

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

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The Honourable Myrna Driedger
Speaker*

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	Man.
FONTAINE, Nahanni	St. Johns	NDP
FRIESEN, Cameron, Hon.	Morden-Winkler	PC
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin, Hon.	Steinbach	PC
GRAYDON, Clifford	Emerson	Ind.
GUILLEMARD, Sarah	Fort Richmond	PC
HELWER, Reg	Brandon West	PC
ISLEIFSON, Len	Brandon East	PC
JOHNSON, Derek	Interlake	PC
JOHNSTON, Scott	St. James	PC
KINEW, Wab	Fort Rouge	NDP
KLASSEN, Judy	Kewatinook	Lib.
LAGASSÉ, Bob	Dawson Trail	PC
LAGIMODIERE, Alan	Selkirk	PC
LAMONT, Dougald	St. Boniface	Lib.
LAMOUREUX, Cindy	Burrows	Lib.
LATHLIN, Amanda	The Pas	NDP
LINDSEY, Tom	Flin Flon	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Flor	Logan	NDP
MARCELINO, Ted	Tyndall Park	NDP
MARTIN, Shannon	Morris	PC
MAYER, Colleen, Hon.	St. Vital	PC
MICHALESKI, Brad	Dauphin	PC
MICKLEFIELD, Andrew	Rossmere	PC
MORLEY-LECOMTE, Janice	Seine River	PC
NESBITT, Greg	Riding Mountain	PC
PALLISTER, Brian, Hon.	Fort Whyte	PC
PEDERSEN, Blaine, Hon.	Midland	PC
PIWNIUK, Doyle	Arthur-Virden	PC
REYES, Jon	St. Norbert	PC
SARAN, Mohinder	The Maples	Ind.
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	Portage la Prairie	PC
WOWCHUK, Rick	Swan River	PC
YAKIMOSKI, Blair	Transcona	PC

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, December 5, 2018

The House met at 1:30 p.m.

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

Please be seated. Good afternoon, everybody.

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

**Bill 213—The Election Financing Amendment Act
(Contribution Limits)**

Hon. Steven Fletcher (Assiniboia): I move, seconded by the member from The Maples, that The Election Financing Amendment Act (Contribution Limits), be read a first time. The bill number is 213.

Madam Speaker: I would ask the member if he could please read the motion again.

Mr. Fletcher: Madam Speaker, I move, seconded by the member from The Maples, that Bill 213, The Election Financing Amendment Act (Contribution Limits), be now read a first time.

Motion presented.

Mr. Fletcher: This bill is designed to bring back the 'electorial' financing from—back to the original \$3,000. The government moved a—and changed the limit to \$5,000 in the last session, but nobody donates \$5,000, Madam Speaker, and—not even the Premier (Mr. Pallister). So, regular Manitobans do not donate that amount.

So I—this bill just brings it in line with what has been done in the past and with the federal government and other jurisdictions across Manitoba.

Thank you, Madam Speaker.

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

The honourable member for Assiniboia, on another first reading.

**Bill 208—The Manitoba Public Insurance
Corporation Amendment Act**

Hon. Steven Fletcher (Assiniboia): Yes. I move, seconded by the member from The Maples, that Bill 208, The Manitoba Public Insurance Corporation Amendment Act, be now read a first time.

Motion presented.

Mr. Fletcher: I—Madam Speaker, this bill is dealing with amendments to the Manitoba Public Insurance act that would make the Personal Injury Protection Plan more consistent with the intent of the no-fault insurance, particularly section 138, where people with catastrophic injuries would have the supports they need to reintegrate into society or the workforce or, as much as practical, to the level that they were before their accident.

This bill removes lifetime limits which, obviously, disadvantage people who are injured at a young age and this is, Madam Speaker, on a personal note, this is the issue that brought me into politics in the first place and I hope that we can improve the legislation with this suggestion.

Thank you.

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

The honourable member for Assiniboia on another first reading—and I would just ask the member and remind all ministers and members that are bringing forward bills on a first reading, it is only meant to be a 30- to 40-second introduction to the bill that basically indicates the purpose of the bill. It shouldn't be going any further into any debate, so I would ask the member to keep his comments to 30 to 40 seconds as has been the long-standing practice of this Legislature.

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

Point of Order

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

Mr. Fletcher: Madam Speaker, rule 135 states that when introducing a private member's bill, or any bill, that the purpose of the bill needs to be explained briefly. Nowhere in the rules does it give a time limit and, in fact, the practice has been for whoever's doing

the introduction of the bill to be between 60 to 90 seconds. I did a—coincidentally, I did a check, recently as this morning, on the length of introductions and that is the practice of this place.

In the House of Commons practice and procedures, when it talks about the introduction of bills, Madam Speaker, it discusses the stringent—that the—when the person who's introducing the bill is doing so they must be relevant to the specific provisions in the bill.

Our rules in this place do not say that. The rules say that explanations should be brief and about the purpose of the bill, not about what is in the bill or—this is the custom of this place.

* (13:40)

And so I would ask that when introducing a bill that a reasonable amount of time is provided to the members, which tends to be about 90 seconds, sometimes more, sometimes less, and that is the time that I will be using in this next introduction.

Thank you, Madam Speaker.

