there, which are appropriate to those professions, but this is one that is appropriate to the legal profession.

Mr. Gerrard: I thank the minister for her comments on contributions to the community. When this moves forward, at least that is on Hansard, the minister saying very clearly that contributions to the community are something that is important and it may be, hopefully, that that will be taken specifically into account.

But in my experience with lawyers, they're very careful about what is actually written in law. And so I would suggest that the minister might give some consideration to actually putting that as an additional clause. And hope that just—

Madam Speaker: The member's time has expired.

Mrs. Stefanson: I thank the member for that. And certainly lawyers who demonstrate exceptional qualities of leadership, you know, that's certainly—as part of that, is their contributions to the community as well. And so those will be taken into consideration under those areas of the legislation.

Mr. Fletcher: Again, reaching to the highest common denominator—study recognizing that not all lawyers are equal as we've already discussed. And there are other designations: Order of the Buffalo Hunt, Order of Manitoba, Order of Canada. But I would also support the minister to bring back knighthoods and dames—sirs and dames. Is the minister—I just want the minister to know that I would be supportive of that. New Zealand and Australia have gone back to that honour system. And again, I think this would be a good step in that direction.

Madam Speaker: The member's time has expired.

Mrs. Stefanson: I'm—Madam Speaker, I'm having difficulties hearing the member and part of his question. But certainly the reason that we're bringing this forward, I've heard from many, many members of our legal community who were very concerned about the previous government's approach to something that was very dear to them within the legal profession. And so we are listening to Manitobans—all Manitobans, not just lawyers. But certainly in this case, we've had meetings with the Law Society, the Bar Association. This is something that is incredibly important to their members.

And I know members opposite may think that's funny and it's not important, but we do believe that it is very important. We have a tremendous amount of respect for our legal community and we will continue to listen to them.

Mr. Gerrard: I'm just wondering if the minister might be considering getting a law degree and whether this provision would apply retroactively to somebody who's an Attorney General who later gets a law degree.

But, specifically, I have a question about when the minister is going to appoint three people to this committee. Maybe the minister can tell us how she will make those choices.

Mrs. Stefanson: I thank the member for that question. And, certainly, we have an agencies-boards-commissions process where all of our

appointments go through that independent process within government. So all of these people will be vetted through that process.

It's not something that I just arbitrarily decide that I'm going to point to a certain committee. Everyone is vetted through the ABCs process.

Mr. Fletcher: Dames and knighthoods could be awarded to anyone in any profession. Many great Canadians are John A. Macdonald, Sir William Stevenson, Sir Sam Steele. All Manitobans—or, Manitoba connections and exemplify excellence.

With the QC, I hope the member will look at the honour system and extend, perhaps, damehoods and knighthoods out to the broader population because it is part of our tradition. It's the right thing to do, and it will be consistent with Toryism in its purest form.

God save the Queen.

Mrs. Stefanson: In continuing with what we do as a government, we listen to all Manitobans and we have a tremendous respect for Manitobans. And if there are ideas that Manitobans have in terms of how we could make this idea of the Queen's Counsel designation stronger, the way we can strengthen this and the process in this, we are certainly open to listening to Manitobans on that.

And if the member opposite has ideas, I welcome his ideas as well.

Madam Speaker: The time for this question period has ended. Debate remains open on this bill.

Bill 23—The Commodity Futures Amendment and Securities Amendment Act

Madam Speaker: We will now move to second reading of Bill 23, The Commodity Futures Amendment and Securities Amendment Act.

Hon. Cameron Friesen (Minister of Finance): I move, seconded by the Minister of Justice (Mrs. Stefanson), that Bill 23, The Commodity Futures Amendment and Securities Amendment Act; Loi modifiant la Loi sur les contrats à terme de marchandises et la Loi sur les valeurs mobilières, 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 Finance, seconded by the honourable Minister of Justice, that Bill 23, The

Commodity Futures Amendment and Securities Amendment Act, be now read a second time and be referred to a committee of this House.

Her Honour the Lieutenant Governor has been advised of the bill, and the message was tabled.

Mr. Friesen: I'm pleased to rise and put some comments on the record with respect to The Commodity Futures Amendment and Securities Amendment Act.

It—this would represent a significant improvement in the ability of self-regulating organizations such as IIROC, the investment industry regulation—regulatory organization of Canada and the Mutual Fund Dealers Association, MFDA, to work co-operatively with the Manitoba Securities Commission in regulating the capital markets in Manitoba for the protection and the benefit of the investing public.

* (18:50)

The—IIROC, of course, is the regulator—the industry-based regulator of investment dealers. It is a member organization and it puts in place the rules for conduct and capital requirements for investment dealers. IIROC is recognized by and operates pursuant to authority delegated by the Manitoba Securities Commission here in the province of Manitoba.

Under the Securities Act, investment dealers can only be registered with the Manitoba Securities Commission if they are members of IIROC, and only IIROC members can be registered in one of the registration categories under the Commodity Futures Act.

This bill will enhance the authority of IIROC, providing it with an increased ability to further investment protection in the regulation of investment dealers and salespeople in three ways. First of all, through the enforcement of the payment of fines through the courts. Secondly, by granting civil immunity to IIROC members. And third, by giving IIROC the explicit right to appeal to the Manitoba Securities Commission in an IIROC question or hearing.

So first, giving IIROC the ability to file decision documents from an IIROC panel with the courts in order to enforce the payment fines. Now currently, fines and costs assessed by IIROC can only be enforced so long as the dealer remains a member of IIROC.

So if the dealer's registration is cancelled or if the dealer or representative resigns, there goes the chance that IIROC had of actually enforcing collection. And IIROC reports that only 19 per cent of total fines to individuals are generally collected.

On the other hand, if you consider Alberta where IIROC has had the ability to file disciplinary decisions with the court for over a decade now, that collection rate is almost two times higher at 30 per cent. So that should be of concern for all of us.

I recognize that, Madam Speaker, that IIROC had indicated that they had collected only 8 per cent of fines in 2016. It indicated a 50 per cent drop in the collection of fines from the previous year, and clearly that led Andrew Kriegler, the president and CEO for IIROC, to say further measures are needed and that would require the participation of provinces to ensure that bad actors be—can have fines collected of them.

Madam Speaker, allowing wrongdoers to avoid financial penalties assessed against the actions harmful to investors sends the wrong message to the marketplace. So these amendments expected to have a positive impact on the ability of IIROC to enforce its decisions here in Manitoba and provide to the general public a more visible example of bad actors being held to account for their actions.

Now I want to make clear that Quebec, Alberta, Prince Edward Island, and now Ontario have granted this authority to IIROC, so we are not the only ones. Other jurisdictions indeed have also announced that they are moving forward with this same provision.

This amendment will enhance the ability of—to collect fines assessed for wrongdoing. It will improve the confidence of the investing public.

Number 2, giving civil immunity to IIROC staff for acts conducted in the performance of regulatory functions. Madam Speaker, IIROC can face lawsuits, whether they have merit or whether they do not, from those affected by their regulatory actions. This bill will make it clearer that IIROC is to be protected from lawsuits as a result of its actions—its regulatory actions.

So provincial agencies and commissions, including the MSC, have statutory immunity for good faith actions in the performance of their duties. Alberta has enacted legislation providing the same authority. Quebec recently introduced this amendment within its omnibus financial services

legislation. And simply, this would make explicit what I believe is now implicit in the province of Manitoba when it comes to IIROC's protection from lawsuits when individuals there are performing their actions in good faith.

Mr. Doyle Pivniuk, Deputy Speaker, in the Chair

Number 3, these amendments would give IIROC an explicit right to appeal a decision by an IIROC hearing panel to the Manitoba Securities Commission. So it's clear that when—that an investment dealer affected by a disciplinary action has the right to appeal the decision to the MSC, it is not quite as clear that IIROC has the same right of appeal. We tested this. We had meetings. We discussed the issue. This bill would clarify this situation. A similar right of appeal is already in place in BC, Quebec, and Ontario.

So the changes that are set out in this bill are supported by the Investment Industry Association of Canada—that is the IIAC—and the Canadian Association for Retired Persons—that's CARP. They've recognized that these amendments increase the efficiency of the securities and futures markets oversight in Manitoba. They produce a greater level of confidence among investors that those who are acting contrary to the public interest will be held to account.

Mr. Deputy Speaker, you will remember that we brought other provisions one year ago when we strengthened provisions in securities regulation by ensuring that in Manitoba we would automatically adopt decisions reached in other jurisdictions. So, in the same way, we are still acting now to strengthen provisions for the protection and benefit of the investing public to give confidence to the regulation of securities here in the province of Manitoba.

This I can tell you last, that Andrew Kriegler, the CEO and president of IIROC, personally met me one week ago, thanked me for these provisions. He says they will be valuable to the public in the province of Manitoba. We call on all members to support these measures.

Mr. Matt Wiebe (Concordia): It's a pleasure to rise to put some words on the record with regards to Bill 23, The Commodity Futures Amendment and Securities Amendment Act. And we certainly see the value in enhancing and protecting investors in Manitoba. Manitoba, of course, is home to a strong and diverse and growing investment market. And we believe that we must ensure that all people feel

secure that their investments are protected. Our NDP team recognizes that Manitoba is a province that needs quality investment protection, and we know that good investments, both privately and publicly, are important to our prosperity.

We do believe that this bill sends a strong message to any potential wrongdoers that their offences will not be tolerated in this province. And it does ensure investors that their assets are protected. And we do believe that there is room to potentially strengthen this bill, including, perhaps, opportunities to give individuals additional protections. But we look forward to the committee stage and hearing from interested parties and individuals in giving us more direction and context that we can strengthen this bill going forward.

Thank you, Mr. Speaker.

Hon. Jon Gerrard (River Heights): Mr. Speaker, our Liberal caucus also has had a chance to meet with Andrew Kriegler and has gone over this bill in some detail. We are certainly on board and supportive of the measures which are in this bill. The only other aspect that I would comment on is that in the discussion that we had it was clear that IIROC also needs, in terms of being able to conduct hearings well and meaningfully and fairly, some powers to compel evidence. Currently, IIROC can only compel IIROC registrants to co-operate with their disciplinary investigations and prosecutions. And there's no ability to compel co-operation of individuals or entities which are not regulated by IIROC—former registrants, stock issuers, banks—either during the investigation or to testify at hearing when they have relevant evidence.

What this means is that investigations could be closed at an early stage due to lack of information, or prosecutions may proceed without the best evidence available or may not proceed due to insufficient evidence, even when there are grounds to believe that there was serious misconduct. Seeking the ability to compel evidence, which is consistent with the powers granted to the Manitoba Securities Commission under The Securities Act, would be seem to be reasonable.

* (19:00)

Now, I want to comment, because I have had people come to me who have been in circumstances where they have had advice which was given erroneously or improperly, and the result has been that they have lost much of the money that they

saved up for pensions. It was, in these cases, extraordinarily distressing to the individuals involved because they had worked hard and long to put aside the pension money, and when it was invested on the advice of an agent in a much higher risk situation than it should have been, they ended up losing significant amounts of money.

And the result is that this is the kind of thing that we want to prevent. We want to make sure that when people have saved up in their lifetime and are ready to retire that that money is there for them, that it's not fraudulently or taken away because somebody was not following the rules under IIROC or the Manitoba Securities Commission. And I think that we need to acknowledge the critical role that IIROC plays. I think that this bill is an important step forward on that, and our caucus is in full support of the measures in this bill.

Thank you, Mr. Speaker.

Questions

Mr. Deputy Speaker: If there's no other speakers, a question period up to 15 minutes will be held. Questions may be addressed to the minister by the members of the following sequence: first question by the official opposition critic or designate, subsequent questions asked by the critic, subsequent questions asked by each independent member, remaining questions asked by the opposition members, and no questions or answers shall exceed 45 seconds.

Mr. Matt Wiebe (Concordia): We also had an opportunity to meet with the folks from IIROC and review the bill and talked about some of their concerns.

I'm wondering why the minister stopped short of fulfilling their request to have additional ability to gather evidence through compelling evidence in an investigation.

Hon. Cameron Friesen (Minister of Finance): We stopped short of it because that's best practice as evidenced by every other jurisdiction except Alberta. The member is talking about exercising police-like powers. We thought in an organization, and we agreed with all the other jurisdictions, that when it comes to police-like powers, those would be the privilege of governments.

And in this case, you're talking about a membership-based organization. We didn't think it's appropriate. But also, remember evidence and documentation from the general public is available to

IIROC investigators upon request by MSC, and MSC has these compelling powers. So we felt it was appropriate to stop where we did, as did every other jurisdiction besides Alberta.

Hon. Jon Gerrard (River Heights): Yes, I would just ask the minister—I'm sure his department would have provided examples of situations which—where these powers for IIROC in this bill would have been required or necessary or very helpful. I wonder if he has some stories that he can share of past events which were very problematic without this bill.

Mr. Friesen: Well, I won't share anecdotes but, yes, we do stay in contact. And, indeed, as the member said, at my office, we do receive communications from individuals who—whose retirements look very different now because of unscrupulous dealers and things like that.

Clearly, what we saw is that IIROC's powers were limited to prosecuting its members. And there was a loophole here. There was an extraordinary circumstance whereby if a member ceased to be under IIROC or left the organization or was removed from the organization, there was no recourse. We couldn't see the public interest being expressed there. That's why we looked around at other jurisdictions, we spoke with other jurisdictions, we looked at best practice, and we've brought these measures—

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

Mr. Gerrard: Yes, I think that the being able to protect people who have put money aside and collected money for their retirement is a particularly important part of what we are about and should be about here.

I wonder, when the minister talks about the ability or the need to be able to address registrants who are no longer resident—registrants, that perhaps there would be need for this power to compel people—

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

Mr. Friesen: IIROC can get the information of—from the Manitoba Securities Commission. The Manitoba Securities Commission has the power to compel. IIROC has never requested this.

Mr. Gerrard: I'm just trying to make sure that we don't have any gaps or loopholes here because, if an individual can be, as it were, compelled because they're a registrant, that there may be, then, an

incentive for an individual to drop their registrant—their registration in order to escape being compelled to provide information.

Mr. Friesen: That scenario has been covered over by these amendments. This is exactly providing that ability to, you know, to basically use the courts to prosecute individuals who are no longer within the membership of IIROC.

Mr. Gerrard: But the ability to obtain information which may be critical may be limited for somebody who has renounced their registration, and I wondered if, without that evidence, it may be more difficult to prosecute somebody.