Madam Speaker: I would point out to the member that it is—oh, the honourable member for River Heights (Mr. Gerrard), on the same point of order.

Hon. Jon Gerrard (Second Opposition House Leader): Madam Speaker, it was, when I first was in the Legislature in the—number of years ago at this point—the tradition to keep them 30 to 40 seconds. But for most of this session the length of introduction of first bills—first reading for bills has been on the order of one to—minute to a minute and a half.

I suggest that this matter be referred to the House leaders and look at what the practice should be because, in fact, it is not written in the rules at this point.

Thank you.

Madam Speaker: I would point out to all members that practices of a House are as important as rules of a House.

It is the practice of this House and many past Speakers that introduction of bills should only be 30 to 40 seconds and, in fact, for this session so far, all bills introduced have been around the 35-second average. So the member is incorrect in his statements.

And I would indicate that the member does not have a point of order.

And the member is also reflecting on the Chair by some of the comments he made and I would urge

caution to him. This is the Speaker ruling and the member does not have the authority to then make comments that he is going to ignore the ruling of the Speaker. That would be a very serious breach by this member in making comments like that and behaving in that manner after the Speaker has ruled.

So for respect of the rules and practices of this Chamber, I would indicate to the member and other members that do introduce first reading that first readings are, by practice—and I said, as important as rules—should only be between 30 and 40 seconds, and that has been a practice for decades and decades.

So I would urge caution by the member on a number of these aspects.

* * *

Madam Speaker: The honourable member for Assiniboia, on the next bill.

Mr. Fletcher: No, on a point of order, Madam Speaker.

Point of Order

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

Mr. Fletcher: Madam Speaker, yesterday the government spent, on the first bill, 72 seconds in their introduction. The second one was 107 seconds. I didn't hear that the point of order—if it was out of order, then there wasn't a ruling, and if there is a ruling I'd like to challenge the ruling.

Madam Speaker: I would point out to the member that we keep track of all times.

Yesterday everybody was over the limit. That's why all ministers are being notified, if they haven't already been, that they should keep their first readings to 30 to 40 seconds.

And so I would indicate that that message has gone out to all members and it is going out right now, as has occurred earlier this morning, to the member as well, that all bills should only take 30 to 40 seconds on first reading and that is the practice of this House; the practice as of right now has not changed.

I have already ruled on this issue, so the member is out of order to bring it up again as I have already ruled on it.

So I would ask the member to please show respect for the Chair, for this House and to be very careful about whether or not he's going to be challenging the

ruling of a Speaker on a point of order, because that is not allowed.

* * *

Madam Speaker: The honourable member for Assiniboia, first reading.

Mr. Fletcher: No, Madam Speaker, I ask that you canvass the House to seek leave to have the introduction of this next bill to be no more than 60 seconds.

Madam Speaker: I would point out the member is disregarding my authority, and if he continues to do that I am going to be in the position of not allowing him to do his first reading on this bill.

So I would urge the member—he's coming very close to stepping way over the line in terms of disrespecting the Speaker, who is trying to do a job that adheres to the rules of this House.

So the member is out of order right now, and I would indicate that if he wishes to bring forward another first reading this will be his final chance to bring forward his first reading and it must only be between 30 and 40 seconds.

So it's up to the member whether he wants to do it or we can bring it back another day.

Mr. Fletcher: Madam Speaker, I'd like to call for a quorum count.

Madam Speaker: I would urge—I would indicate to the member that I have already ruled on this.

I understand that when a member asks for a quorum count that the bells must ring for a minute and a quorum count will be taken.

Order, please.

I would ask all members present to rise in their place, and I would ask the Clerk at the table to count those present.

A QUORUM COUNT was taken, the result being as follows – Members present: 47.

Madam Speaker: A quorum is present.

The member for Assiniboia has one first reading left indicated for today. Does he wish to proceed?

MATTER OF PRIVILEGE

Hon. Steven Fletcher (Assiniboia): Madam Speaker, I have a matter of privilege.

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

Mr. Fletcher: It's important that the intent of freedom of expression is allowed and that people are—MLAs are allowed to present matters before this House in accordance with the rules and procedures of the House of Commons sections dealing with introduction of bills—section 73, I believe.

And the rules of this place need to be, as you've correctly pointed out, need to be enforced, as well as the traditions and practices of this place. It's already been established that there is inconsistencies between what has happened in the past and what is being demanded today.

* (13:50)

Therefore, I move, seconded by the member from The Maples, that the issue of the definition of brief and purpose as outlined in section 135 be examined by the House leaders to ensure that the needs of all members are met.

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.

And I would indicate that the honourable member for Assiniboia must send up his motion in writing.

While we wait for that, I would indicate that if any other members are wishing to speak on this—otherwise, I would indicate that on the matter of privilege raised by the honourable member for Assiniboia, 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 order 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 have indicated previously he does not have a point of order on this issue either.

So, if the member wishes to proceed with his first reading this will be his last opportunity to do so. Otherwise, we will have to defer that first reading to another day.

Mr. Fletcher: Madam Speaker, I'd like to challenge the Chair.

Madam Speaker: Does the member have support of three other members?

The member does not have support for a challenge.

Therefore, I would ask him for the final time, does he wish to present his first reading or does he wish to do that tomorrow now?