Mr. Friesen: So, primarily, when IIROC was talking about the ability to compel evidence, they weren't talking about from individuals. They were probably, I imagine, talking mostly about things like telcos, and so in this case, we just thought it created an extraordinary power for a membership-based group. We know there is this provision, if it is needed; it is available to them through that provision already being located in the Manitoba Securities Commission, and all it would take is the request.

Mr. Gerrard: I thank the minister for his clarification because sometimes clarifications which are made in this Chamber can then be very important in terms of the practice that is followed subsequently. And so I think that's very important and I appreciate that.

Mr. Speaker, I look forward to further discussion when we get to committee stage and questions and answers at that point. Thank you.

Mr. Deputy Speaker: So if there's any further questions, question period has ended. The debate remains open on this bill.

**Bill 25—The Non-Smokers Health Protection
and Vapour Products Amendment Act
(Prohibiting Cannabis Consumption
in Outdoor Public Places)**

Mr. Deputy Speaker: So we'll go on to Bill 25, The Non-Smokers Health Protection and Vapour Products Amendment Act (Prohibiting Cannabis Consumption in Outdoor Public Places).

Hon. Kelvin Goertzen (Minister of Health, Seniors and Active Living): There's a few things in there.

I move, seconded by the Minister of Crown Services (Mr. Schuler), that Bill 25,

The Non-Smokers Health Protection and Vapour Products Amendment Act (Prohibiting Cannabis Consumption in Outdoor Public Places), be now read a second time and referred to a committee of this House. Thank you.

Motion presented.

Mr. Goertzen: As members know, the federal Liberal government has committed to legalize and regulate recreational cannabis in Canada in 2018. Last April, they introduced the federal cannabis act to achieve this goal; it passed. The federal bill will result in a significant change in our society, the end of prohibition on the possession and the use of recreational cannabis. For many Manitobans, this raises a number of questions and concerns, and as we look ahead to legalization, we have to consider its impacts on our communities and in particular our health of our children.

* (19:10)

For many months we've been in discussions with our partners at the federal and the provincial levels to inform our work on this very complex transition. We've also had some discussions with federal—or, with officials in Colorado—which has already legalized recreational cannabis at the state level—to benefit from their lessons learned and best practices when they went through the legalization.

In addition, we've consulted our public health officials, including our Chief Provincial Public Health Officer, and reviewed the September 2016 public health perspectives on cannabis policy and regulation document which was prepared by the chief medical officer of health of Canada and the Urban Public Health Network.

In these discussions we heard a consistent piece of advice: go slow. We have to listen to this advice. Our approach to this issue of smoking and vaping of cannabis in public places, as it has been for indoor public places, have been to be on the side of safety.

The bill follows the amendments of The Non-Smokers Health Protection and Vapour Products Act, approved last year, which will prohibit the smoking and vaping of cannabis in enclosed public places, indoor workplaces, public vehicles like buses and taxis, and group-living facilities with limited exceptions.

The indoor prohibitions came into force on April 1st and they are consistent with the restrictions

on the smoking of tobacco in these places and the vaping of non-cannabis products.

Bill 25 will further amend The Non-Smokers Health Protection and Vapour Products Act to prohibit the smoking and vaping of cannabis in all outdoor public places like sidewalks, streets, parks, playgrounds, beaches, outdoor sports venues, health facilities and school grounds, outdoor entertainment venues, and restaurant patios and decks.

Subject to any exception specified by regulation, it would only be legal to use recreational cannabis in a private residence. This approach is consistent with the approach taken in relation to alcohol consumption in outdoor public places under The Liquor and Gaming Control Act.

Bill 25 will permit exceptions to the prohibition on smoking and vaping cannabis in outdoor public places to be specified in regulation under the act.

While the bill is progressing we plan to consult Manitobans and relevant stakeholders, and this includes in relation to the smoking and vaping of medical cannabis and in terms of individuals who live in multi-residential buildings that do not permit people to smoke or vape in their suites.

In addition, to ensure that all Manitobans have the same protections, Bill 25 includes a provision that will ensure that the rules respecting the smoking and the vaping of cannabis in public places apply to federally regulated airports, other federal works and undertakings, and on reserve.

Our goal in restricting the smoking and vaping of cannabis in indoor and outdoor public places is to protect public health by preventing exposure to second-hand smoke, prevent the normalization of smoking or vaping of cannabis, and ensure that smoking and vaping of cannabis does not undermine the efforts that have been made and may be made in the future to denormalize tobacco use.

Keeping youth and young adults safe is our top priority. Medical studies have shown that cannabis use can be harmful in the developing brain up to the age of 25. The rate of cannabis use among young people in Canada is among the highest in the world.

We are also aware of the health impacts that cannabis can have on young adults aged 19 to 25 who would be able to legally purchase and use recreational cannabis. To help protect these young people and give them the tools they need to make

responsible choices, it will be important to encourage honest conversations about cannabis.

We are working to develop a prevention and harm-reduction approach that promotes awareness of cannabis-related health harms that helps people make informed decisions about its use.

Thank you very much, Mr. Deputy Speaker.

Mr. Andrew Swan (Minto): Mr. Deputy Speaker, I'm pleased to speak about Bill 25 this evening.

As the minister has said this bill will not only prevent the smoking or vaping of cannabis in enclosed places, which is—no surprise, it will also make it an offense to smoke or vape cannabis in outdoor public places, which has a very wide definition. And as the minister has indicated, that would include sidewalks, streets, highways, outdoor parking lots, parks, playgrounds, beaches, outdoor pools, splash pads, water parks, playing fields, other outdoor sports venues, grounds of all educational institutions or facilities, and outdoor patios or decks.

The other day, at a briefing that the minister provided on this bill, his officials made it quite clear that really outdoor public places include pretty much everywhere to which public access is not restricted. So, for example, if someone lives in an apartment block downtown, not just the block could prevent them from smoking or vaping cannabis, but it'd also be illegal on the lawn, on the sidewalk, even in the parking lot of a multi-unit facility.

And, as cannabis 'legaleation'—legalization approaches, we think we have a common goal of making sure that Manitobans are protected. We agree and we know that controls and regulations regarding cannabis are important, but I think the minister is going to have to listen to Manitobans at committee, and, as I think he's even acknowledged, do some more work to make sure that there aren't unintended consequences to this legislation when it comes into effect.

There are concerns that this bill fails to provide full access to legalization for some Manitobans, particularly those who are renters, and I know what the minister has said about normalization. Unless there will be changes, coming either in the legislation or clarity in the regulations, it will be a little bit strange that it will be entirely acceptable for someone to smoke cannabis at the edge of their property line, which could be next to a school, yet someone who lives in an apartment downtown, as it

now stands, would effectively have no legal place to consume cannabis unless they happen to know somebody who has private property where they could go.

About one in three Manitobans are renters, meaning about one in three Manitobans would then have to travel to visit friends or family to legally consume cannabis and, when I give that number, that's actually provided by the Canadian Centre for Policy Alternatives, their housing data for Winnipeg and Manitoba in 2015.

So we are concerned that people who are told by their landlords they're not able to smoke or vape cannabis in their apartments—we also know they will not be able to purchase edible cannabis products, so their only opportunity will be to go elsewhere. And, when we say elsewhere, that means travelling, perhaps for some people some distance, to go to somebody who owns their own home or who owns private property. The minister was asked about that last month, and his only answer was that such people ought to visit a friend who owns private property.

Well, I think that's an unintended consequence, and I think—and I'm hopeful from the minister's comments, that there will be some more thought given to what that should look like as this bill moves ahead, because, if there aren't changes made, unfortunately, who is actually going to be charged with a provincial offence for using cannabis? It's largely going to be renters. It's going to be largely renters living in or around the inner city of Winnipeg and other cities, and, generally speaking, we know those who own their own private property tend to be older, they tend to have more wealth, they tend to be less likely to be visible minorities. Who are likely to be renters, especially in the inner cities? Well, more likely it's people who are younger, people who are poor and a larger number of people who are visible minorities. And we don't want it to be seen that a bill which has many good features of trying to limit and control cannabis winds up having an unintended effect of effectively criminalizing people simply because of their own living situation.

I also would point out that if people are glibly told that they'll just have to go somewhere else, the biggest fear is that's going to mean people then getting in their car to go and use cannabis somewhere that's legal, and that actually, I think, is the last thing the minister truly wants. I think it's the last thing that any of us as legislators want, so I hope that we can come up with something better.

And I'm hopeful that people presenting at committee and some additional advice can lead either to changes to the bill or more clear direction from the minister as to what exactly the regulations under this law are going to look like.

I was also somewhat comforted to hear the minister make mention of people who require cannabis for medical reasons. I know last time around we had quite a bit of debate, and there was quite a bit of anger in the community from people who require medical cannabis, that they had been ignored by the government and not listened to and not considered. I was going to go further on that point today to say there doesn't appear to be any allowance for people who require cannabis for medical reasons, who have a prescription. The minister has mentioned that today. I expect he might hear something about this at the committee hearing, and I'm hopeful the minister can put some more comments on the record as we get closer to third reading, that will then give us some confidence that there will not be an unfair impact on people who truly require cannabis and who find cannabis to be quite useful to assist their own medical needs.

* (19:20)

So, with those comments, I think we're prepared—our NDP caucus is prepared to have this matter go on to committee.

I think those concerns that I've raised are very real concerns, and they're concerns the minister needs to address. We want there to be appropriate controls on cannabis, but at the same time, those controls should not effectively criminalize those Manitobans who truly have the least.

Thank you very much, Mr. Deputy Speaker.

Hon. Jon Gerrard (River Heights): I too feel that when we're dealing with cannabis use, that we need to proceed with some care and some caution, but we also, of course, need to be realistic. The law is respected so long as it's reasonable and fair and is perceived to be reasonable and fair. And that's one of the challenges that we have. I will have some questions for the minister in question period after—in the 15 minutes we have. I think that there are some matters that are important to get clarification on.

The minister mentioned that there're the possibility of exemptions, but with regard to outdoor public places. Let me give an example. Tomorrow, we will have on the front lawn of the Legislature, an outdoor public place where traditionally there has

been considerable consumption of marijuana and cannabis.

It might be better, rather than to ban or pretend that it's not happening, to actually have a limited exemption on this particular day in front of the Legislature, but with the requirement that the people who are organizing this have to put up signs letting people know that there is going to be a considerable amount of marijuana or cannabis use, and so that those who don't want to be around this are effectively warned and let know that this is happening. And such, you know, could be done on other occasions.

I think that the member for Minto (Mr. Swan) has, you know, talked about the need to ensure that individuals who are renters who need it, whether it is for medical purposes or who use it and want somewhere to use it that's reasonably close without having to get into a car, that some consideration needs to be given to, you know, where would that be?

If you have an apartment and rented spaces, it is not immediately apparent, I'm sure, that people will find spaces. But if we, you know, limit them and put everywhere that they might use off limits, then we are going to have a law which people will not respect because they don't perceive it as fair.

I think it's interesting, in the context of allowing the use of cannabis—marijuana—in a private residence, that this may well set up a situation where, you know, a small retail proprietor has his retail shop where he is not allowed to have anybody using cannabis or marijuana, but there would be no problem with him inviting the occasional individual who comes to his store into his private residence which is upstairs, or behind, or adjacent, and that this would appear to be perfectly legal.

And maybe that's not a bad thing, but it is something which, of course, the minister needs to be up front about, realizing that those sorts of things are likely to happen because of the way that this bill is written.

There are—and we had some discussion on this at the bill briefing—there are certain rented spaces where marijuana and cannabis use would be allowed. And, specifically, the one what we discussed was on Crown land. And a person who is renting Crown land would be able to use marijuana or cannabis on their Crown land. That being viewed as different from renting an apartment, in part because in an apartment you have the owner of the building who

has responsibility for the whole building and because you have tenants who are nearby.

But I think that this area of when renters have a right to use marijuana or cannabis on their rented property versus when they don't have that right probably needs to be clarified. But I would guess that where a renter is renting a home, that that would be different from renting an apartment. But the minister may be able to clarify this.

I think that the use of medical marijuana and the use of marijuana for medical purposes—the frequency with which individuals use marijuana may vary. The ability for people to access the cannabis or the marijuana when they need it is something that needs to be looked at, and I'm sure we'll hear more about that at the committee stage. And I certainly welcome individuals to come to the committee and to—so that we can have that discussion. And I look forward to that discussion when we have the committee stage.

With those comments, I think that this is a bill which is a good start. I think we need to look quite carefully about some of the operational aspects of this bill and whether there needs to be some modifications, depending on what we hear in particular at committee stage.

Thank you, Mr. Speaker.

Questions

Mr. Deputy Speaker: If there's no—any further speakers, we'll—a question period of up to 15 minutes may be held. Questions may be addressed to the minister by the members of the following sequence: first question by the official opposition critic or designate; subsequent question be held—asked by critics; subsequent questions asked by each independent member; remaining questions asked by one opposition member; and no questions or answers shall exceed 45 seconds.

Mr. Andrew Swan (Minto): I think the minister has acknowledged that these rules are quite restrictive for renters. The bill would allow for regulations both to provide some exemptions or some areas where consumption would be legal, but also to further restrict use in certain areas.

Can the minister give us any more headway today on what regulations is he planning to try to deal with some of the issues that have been raised in his speech, as well as my own speech and the speech of the member for River Heights?

Hon. Kelvin Goertzen (Minister of Health, Seniors and Active Living): I take the comments from the member for Minto and the member from River Heights to heart. And, certainly, that was really the idea of having regulatory power within the bill to make changes in terms of where cannabis could or couldn't be consumed.

We recognize this is a new landscape for Canada, though not new in North America. But I think the member himself acknowledged there can be unintended consequences to legislation. Those are appropriate and wise words; there certainly can be. And so putting the power within regulation to make changes is about giving that flexibility to see where we might find unintended consequences. I'm sure there's going to be things that we learn about that we didn't expect, along with other provinces. And the regulatory—

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

Hon. Jon Gerrard (River Heights): I would like to ask the minister what exemptions he might foresee—exemptions from the provisions for no use of cannabis in outdoor public spaces he would look at or consider or foresee?

* (19:30)

Mr. Goertzen: So I think I said when we introduced the legislation to the media that we'd have to obviously look at the issue of medicinal marijuana. This is true in all provinces.

Ontario has brought forward very similar legislation to us in terms of the restriction on indoor public places and outdoor public places. Legislation in Nova Scotia, I believe it is, in the Maritimes, is very similar in terms of outdoor and indoor public places. Saskatchewan is a little bit different. There are restrictions for indoor and outdoor places generally, but they handle medical marijuana a little bit differently. I know Ontario's now looking at medicinal marijuana and where that could be potentially used. So, clearly, the regulatory power would be to look—

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

Mr. Swan: We know that our friends in the United States are interested with what we're doing, and I think it's not surprising that many of them might be

coming up, for example, for the Winnipeg Folk Festival in July. If, indeed, the federal legislation is passed, they might be surprised to know that they will not be permitted to consume cannabis in any of the 35 square kilometres or 8,300 acres of Birds Hill Park.