Mr. Fletcher: I will submit the first reading.

INTRODUCTION OF BILLS

(Continued)

Bill 212—The Gift of Life Act (Human Tissue Gift Act Amended)

Hon. Steven Fletcher (Assiniboia): Yes, Madam Speaker, I move, seconded by the member from River Heights, that Bill 212, The Gift of Life Act (Human Tissue Gift Act Amended), be now read a first time.

Madam Speaker: It has been moved by the honourable member for Assiniboia, seconded by the honourable member for The Maples (Mr. Saran), that Bill 212, The Gift of Life Act (Human Tissue Gift Act Amended), be now read a first time.

Mr. Fletcher: With this motion I'd like to table documents related to organ donation in Manitoba. I have them here.

Madam Speaker, the government has failed on this issue. Organ donation is an important matter that—where organ donation has not met its full potential. We were promised a standing committee by the government; they did not do that. We were promised a task force; we have not heard from it.

Therefore, I introduce this bill to bring attention—due attention to this very important issue.

Thank you, Madam Speaker.

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

Committee reports?

TABLING OF REPORTS

Hon. Cliff Cullen (Minister of Justice and Attorney General): Madam Speaker, I'm pleased to table the response to written question No. 12.

Thank you.

Madam Speaker: Further tablings?

Hon. Scott Fielding (Minister of Finance): I'm pleased to rise today to table the fidelity bonds crime insurance, section 20, of The Public Officers Act, being Chapter P230 of the Continuing Consolidation of the Statutes of Manitoba.

Hon. Colleen Mayer (Minister of Crown Services): I'm pleased to table to the response to written question No. 10.

Thank you.

Madam Speaker: Ministerial statements?

MEMBERS' STATEMENTS

Mollie Wheeler

Hon. Cameron Friesen (Minister of Health, Seniors and Active Living): I rise in the House today to recognize Morden Collegiate grade 11 student Mollie Wheeler, who debated her way to the top at the National Student Debate Seminar in Quebec City this past October.

Mollie won the Founder's Cup for top debater in Canada and also the Chief Justice Award for top bilingual debater. Participants were told about two topics for debate only weeks earlier and debated in impromptu format, finding out the topics just in advance—which reminds me a lot of question period. The competition tested participant readiness of defending either point of view for an issue, forcing a person to consider another person's beliefs and opinions.

What is additionally impressive about Mollie and her outstanding achievement is this was her first major foray into debating. She says, though, that she is now hooked and recommends that all young people should try it out. In her words, debating definitely develops your public speaking, gives you confidence, develops your critical thinking and works on skills that are really useful in the future.

Mollie got a chance, as well, to take part in a mock parliament exercise, which she described as a highlight, and I hope that her attendance here today won't erode her interest in the parliamentary process.

Being top debater in Canada means that Mollie's school takes on the hosting duties for a National Student Debate Seminar which will welcome over 120 students and teachers to the city of Morden next September.

Mollie says about debating: You have to have good facts and you have to have information to back up what you're saying—and I think that all members of the Assembly should take that advice to heart.

Madam Speaker, we're joined today by Mollie; her grandparents, George and Trudy Turner; her debate coach, Mr. Macaraeg.

Mollie, the community is so proud of you, and all members of the Assembly wish you well on your future endeavours.

Carmen Campagne

Mr. Wab Kinew (Leader of the Official Opposition): Des milliers de Manitobaines et Manitobains étaient attristés par le décès de Carmen Campagne. La soeur de Carmen, Aline, sa famille et ses proches se joignent à nous aujourd'hui ici à la tribune.

La musique de Carmen a fait partie de la vie familiale des Canadiennes et Canadiens au cours des générations. Carmen a démontré un amour de la musique et de la langue française dès un jeune âge. Elle a été formée comme enseignante à l'Université de Saint-Boniface, et durant sa longue carrière comme musicienne, elle a aussi travaillé comme enseignante à Winnipeg, à Saint-Pierre-Jolys et à Sainte-Anne.

Elle encourageait les jeunes à danser durant ses spectacles afin qu'ils puissent apprendre à s'exprimer et développer une appréciation pour la musique. Ses paroles passaient des messages importants aux jeunes francophones et francophiles pendant des décennies. Je suis un enthousiaste aussi de sa musique. Son interprétation de l'Histoire d'antan est une de mes préférées.

Récipiendaire de quatre prix Félix, elle était la première récipiendaire francophone du prix JUNO pour le meilleur enregistrement : chanson pour enfants. Ces prix soulignaient l'importance de sa contribution à la culture francophone au Canada.

J'honore le legs musical que Carmen nous a laissé. J'offre toutes mes condoléances à Aline et à sa famille. Ça se peut que Carmen soit partie, mais sa voix et sa musique continueront pour toujours. Ses chansons et ses paroles vont résonner pour les prochaines

générations et vont apporter du bonheur aux enfants pour de nombreuses années à venir.

Merci, Carmen.

Translation

Thousands of Manitobans were saddened by Carmen Campagne's passing.

Carmen's sister, Aline, her family and loved ones are with us today in the gallery.

Carmen's music has been part of the lives of Canadian families for generations. Carmen demonstrated a love of music and of the French language at a young age. She was trained as a teacher at the Université de Saint-Boniface, and during her long career as a musician she also worked as a teacher in Winnipeg, St-Pierre-Jolys and Ste. Anne.

She encouraged kids to dance during her shows so that they could learn to express themselves and develop an appreciation for music. Her lyrics sent important messages to young francophones and francophiles for decades. I am also a fan of her music. Her interpretation of Histoire d'antan is among my favourites.

Winner of four Félix awards, she was the first francophone recipient of a JUNO Award for best children's album. These awards underscore the importance of her contribution to francophone culture in Canada.

I honour the musical legacy that Carmen has left us. I offer my deepest condolences to Aline and her family. Carmen may no longer be with us, but her voice and her music will go on forever. Her songs and her lyrics will resonate for future generations and bring happiness to children for many years to come.

Thank you, Carmen

Madam Speaker: Further members' statements?

Baseball Manitoba Award Recipients

Mr. Len Isleifson (Brandon East): Good afternoon.

Recently, the—Baseball Manitoba celebrated not only their 50th anniversary, but also the achievements of those involved in baseball in Manitoba at their 2018 Awards Banquet. This evening was a great opportunity to honour the best coaches, officials, players, teams, volunteers and honorary members for their performances and/or contributions to the sport of baseball here in Manitoba.

The night was extra special for a handful of Brandon constituents, Madam Speaker. The 13-under AAA Brandon Marlins baseball team received Manitoba's highest award for High Performance Team of the Year in the Minor category.

* (14:00)

The team finished first in the Winnipeg league with a 18-2 record prior to going 3-0 at the provincial qualifier and 5-1 at provincials. They closed out the season by going 3-3 to finish fourth at the AAA westerns.

Madam Speaker, an award of this nature is not only a testament of the players' abilities as individuals, but clearly indicates the importance of hard work and dedication both to their sport and to their teammates.

But it doesn't end there, Madam Speaker. The contribution and efforts of their coach has not been taken lightly. It takes a team of dedicated community volunteers to ensure our youth have the support they need to succeed and Coach Dave Martine is the highest level possible. In recognition of his efforts Dave was also awarded the 2018 High Performance Coach of the Year award by Baseball Manitoba.

From all of us here in the Chamber, I want to congratulate Dave—Coach Dave and his team on their well-deserved awards.

Thank you very much.

First Ministers' Conference

Hon. Steven Fletcher (Assiniboia): I'd like to thank the Premier (Mr. Pallister) for allowing me the opportunity to represent the people of Assiniboia without the shackles of the dictatorial tyranny of caucus—I don't know—that entrapment.

Madam Speaker, the Premier's going to be going to New Brunswick for a First Ministers' conference in a few days and we learned that the Province is not going to challenge the carbon tax in court. But then, of course, they were never going to do that because they've already agreed with the federal government that they can introduce a carbon tax.

The Premier has managed to do the impossible: he has alienated all those who are in favour of a carbon tax and undermined all those who are opposed to the carbon tax, including the premiers of New Brunswick, Ontario, Saskatchewan and Alberta, and every small-c conservative in Canada and any—and everyone who believes in protecting the environment. Manitoba's environmental strategy is in tatters.

Madam Speaker, when the Premier returns from the conference, perhaps he should take up permanent residence in Costa Rica.

Health-Care Services in Northeast Winnipeg

Mr. Jim Maloway (Elmwood): Health care in northeast Winnipeg took a turn for the worse last Friday when the Pallister PC government announced that ambulances bringing patients to Concordia ER will divert to other hospitals starting next Monday, December 10th, 2018.

We've also heard that general surgery will be permanently stopped at Concordia Hospital over the Christmas holidays.

Stopping general surgery will be the second lump of coal going to northeast—west—Winnipeg residents as a Christmas present from Premier Pallister and his fellow grinchies. The members for—

Some Honourable Members: Oh, oh.

Madam Speaker: Order. Order. Order.

Member—when members are referring to other members, they need to refer to them by their position without attaching their first name to that position.

Mr. Maloway: Well, thank you, Madam Speaker—*[interjection]*

Madam Speaker: Order.

Mr. Maloway: Northeast Winnipeg suffers while the Conservatives are busy shutting down our Concordia ER that has served us for 40 years.

Residents will now wait in long lines at St. Boniface Hospital, Health Sciences Centre and the Grace Hospital.

There is still time for this Premier to change his mind and abandon this ridiculous idea. The vast majority of northeast Winnipeg and Transcona residents are still in disbelief that the Concordia ER will be closing.

Will the Premier and his MLAs come to their senses and keep Concordia ER open?

Introduction of Guests

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

Seated in the public gallery, from Henry G. Izatt Middle School, we have 60 grade 9 students under the direction of Joe Martin, Lisa Hobbs, Pritpal Sandhu,

and this group is located in the constituency of the honourable First Minister.

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

ORAL QUESTIONS

Manitoba Job Protection First Ministers' Conference

Mr. Wab Kinew (Leader of the Official Opposition): There's a First Ministers' conference this week and Manitobans want to know that their leaders are focused on making their lives better.

On this side of the House we know that that means fighting for good paying jobs.

Now, the Premier's been silent while there have been massive job losses announced in this province. Instead of standing up for jobs in the province, he sat on his hands. It's kind of like the way Doug Ford and Justin Trudeau reacted when GM announced that they were laying off thousands of workers in Oshawa: they washed their hands and they walked away. That's not leadership.