How will the minister not only explain the law to Manitobans but also to visitors to the province?

Mr. Goertzen: Well, I think that that challenge exists in a lot of different ways when people are coming from the US to Canada or maybe going from Canada to the US in terms of the laws being different on a variety of different things. I've certainly heard many challenges with people coming from the US to Canada because they have a drinking and driving charge or conviction in the United States, where I think it's handled as a misdemeanour, where in Canada it's considered an indictable offence. And so they go to the border, they're asked about a criminal record, they may not disclose the drinking and driving charge because it's a different classification in the US than it is in Canada, and now, they've inadvertently said something that isn't true to a border official. And so there are those cross-jurisdictional issues that have to happen and information to be provided here to—

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

Mr. Gerrard: Let's talk for a moment, follow up the question of Birds Hill Park at the time of the Folk Festival. Is the minister open to consideration of some exemptions to allow people to use cannabis or marijuana under certain circumstances there?

Mr. Goertzen: You know, we're not at that point of consideration. The member talked about 4-20 as well. Obviously, we'll hear different ideas at committee. We're open to listening at committee in terms of what people's views are on the legislation, as we are with all legislation. We will have more active outreach and consultation with individuals in addition to committee and stakeholders to get a sense and we'll be looking at what's happening in other jurisdictions as well to see how they're handling the situation.

At the end of the day, whether—when it comes to 4-20, law enforcement has always had the discretion, even under the current legislation, in terms of enforcement, and that discretion continues to rest with them.

Mr. Swan: I've heard the minister speak a number of times about trying to avoid the normalization of using cannabis. Would the minister agree that allowing the sale of cannabis in private outlets with a profit motive would actually tend to make people believe that cannabis is more normalized?

Mr. Goertzen: Well, just on the issue of, you know, quote, unquote, normalization, I mean that's a term that was used by the lung association; it's a term that was used by the cancer society. And the issue is the normalization of the activity of smoking, and so there have been many governments, including the former NDP government and the federal Liberal government that have invested millions of dollars to try to denormalize the activity of smoking, and so that is the issue of normalization. It was reinforced by the lung association which came to support the legislation, the cancer society that we're not—we are concerned about the normalization of the act and the action of smoking.

Mr. Gerrard: I'd seek some more clarity on this question of when somebody is renting. The question of Crown lands seems to be that somebody could use cannabis or marijuana. It would appear, based on what I'm hearing, that a rented apartment, an individual would not be able to use marijuana or cannabis, but at a rented private home that they might be able to. What is the minister's view, for clarity, on this?

Mr. Goertzen: Well, I think it depends somewhat on the agreement that the individual has entered into. And so, certainly, in a multi-dwelling facility, there are typically a variety of different things that you sign on to with your landlord in terms of things that you can and can't do.

I've been a tenant, particularly in university. I remember reading through the list and they included a whole host of things, including not having a barbecue, not having a public auction in the facility. There was a number of different things.

And so there are a lot of things that are restricted within a rental tenancy agreement, and that really is where the instruction would come from.

Mr. Gerrard: Yes, just to pursue that a little bit more, does the minister foresee that that rental tenancy agreement would, from the time that this bill is passed, really need to include a statement whether or not the individual would be allowed to use cannabis or marijuana on that rental property?

Mr. Goertzen: Well, I don't think that we're looking to intercede in the contractual agreements between those who are renting and those who are renters. But I do think that there needs to be more discussion about where those who are living in a multi-unit-dwelling unit, where they are not able to smoke indoors, what other possibilities exist.

I know those discussions are happening in Ontario, they're happening in other jurisdictions. We're certainly having some correspondence—or, some communications, I should say, between jurisdictions. And that is why we have the regulatory power to make changes. And it's why we have committee; I want to hear from people on their views on that.

Mr. Swan: Return to something I asked about where I really didn't get an answer.

Of course, there will be different regimes across the country, as well as people visiting from elsewhere. How does the minister plan to let Manitobans—but also visitors to Manitoba—know what the law and what the exceptions will be when the law comes into effect?

Mr. Goertzen: Well, I mean, there are a variety of ways that we can communicate with people who are resident in Manitoba and who may not be resident in Manitoba.

I know that there are different places within our consulates in different parts of North America, whether it's our consulate in Minneapolis or in Chicago, they often work with American officials to ensure there's a better understanding of the law. I use the example of drinking and driving. I know there's often a lot of work done on the American side within a Canadian consulate to educate those who might be coming up to go fishing in Manitoba, for example, or other sort of travel about what the laws are and what happens when they get to the border, because there's not always that clear understanding.

There's a variety of ways to educate people.

Mr. Gerrard: Earlier on, the minister compared the regulation—or, the legislation with respect to cannabis as similar to alcohol, and that with alcohol, of course, we have exceptions which are permitted in bars and restaurants and various other places—even private get-togethers at public spaces.

Is the minister, in making that comparison, expecting that there will be a similar situation where

there will be permitting for people to have bars or restaurants or private functions where cannabis can be used?

Mr. Goertzen: It wasn't the point of the comparison but liquor is the closest comparison that we have. And so you are not able to walk down the street with—or, a sidewalk with open liquor, or to sit on a swing in a playground with open liquor. That is unlawful.

So it's the closest comparison that we have when it comes to what will be happening in Manitoba when it comes to cannabis.

Mr. Gerrard: I'd like to take that a little bit further.

I mean, is it likely or is it impossible, then, for there to be a, you know, public places like designated bars or what have you? Will this never happen, or is this something that the minister would be listening to people at committee in terms of what they're recommending?

Mr. Goertzen: Well, Mr. Deputy Speaker, I would never say never. I would never want to say to the member that something is never going to happen. There are a lot of things that I can't foresee as Health Minister.

And this will disappoint the members opposite, but I won't be Health Minister forever, either. And so there are things that can change, I—as—[interjection]—well, I know.

Some Honourable Members: Oh, oh.

* (19:40)

Mr. Deputy Speaker: Order.

Mr. Goertzen: —well, I know I—you know, you'll have the whole weekend to get over that disappointment, but of course there are things that can change. I mean we'll listen in committee to the different things that—the suggestions that come forward, but it's not our immediate intention to start building in a series of exemptions.

Mr. Gerrard: The minister has, in companion legislation, put forward the fact that people will not be able to grow four plants, or three 'prants', or two 'prants', or one plant. I just put this forward because it is relevant in terms of the use of marijuana outside, but I'm just wondering what the minister's plans are in terms of enforcing the no cannabis or marijuana use in outside public places. That's a lot of space in

Manitoba, and I don't know how many people he's got to enforce it.

Mr. Goertzen: Well, enforcement is an issue with any legislation, whether you're dealing with speeding, and you know, the member's right. Manitoba's a big geographic area and I'm sure that there are people who speed who shouldn't and enforcement can be a challenge in anything and within any government.

But you know, you have to have the law in place and then obviously we entrust those who are entrusted with enforcement to both use their judgment and their discretion when it comes to that enforcement. So the legislation is coming in place. You know, we'll look in terms of the ease of enforcement as we go forward. I'm sure we'll hear suggestions as this develops not only in Manitoba but in Canada as well.