Will this Premier commit to protecting Manitoba jobs when he meets with other ministers?

Hon. Brian Pallister (Premier): Well, first of all, Madam Speaker, it's my honour and privilege to give a shout-out to Mr. Jake Doell of Palestine, Manitoba, father of the member for Agassiz (Ms. Clarke), who is in the Third Crossing Manor; and today the Third Crossing Manor is featuring this question period and Jake is watching his first question period in 87 years today. So I want to shout out to him.

Madam Speaker, like Jake Doell and like Manitobans, I value—and our government values—the creation of quality work. We believe in the dignity of work. We believe in finding more opportunities for jobs in our province and we'll continue to stand up for a stronger economy in Manitoba at every opportunity.

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

Job Creation and the Economy Development Plan Needed

Mr. Wab Kinew (Leader of the Official Opposition): Madam Speaker, the actions of this Premier don't bode well for the economy. We know that he's planning to announce this new economic development agency at a speech tomorrow, but that won't create one new job in the North.

Now, he's failed to fight for communities at every single turn. He abandoned the community of Churchill. For over a year he ignored their pain; he rejected their calls for help. He couldn't even be bothered to get on a plane to visit Churchill.

We see the same indifference for the people of Thompson, who've lost hundreds of jobs as the result of closures in that city, and now we've seen the same attitude towards the people of Flin Flon, who are confronted with 900 job losses in their hometown. For this government they say that's just, quote, business as usual. End quote.

When will the Premier create real jobs in Manitoba's North?

Hon. Brian Pallister (Premier): The only time the NDP ever cared about jobs in the North is when they hopped on a plane at taxpayer expense, went up to The Pas and promised hard-working people up there that they'd give them jobs if they voted for them in exchange, Madam Speaker.

Actually, everything the previous administration did, everything they could do to hurt the North, they followed through on it. They raised taxes continuously. They added red tape to make it harder for people to find work and to create work. They made it harder on the mining industry at every turn, and now they have a leader who believes you should leave it in the ground, Madam Speaker, and shut down the mining industry.

Our government believes in supporting the North. We're working with hundreds of people across the North to make sure that there's a brighter vision for the future of the North in our province.

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

Mr. Kinew: On this side of the House we know that a job is about more than just a paycheque. It's also about the dignity and the self-reliance that comes with putting in a hard day's work, Madam Speaker.

People who want to work—everybody in Manitoba who wants to work should be able to find a job, but, yet, all this Premier wants to do is want to privatize the profit and leave the public dealing with job losses and cuts to the health-care services that they rely on as our economy changes.

It's politicians like this one that has many people saying that the economy is rigged, Madam Speaker. It's rigged. They see job losses; they see money leaving the province; and they see a Premier who won't stand up for them. Instead, there's millions for high-priced

consultants, no help for the average family dealing with the changing economy.

We know that globalization and automation are going to accelerate these changes to the Manitoba economy, yet what is being done to help working people?

Will the Premier stop cheerleading globalization and will he stand up for local jobs here in Manitoba?

Mr. Pallister: Big talk from somebody that never created a job in his life.

Madam Speaker, the fact of the matter is that Manitobans want jobs, and they never got that advantage under the NDP unless they were political staffers and they went to Alberta.

* (14:10)

So the fact of the matter is, Madam Speaker, we're leading—we're in the top three in every major indicator of economic growth over the last two years, and that's a tribute to the people of Manitoba and it's a tribute to a government that's smart enough to work with them instead of against them.

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

Methamphetamine Addiction Acknowledgement of Crisis

Mr. Wab Kinew (Leader of the Official Opposition): They've done nothing on jobs and the only thing they do on health care is cut, cut, cut, Madam Speaker.

There's a meth crisis in Manitoba right now and the numbers back it up. *[interjection]*

Madam Speaker: Order.

Mr. Kinew: The Winnipeg Regional Health Authority is on track to give out 2 million needles this year. They only gave out 1.5 million needles in 2016. According to FIPPA documents, the Interlake regional health authority has distributed almost the same amount of needles in just eight months as they did in the entire year of 2016, comparing 2018 to 2016.

In Brandon, Prairie Mountain Health gave out 94,000 needles in 2016, in 2017 they distributed 187,000 needles. The numbers are simply increasing. But there is no action from this Premier.

Will the Premier listen to the experts? Will he listen to the data from within his own departments and acknowledge that there is a meth crisis in Manitoba?

Hon. Brian Pallister (Premier): Funny, Madam Speaker, he criticizes us for commissioning expert advice and then tells us to listen to the experts that they never listened to. It doesn't make any sense.

We're understanding, on this side of the House, that we need to listen to the experts. We are; we're implementing their advice. Some of that advice was given to the previous government, but they stood back and did absolutely nothing about it.

But, Madam Speaker, we are making progress. We're the only province—the only province in this beautiful country—that is reducing wait times so people don't have to wait as long for emergency care; don't have to wait in pain; don't have to wait in fear—*[interjection]*

Madam Speaker: Order.

Mr. Pallister: —don't have to wait in fear, Madam Speaker, because we're doing something about an issue that's important to Manitobans that the previous government made worse. While they made it worse, we're fixing it.

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

Safe Injection Site Request

Mr. Kinew: I'll table the documents, Madam Speaker, and what they show is that there's been a threefold increase in demand for needles in the Winnipeg health region since 2016 and there's been a sevenfold increase for demand for needles in rural health regions since 2016.

Now, according to the records, 50 per cent of all injection drug users inject meth. That means a lot of needles, and it's one of the reasons why a safe injection site is needed so that these people are kept safe and that the transmission of HIV is reduced.

Again, Madam Speaker, you don't have to like a safe injection site, but it works. The stats and the facts contained in those documents merely hide the human face of this crisis. Behind every single one of those numbers we know that there's a family suffering. That's why the Premier should face the facts and not hide behind ideology.

Will the Premier commit today to building a safe injection site in Winnipeg?

Mr. Pallister: Well, the member has an ideology that says safe injection sites are an instant solution to a problem, Madam Speaker, that won't be addressed by

such a proposal. There's no such thing as a safe injection site for meth.

Madam Speaker, we've shortened wait times for people who need treatment for meth. That's what the meth—that's what the people who are forced to deal with addictions want and we're giving them what they want, and we're going to work with experts, with the community, with the professionals, with front-line workers to achieve better results.

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

Need for Brandon Detox Facility

Mr. Kinew: The documents that I just shared with the Premier show the cost of his inaction: hundreds of thousands of more needles being used right across the province, not just in the city of Winnipeg but rural Manitoba as well, and it's because he won't take steps like adding a safe injection site, like adding a detox centre in Brandon, like creating more treatment beds right across the province to help people fight directly against the root causes of this meth crisis which, of course, are addiction, trauma and a lack of opportunity. *[interjection]*

Now, for the edification of my colleague from Lac du Bonnet, he will note the dramatic spikes since 2016 in those numbers. *[interjection]*

Madam Speaker: Order.

Mr. Kinew: This is a problem that has arisen under this Premier's watch and the failure to action is his responsibility alone, Madam Speaker. *[interjection]*

Perhaps the member for Brandon West (Mr. Helwer) would like to raise his voice in—

Madam Speaker: Order.

Mr. Kinew: —support for a detox centre in Brandon.

On this side of the House we know this Premier needs to act.

When will he start to combat the meth crisis? *[interjection]*

Madam Speaker: Order.

Mr. Pallister: Again, Madam Speaker, as is common from the member, more heat than light.

We are acting; we are taking action. We have five new RAAM clinics, Rapid Access to Addictions Medicine, open; one of them in Brandon, in fact, thanks to the member for Brandon West, the member

for Brandon East (Mr. Isleifson), who are advocating for their community.

We are addressing the problem—of long standing and not unique to Manitoba, Madam Speaker—but it will require us to co-operate and work with others. I'll certainly be raising the topic with my colleagues across the country as I have in the past; and all of us, all of us across this country and around the world are looking for better solutions and better ways to deal with the challenges of addiction.

So, Madam Speaker, we'll continue to pursue those answers. We'll work with experts; we'll consult with others; we'll work with Manitobans; we'll work together as part of a team, something the members opposite should be inspired by.

Methamphetamine Addiction Safe Injection Site Request

Ms. Nahanni Fontaine (St. Johns): There is a drug crisis gripping Manitoba and that was the testimony before Parliament from Addictions Foundation of Manitoba, Manitoba Nurses Union and the Bear Clan.

Madam Speaker, we're seeing the effects of this crisis everywhere, violence in our hospitals, increasing crime, exploding demand for drug treatment. Opioid-related deaths, meth-related deaths have doubled in just two years. It's a crisis that is touching the lives of Manitobans everywhere here.

Will the minister commit to harm reduction through safe injection sites for those struggling with drug addiction?

Hon. Cameron Friesen (Minister of Health, Seniors and Active Living): Well, Madam Speaker, I thank you for the opportunity to answer the question.

The fact is that Manitoba does harm reduction right now and in Manitoba we do education campaigns, and in Manitoba we respond to those who have contracted disease and infection and we get them life-saving and life-sustaining drugs.

And, in many ways, we are making additional investments like opening new treatment beds at Health Sciences Centre, and for women's in-facility addictions services, opening five RAAM clinics, and even more recently, a request for proposals to see whether we could get more treatment closer to home instead of flying people out of province as was done under the NDP.

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

Need for Brandon Detox Facility

Ms. Fontaine: We know the drug crisis is touching all parts of Manitoban lives.

Through freedom of information, Madam Speaker, we have learned that the number of needles distributed for harm reduction in Brandon doubled in just one year to 187,054 in a community of just 50,000 people—I table that right now—and in the last few months this number is set to climb much further. This crisis is showing no sign of slowing down.

Will the minister listen and support beds for detox in Brandon?

Mr. Friesen: We were pleased to recently open the new Rapid Access to Addictions Medicine clinic in downtown Brandon. I had a chance with other colleagues to tour that facility and to hear first-hand from the front-line workers there: psychologists, counsellors, nurses, nurse practitioners and health administrators. And here's what they said: that this new investment will be significant and helpful. It is shortening the wait time. It is getting care sooner for people struggling with addictions, and they said this: this wasn't previously available.