Mr. Gerrard: Yes, Senator Murray Sinclair commented recently that it's very important that if you have the law that it's not used to target people based on race, or age, or gender, so on. What measures will the minister be taking to ensure that the application of this law is fair and that it won't be used to target people who are poor or who are of whatever age or gender or background?

Mr. Goertzen: I think the member's drifting a little bit into areas that are more justice- than they are health-related, but there's nothing within this bill that I believe are—would lead to inequitable enforcement.

It's a law—it's the law of general application, and in fact it applies right across the province including on federally regulated land and property. And so with the law of general application, I think that it's structured to be fair and if there are more enforcement questions, my friend from Tuxedo is more than capable to answer those questions.

Mr. Deputy Speaker: Okay. I guess that ends the question period.

The debate remains open on this bill.

Bill 26—The Impaired Driving Offences Act (Various Acts Amended)

Mr. Deputy Speaker: So now we'll move on to our final bill for the evening, Bill 26, The Impaired Driving Offences Act (Various Acts Amended).

Hon. Heather Stefanson (Minister of Justice and Attorney General): I move, seconded by the Minister of Health, that Bill 26, The Impaired

Driving Offences Act (Various Acts Amended); Loi modifiant diverses lois en matière de conduite avec facultés affaiblies, be now read a second time and be referred to a committee of this House.

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

Mr. Deputy Speaker: It has been moved by the Minister for Justice, seconded by the Minister of Health, that Bill 26, The Impaired Driving Offences Act (Various Acts Amended), be now read for the second time and be 'aferred' to a committee of this House.

Her Honour Lieutenant Governor has been advised of the bill, and we're going to be—table this—we're going to record this message. The messages have been—has been tabled.

Mrs. Stefanson: I'm pleased to rise in the House today for second reading of Bill 26, The Impaired Driving Offences Act.

Madam Speaker in the Chair

Madam Speaker, despite concerns expressed by many Manitobans and Canadians, the federal government continues to move forward with two bills that will enable the legalization of recreational cannabis in Canada by the end of the summer.

Bill C-45 establishes a legal framework for legal cannabis sale and possession while Bill 40—C-46 creates new Criminal Code offences for drug-impaired driving. This legislation has garnered significant feedback from Canadians in the House and the Senate, including from law enforcement representatives, who have expressed serious concerns about the risk of potential increases in drug-impaired driving in our communities. In their presentation to the House of Commons Standing Committee on Justice and Human Rights on Bill C-46, the Canadian Association of Chiefs of Police said, and I quote, there is no doubt that the primary concern of policing in Canada is impaired driving, adding—and I quote—it is our belief that it will become an even greater issue with the legalization of cannabis. End quote.

Madam Speaker, it is clear that the federal government's decision to legalize recreational cannabis is a public policy change that carries significant risks. That is why our government is listening to the stakeholders in our law enforcement community. It is also why we continue to work tirelessly to protect the health and safety of

Manitobans through our three-pronged approach to this issue.

The first phase of our approach was the passage of The Cannabis Harm Prevention Act, which implements measures to get high drivers off our roads, keep cannabis out of schools and protect Manitobans from second-hand cannabis smoke. The Cannabis Harm Prevention Act gives police the ability to impose 24-hour driver's licence suspensions on drivers they reasonably suspect of being unable to safely operate a motor vehicle due to being under the influence of a drug. It also includes additional consequences for beginner drivers in the Graduated Driver's Licencing Program.

Madam Speaker, these changes were fully supported by the RCMP "D" Division as well as MADD Canada, whose CEO, Andrew Murie, said, and I quote: Manitoba's legislation helps to send the message that driving under the influence of marijuana is dangerous and unacceptable. End quote.

The second phase of our approach to legalization is found in Bill 11, The Safe and Responsible Retailing of Cannabis Act, which will create a hybrid retail and distribution model designed to keep cannabis out of the hands of our youth and away from the black market.

Madam Speaker, the third phase of our approach, which includes Bill 26 as well as legislation to restrict public cannabis smoking, from my colleague, the Minister of Health, builds on this important work. I am proud to inform this House that Bill 26, The Impaired Driving Offences Act, will help keep our roads safe by introducing new provincial sanctions for drivers who fail oral fluid drug screening device tests and for drivers who commit one of the new Criminal Code drug-impaired driving offences created by the federal Bill C-46.

Madam Speaker, Bill C-46 enables law enforcement to use federally approved oral fluid screening devices to determine whether a driver has drugs in their body. It also creates three new Criminal Code offences for different levels of THC in the blood while driving, including low-drug offences. For example, between two and five nanograms of THC in the blood; high-drug offence such as over 5 nanograms of THC in the blood; and mixed drug and alcohol offences, for example, involving over 2.5 nanograms of THC and blood alcohol content of 0.05 or above.

Madam Speaker, Bill 26 imposes provincial sanctions to correspond with these new offences. The

sanctions are consistent with those currently in place for drunk drivers. Under this legislation, if a driver fails an oral fluid screening device at the roadside, that driver will face at least a three-day driver's licence suspension for the first violation, increasing incrementally to up to 60 days for the fourth and subsequent violation. In addition, beginner drivers under the graduated driver licensing program who fail an oral fluid screening device will be prohibited from driving and will face additional consequences to be established by regulation. These sanctions are all consistent with what applies to drivers with a blood alcohol content of between 0.05 and 0.08, or who fail a physical co-ordination test or drug recognition evaluation test.

Drivers convicted of a low-drug Criminal Code offence will face a six-month driver's licence suspension for a first offence, and up to one year for subsequent offences. While these suspensions are new for drug-related offences, we believe they will force drivers to think twice about driving under the influence of drugs.

Finally, Madam Speaker, drivers who are convicted of the high-drug or mixed drug-and-alcohol offences under the Criminal Code will receive a pre-conviction three-month driver's licence suspension, vehicle impoundment of at least 30 days and a mandatory Addictions Foundation of Manitoba assessment. If convicted, these drivers will face a licence suspension of one year for the first conviction, five years for the second conviction, ten years for the third conviction and a lifetime suspension for a fourth or subsequent conviction within 10 years.

* (19:50)

In order to further protect the public, those convicted of high drug or mixed drug and alcohol offences will be required to have an ignition interlock on their vehicle post-suspension, ranging from one year to life. These provincial sanctions are consistent with those that currently apply to drivers found to have a blood-alcohol content of over 0.08.

Madam Speaker, this legislation is fully supported by those who know what it takes to make our roads safer. Mike Mager, former president of CAA Manitoba, said of our legislation, and I quote: We applaud the government for taking very important steps moving forward on a complicated issue to keep our roads safe. End quote.

Madam Speaker, we recognize that some defence lawyers and others have raised concerns

about the reliability of oral fluid screening devices. However, it is important to recognize that the THC oral fluid content limit, in Bill 26, will correspond entirely with what is set out by the Criminal Code to authorize a police demand for a blood sample under the new federal legislation. We must comply with the federal Criminal Code. That is why we are—that is exactly what we're doing with this legislation.

Our government cannot wait around before introducing and passing our legislation to keep our roads safe from high drivers. We have asked the federal Attorney General repeatedly to ensure oral fluid screening devices are approved well before the legalization of cannabis, and we will continue to put pressure on the federal government to protect the health and safety of Manitobans. Madam Speaker, we need to have this legislation passed well in advance of the legalization so that it can be proclaimed as soon as the new federal drug-impaired-driving legislation is in force.