This is only one of the ways in which we are responding to what is a significant issue in health in our province.

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

Ms. Fontaine: Two hours a day at a couple of clinics across the province isn't enough to deal with this meth crisis. A couple of detox beds for women is not enough to deal with this crisis—[*interjection*]

Madam Speaker: Order.

Ms. Fontaine: We've seen exponential growth in people that are looking for treatment and they have nowhere to go. So you can send people on a wild goose chase for two hours a day and there's nowhere for them to go. That's the—[*interjection*]

Madam Speaker: Order.

Ms. Fontaine: —bottom line. This government is doing nothing to address the meth crisis.

When is the Premier (Mr. Pallister) going to stand up and actually start caring for Manitobans?

* (14:20)

Mr. Friesen: Well, Madam Speaker, aside from the member's sudden outburst, she feigns concern now,

but she is right about one thing and that is that for years experts said it wasn't enough. The VIRGO report concluded that for years and years addictions and mental health services in this province were fractured; they were fragmented; they were spread too thin, and there wasn't enough. So on that statement she is correct. For years and years it wasn't enough and that is why this government is taking real action to meet Manitobans at their point of need.

We're not done yet. We know there's more to do, but we are fully focused on that work and that's what we'll remain focused on.

B & L Foster Care Agency Awareness of Abuse Allegations

Mrs. Bernadette Smith (Point Douglas): For two weeks now we've been asking this minister to explain why action wasn't taken much earlier at B & L agency. These allegations are from late 2016 and Manitobans want to know when did they first learn about these serious concerns at this agency.

We also learned that in July of this year, over four months ago, a foster father associated with B & L was charged with sexual assault, sexual interference and assault, but nothing was done.

When did this minister find out about these serious charges and why was nothing done until after the issue was exposed by the media?

Hon. Heather Stefanson (Minister of Families): What I can say to the member opposite is that the safety of children has been, continues to be and will always be a top priority for our government, Madam Speaker, and I want to thank our department for the quick response that they took in dealing with the allegations. We acted immediately upon learning about these allegations. We acted swiftly.

I want to thank the agencies and authorities and their staff for the dedicated hard work last week, and it's only been just over a week, Madam Speaker, since the review has started to ensure the safety of all children in care, and I want to thank all those people.

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

Mrs. Smith: These allegations happened in late 2016. It is now 2018.

This minister stands up and tells us that it's taken her two years to find out about abuse that had been happening in B & L agency. It's her job to ensure that kids are safe in these agencies. If this is how she

governs, then, I'm sorry, but parents aren't looking to this government to look after their kids, because they're failing.

We want to know: When did she know about the case—this sexual assault case that just came up in July? It's now December. When did she first learn about that and what is she doing about it?

Mrs. Stefanson: Well, again, Madam Speaker, I want to thank the member for the question and again reiterate that the safety of children in Manitoba and under the care of B & L is a top priority for our government.

That's why we acted swiftly to ensure that all of those children in the care and under the care of B & L were safe.

And, as of noon yesterday, we know that 100 per cent of those children have been talked to, had a face-to-face conversation and, as well, had visits in the foster homes to ensure all the safety—to ensure the safety of those children in care.

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

Mrs. Smith: For months children were left in the care of B & L agency to be sexually abused.

This minister gets up and she says every single child has been spoken to. Where did they get spoken to? In their foster-care agency where possibly they're abusers are? This minister should know a child isn't going to—*[interjection]*

Madam Speaker: Order.

Mrs. Smith: —come out and tell what's happening in their home, if there's allegations or not.

So will this minister tell us today: When did she learn about the case of the sexual abuse at B & L agency and why did she fail to protect children in care?

Mrs. Stefanson: Madam Speaker, I think what Manitobans want to know is that as soon as we did find out we took action—immediate action—right away.

As a department we contacted the agencies and authorities. Their staff acted swiftly and the dedicated work of—by them over the last week to ensure the safety of our children has been incredible.

So we will continue to work with the authorities who are compiling the results of this comprehensive review to ensure that all of those children are safe, Madam Speaker.

Health and Finance Funding Premier's Federal Record

Mr. Dougald Lamont (Leader of the Second Opposition): The Premier's been putting some inaccurate information on the record and I wanted to give him the opportunity to set the record straight.

He has said that he opposed the Harper government—Conservative government's changes to federal health-care funding, Madam Speaker, but there were two very important changes. One was to reduce funding increases from 6 per cent a year to 3 per cent a year. That was in 2011, but there was another change before that. The 2007 federal budget changed health-care and social funding to a per capita basis effective in 2014. Under that agreement every single province got less except one, Alberta, which received \$954 million more in funding.

In 2007 the Premier was a Conservative MP, a member of the finance and health committees, and he voted for that budget that cut federal health care and funding to every province but Alberta. I table his voting record.

Can the Premier explain why, in 2007, he voted to undermine Manitoba's finances and health-care system?

Hon. Brian Pallister (Premier): I'll start defending myself when the member starts explaining to Manitobans why he wants to work so hard on behalf of the Liberal government in Ottawa.

Madam Speaker: The honourable Leader of the Second Opposition—*[interjection]*—order—on a supplementary question.

Federal Health-Care Funding Impact on Manitoba's Finances

Mr. Dougald Lamont (Leader of the Second Opposition): Sorry, thank you.