In closing, I hope that all members will support this legislation and help us protect Manitobans from drug-impaired driving in our communities. Thank you.

Ms. Nahanni Fontaine (St. Johns): I'm please to put a couple of words on the record, here, in respect of Bill 26.

Certainly, the NDP feel that all families should feel and have the right to be safe on the road. I think that we can all agree that Manitobans are concerned that the legalization of cannabis will lead to an increased number of people driving under the influence of marijuana. Our NDP team understands, Madam Speaker, that impaired driving is extremely serious and can cost millions of dollars in damages and, more importantly, and I would suggest that is the concern for all of us in this House, can cost the—innocent lives. So we understand that the government must do everything possible to ensure that Manitobans are safe and that they are informed during this transition period of the legalization of cannabis.

We believe that repercussions are an important part of deterring people from driving while impaired by drugs such as cannabis. We want to protect the workers and families and seniors of Manitoba who may be harmed or killed during impaired driving. Vehicle related accidents, certainly all of us can agree, are serious and can be life-threatening. This is especially true when accidents take place around

crosswalks, which we unfortunately just saw in the last couple of weeks, playgrounds and schools.

We believe Manitobans deserve the right to feel safe and avoid the threats of drivers who are paying attention to their phones instead of paying attention to the road.

So, you know, I'm proud to say that under NDP educational programs and advertisements, we were fortunate to see the number of accidents caused by impaired driving in our province decrease from 203 per year, in 2011, to 145 in 2016. Unfortunately, many are expecting this number to rise with an increase of public marijuana consumption, and so, certainly, Madam Speaker, through legislation, we need to show Manitobans that this is a very serious issue and that it has to be taken seriously. And, certainly, I think that we all have a responsibility to ensure that Manitobans understand it's better to stay off the roads if you are participating in taking marijuana and find a different way home.

Having said that, Madam Speaker, I will say our NDP team supports safe driving on the roads as well as holding impaired drivers accountable, but we are also wary about the government's strategy of roadside testing and their accuracy. Based on the platform that's been put forward by this government and this minister, defence lawyer Danny Gunn raised the issue that this could mean, and I quote: People who have built up a tolerance to marijuana such as medical users could be considered legally impaired as soon as they get behind the wheel. And he goes on to say: We want to try and limit the amount of people who are impaired on the road, and I agree with that, but part of the challenge is we don't really have a serious connection between levels of marijuana in your blood in terms of nanogram percentages like we do in terms of alcohol. End quote.

So I think we know that lawyers have made it very clear that marijuana-impaired driving cases are currently relatively rare in Manitoba and that they don't have a very good connection rate because the effects of impairment are more difficult to detect and vary dramatically between users. And certainly we know that there have been cases of driving while impaired by a drug that have resulted in acquittal in our very courts, Madam Speaker, because the judge decided that there was not enough evidence, this despite police officers' evaluation on the scene.

So, you know, while a test showing more than 5 nanograms would be considered high-level impairment, meaning that they would have their

licences suspended for three months and their vehicle impounded for at least 30 days, the impact on their driving could be dramatically different, Madam Speaker.

There is also the issue of THC still being found in a user's bloodstream long after the effects have dissipated. This individual would also have to go—undergo a mandatory addictions assessment at the Addictions Foundation of Manitoba.

Driving while impaired jeopardizes the safety of yourself and others; certainly, we can all agree on that. Studies show it is one of the leading causes of death in vehicle accidents. Driving while distracted costs lives.

We need to end impaired driving, protecting Manitoba families and ensure that our roads are safe to drive on. Defence lawyers who have handled marijuana-related impaired driving cases in Manitoba are raising concerns about a lack of scientific clarity about how drivers' intoxication levels will be measured before provincial sanctions are imposed. Therefore, Madam Speaker, it is crucial to make sure that we're getting the right test and taking the right people off the road.

So, Madam Speaker, we do look forward to the discussion in committee, and I say miigwech.

Hon. Jon Gerrard (River Heights): First of all, I want to say that, you know, Liberals are strong supporters of efforts to keep our roads safe, that this is a paramount concern and it is particularly the case at the moment when we have evidence of increased numbers of accidents related to distracted driving. And at the same time, it's pretty clear that there are some unique problems associated with measuring impairment when we're talking about marijuana.

* (20:00)

We don't fully understand yet the relevance of an individual concentration of marijuana or cannabis in the blood and how that translates into impairment. Cannabis is stored in the fat, and, once stored, then it can be released relatively slowly so that it's around for a long time. So it's not like another chemical agent which would be excreted very quickly with a relatively short half-life. The half-life, because of this tortuous path sometimes of marijuana coming into the fat tissue—fat tissue could be all over the body, of course, including the brain. And, when it comes out slowly, then you have, essentially, delayed release of cannabis. And that means that cannabis can be around, and it could also mean—and

account, potentially, for considerable individual variation in terms of the metabolism of cannabis.

There are concerns about the accuracy of some of the tests, the oral fluid test being an example. And all this raises a significant issue when we put this together with the aspect of tolerance to cannabis, that the level of impairment may not correspond all that well to the measured level of blood in the blood stream. And, if that's the case, we have a fairly large problem.

I suspect that we will have to use direct tests of impairment in some fashion, as well as tests of marijuana levels in the blood. And that will be a little more cumbersome. With alcohol, people were asked to walk in a straight line and other measures of sobriety. I'm sure that people will be able to measure—or develop measures of impairment related to cannabis, but I don't think that we have measures which are really adequately reflected of the level of impairment at this point, until you have very high levels of cannabis, and then it becomes obvious.

But, certainly, the complications are ones that we're going to be having to wrestle with, and our legal system and our law enforcement—police officers and others—are going to have to wrestle with in terms of how we deal with trying to make sure that we don't have people driving around who have taken cannabis and exposed to cannabis and are impaired. And this is something which I think the minister is going to have to be ready to adapt fairly quickly as the situation develops.

And we're certainly, you know, supportive of moving forward on this legislation but also ready to listen to people coming forward at committee stage and what they have to say, because I'm sure that individuals will come forward with very personal experiences, which will add to the mix of information which we have, as well as we're likely to have people coming forward, hopefully, with additional scientific data and scientific evidence which can be helpful.

So I look forward to having some question and answer time, and I look forward to what we hear at committee stage. Thank you, Madam Speaker.

Questions

Madam 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.

Ms. Nahanni Fontaine (St. Johns): Can the minister tell us who she consulted with on this bill?

Hon. Heather Stefanson (Minister of Justice and Attorney General): We consulted with a whole host of organizations and individuals who are experts in this area: law enforcement, MADD Canada, CAA Manitoba, there's a number of organizations that we have heard from and that have offered their advice as to how to move forward.

And, certainly, we've taken the approach—we've always taken the approach of putting the public health and safety of Manitobans first when it comes to this and everything. And, certainly, what we're doing with this is that our new provincial sanctions for drug-impaired driving—driving essentially mirror those that are already in place for drunk driving.

Hon. Jon Gerrard (River Heights): Yes, just to—I would ask the minister to kind of take us through what you would anticipate if a police officer takes somebody—picks somebody up who they think has been driving impaired.

What would the procedure be in terms of what would happen at the car door as it were?

Mrs. Stefanson: It's a good question.

I think probably there's other people more appropriate than me to answer that—law enforcement, so on—that could probably do a much more eloquent job of explaining that than I can, but, certainly, first of all, we need the oral fluids screening devices approved. Those are approved by the federal Attorney General. So we're waiting on that process, and it's done based on a panel of experts who will recommend that to the minister.

But, once those oral fluid screening devices are approved, essentially if a police officer is suspecting someone of either—of driving impaired, they will pull them over. They will indicate whether or not somebody—okay, I'm—I think I'm running out of time, Madam Speaker, but I will address that—

Madam Speaker: The member's time has run out.

Ms. Fontaine: Well, while the minister talks about our partners in respect of the WPS and the RCMP and DOPS and Brandon Police and—is she concerned

that her government's cuts to police services will make it harder for police to actually be prepared for cannabis legislation and to undertake and execute this particular legislation?

Mrs. Stefanson: Well, I think the member brings up, certainly, a very good point and a point that we have been making to the federal government since their initiation of the legalization of cannabis in our country.

We have said from the very beginning that this is going to have costs associated with policing and law enforcement. So we have been working with those police—working at the law enforcement organizations to deliver that message to Ottawa, that if this is the path they choose to go down, there's going to have to be further resources that are passed on to law enforcement as well with respect to this.

So we have been lobbying for that for the federal government. I thank the member for the question.

Mr. Gerrard: Yes, I would ask the minister to continue describing what would happen when somebody is pulled over and tested.

Mrs. Stefanson: I thank the member for the question.

So, if someone is suspected of driving impaired, they're pulled over. The police officer will approach the vehicle, there is obviously—they will detect whether or not they smell alcohol on their breath, or whether they detect perhaps there's a smell of marijuana.

They will indicate at that time whether—what side—what oral fluids screening device would be appropriate. So a lot of this is left up to law enforcement. They have—they will have further tools in place to help them ensure that they ensure the—this—the safety of people on our roadways.

And I believe I'm running out of time again, so we can continue to do that later.

Ms. Fontaine: Is the minister concerned at all that her 'governance'—government's most recent cuts to transit will encourage cannabis users to actually drive while impaired?

Mrs. Stefanson: Well, what we will ensure is that there will be a very significant education campaign, and I know MPI and the liquor, gaming, and cannabis authority, Manitoba Liquor & Lotteries, everyone will be involved. A whole-of-government approach to ensure that there is an education

campaign out there to ensure that Manitobans understand the consequences of drug-impaired driving.

Mr. Gerrard: Yes, perhaps the minister can continue the activities that would take place at different levels of testing results from the oral fluid test.

* (20:10)

Mrs. Stefanson: So, essentially, from there, if someone fails—it's a pass or a fail on an oral screening device—if they fail, the officer will take the necessary steps from there.

There's various sanctions for those as well as pre-conviction, post-conviction sanctions from there and so—but, certainly, if the member opposite would like a more detailed briefing on that, I'm sure we can arrange for that as well.

Ms. Fontaine: Can the minister tell us if medical cannabis users will be able to present proof of a prescription to police at the roadside?

Mrs. Stefanson: Well, the member opposite needs to understand that whether or not someone has a prescription or not, if they are impaired, they should not be on our roadways. And that is where we are coming from. I think that's what most Manitobans understand. It doesn't matter—a prescription doesn't get you a get-out-of-jail-free card. If you are impaired and you are behind a vehicle, it doesn't matter whether or not you have a prescription for medical marijuana or not.

Mr. Gerrard: One of the things which clearly is going to be important is that people who are on medical marijuana have the opportunity to find out when after a dose of marijuana they are impaired or at a level which is problematic in terms of driving. What will the minister be setting up so that that would be—some sort of assessment would be available or help to those who are taking medical marijuana so that they have some heads-up in terms of what they can or can't take or what they can or can't—when they can or can't drive?

Mrs. Stefanson: The member opposite will know that the THC limits are established in federal legislation, and so—in Bill C-46, and so that is really under the purview of the federal government with respect to setting those limits. But, certainly, this will be part of an education campaign.

This is all very new to us. This is one of the biggest public policy changes in our country,

and I can tell you that as a government we will do everything we can to ensure the safety of Manitobans.

Ms. Fontaine: Can the minister tell us how her bill differs from other jurisdictions' across the country?

Mrs. Stefanson: Yes, various provinces are taking different approaches to this. Primarily, many—and, certainly, I can get the specifics of breakdowns across the provinces for the member at a later time. I don't think I'll have the time within this question period to do that, but, certainly, we have taken the approach of trying to mirror what is already there for drug—drunk-driving sanctions. We believe that that will help people understand a little bit more clearly, because it's already out there, on that side, so we believed that that was the appropriate approach.

Mr. Gerrard: To the minister: Will the minister and the police and others be totally reliant just on the concentration that is found in the oral fluid or in the blood, or will there be an attempt to measure, in some fashion, or to assess impairment in terms of cognitive or other abilities which may be affected?

Mrs. Stefanson: There are a number of evidentiary testing that can take place at the roadside, and so, certainly, we leave that up to our law enforcement to decide. They—we believe that they know best which evidentiary testing they should utilize at the roadside and, really, that would be within the purview of either the Winnipeg Police Service or the RCMP or other law enforcement officers to make that decision.

Ms. Fontaine: Can the minister tell us that, once roadside testing methods are created, including the devices and threshold levels, will the minister amend this legislation to reflect these developments in the act, or will they stay in regulation?

Mrs. Stefanson: We will continue—we will monitor the federal legislation as to when it comes into force, but this act will be proclaimed at the same time as the federal Bill C-46 as well. So that should take care of any of those issues that the member opposite is bringing up.

Mr. Gerrard: I'm interested, because I think there's a lot of public interest in this bill as to, when presumably this passes on Monday, how quickly will it be taken to committee level, just so that people can be aware of when it will be going to committee. Will it be next week or will it wait 'til after we have the break?

Mrs. Stefanson: Well, I don't decide myself when things go to committee, but I have a tremendous amount of faith in our Government House Leader (Mr. Cullen), and he will make those decisions based on advice from all members of this House.

Madam Speaker: Are there any further questions? Oh—

Mr. Mohinder Saran (The Maples): Yes, I'm wondering if somebody's riding a bike under the influence of marijuana, will he be considered impaired driver, or what will we consider it?

Mrs. Stefanson: The member brings up a good question. We focus on vehicles—driving cars and trucks and so on, but, certainly, there are laws in place with respect to bicycles as well.

So we will leave that up to law enforcement to—at their discretion. We believe they know best how to deal with those situations.

Mr. Gerrard: Yes, we have a sizable taxi industry in Manitoba. You know, they have experience in handling people who have been consuming alcohol.

But what recommendations or what education is going to be given to taxi drivers with regard to how they handle people who have been consuming or smoking cannabis or marijuana?

Mrs. Stefanson: I thank the member for the question. And, certainly, we'll leave that up to—
[interjection]

Madam Speaker: Order.

Mrs. Stefanson: —that industry to make the decisions that they deem appropriate with respect to that. But this bill is more on the impaired driving side of things and making sure that we ensure that our roads are safe for all Manitobans.

Madam Speaker: If there are no further questions, then debate on this bill will remain open.

That concludes the business before the House this evening.

The hour being past 5 p.m., this House is adjourned and stands adjourned until 1:30 p.m. on Monday.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, April 19, 2018

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