Earlier this week the Premier said, not for the first time, that his government is receiving no significant growth and support from the federal government. The record of federal transfer payments, which I table, tells a different story. In the last four years, federal health funding to Manitoba rose \$254 million or 22 per cent—*[interjection]*

Madam Speaker: Order.

Mr. Lamont: —thank you—to \$1.4 billion. Total federal funding to the Manitoba government is up

\$606 million to \$3.9 billion, which is nearly a quarter of the provincial budget.

The same table shows that the Premier's Conservative cousins' per capita transfers to Manitoba dropped every single year for six years; the numbers don't lie, Madam Speaker

Does the Premier recognize that years of cuts by his federal Conservative cousins undermined Manitoba's finances just as much as the NDP did?

Hon. Brian Pallister (Premier): Well, Madam Speaker, they used to say that the success of the provincial Conservatives depended upon some success in the provincial Liberal Party, but I sure hope not because the federal Liberal government has cut health-care supports.

Paul Martin promised 25 per cent—used to be 50. Young Trudeau has given us 19 and it's going south; and the member defends it. He stands here in the Chamber and defends reduced percentages of funding for health care in Manitoba from his federal cousins. His loyalty is totally misplaced.

While he stands up and defends his Liberal cousins in Ottawa who cut health care, we'll stand up on this side of the House for Manitobans who want health care. *[interjection]*

Madam Speaker: Order. Order.

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

Changes to Health Services Impact on Front-Line Workers

Mr. Dougald Lamont (Leader of the Second Opposition): The Premier boasts of his courage in implementing NDP plans to close ERs and reform the health-care system, but there's nothing bold or courageous about making it harder for people to access life-saving drugs for diabetes or cystic fibrosis. There's nothing brave about firing physiotherapists or cancelling personal-care-home expansions or cutting funding to the AFM. There's nothing brave about forcing nurses at the St. Boniface and elsewhere to work overtime 'til they're dangerously exhausted and 'ignoring' their warnings and calls for help for months and reacting only when it hits the media.

When I shared the letter from the St. Boniface Neonatal Intensive Care Unit on social media it was seen by over 100,000 people and more than once nurses challenged the Premier to see just how hard their work is.

Does the Premier have the courage to work a shift alongside nurses to see the reality of their work?

Hon. Brian Pallister (Premier): I understand very much and respect very much the work of front-line health-care workers, Madam Speaker.

Does the member have the courage to create a job? Has the member ever had the courage to have a job? Does the member simply want to come here and advocate for less money for health care? Does the member want—actually, who's advocated that the NDP's problem in government was that they didn't spend enough extra money.

* (14:30)

Does the member have the courage to stand up and admit that he wants hard-working Manitoba families, including front-line health-care workers, to pay higher taxes? Because that's exactly what he's advocating for: less health care and higher taxes.

Brandon University Funding Concerns

Mr. Matt Wiebe (Concordia): Madam Speaker, Brandon University is vital to the city of Brandon, but also to all of Manitoba. It's, in fact, a hub for all of Westman, drawing in students from around the world, and it contributes \$417 million to the Manitoba economy.

But this year it saw a \$339,000 cut from the Province after the freeze the year before. The university was forced because of this to cut nine positions this year, including the university's librarian and the dean of graduate studies.

Why is the Pallister government cutting funding so needed at Brandon University?

Hon. Kelvin Goertzen (Minister of Education and Training): Madam Speaker, we continue to see increased enrolments at our universities right across Manitoba because Manitobans know that one of the ways to better themselves and to improve their lot in life is to get a good education.

Of course, Brandon University is one of those great institutions. There are many in Manitoba: the U of M, the U of W. There are many colleges, Madam Speaker, that get support from this government—that also get support, of course, from their students—that are there to better the lives of those young people when they graduate from the degree.

We're proud of those institutions. I'm not sure why the member isn't, Madam Speaker.

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

Mr. Wiebe: Madam Speaker, provincial funding makes up three quarters of Brandon University's revenues. Small changes in provincial funding have a big impact on their budget. With these cuts university is projecting a million-dollar operating shortfall next year as well as a \$4-million deferred equipment deficit in science and music.

They face impossible choices in the years ahead: cancelling programs or cutting staff.

Why is the Pallister government cutting Brandon University?

Mr. Goertzen: We continue to invest and to support not only universities, but, of course, students, Madam Speaker.

That's why our government was pleased to bring forward new opportunities for the private sector to come together with universities to provide scholarships and bursaries for those who are doing particularly well in university and those who need a hand up to get into university so they can do better, Madam Speaker.

That—this year alone we'll be providing more than \$80 million for those scholarships and bursaries. That is funding the member voted against, Madam Speaker, even though we're supporting students and young people to do better in university, in college and, ultimately, in their lives.

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

Mr. Wiebe: Madam Speaker, the government's own documents disprove what this minister is saying. They are not investing in Brandon University. In fact, they are cutting it year over year.

Now Brandon has been forced to jack up tuition by 6.6 per cent this year and revenue from other student fees has increased 12.1 per cent. Students are paying a lot more while seeing these cuts from the minister at their university.

BU's recent budget planning documents say that, quote, in a small university there is little room to maneuver while maintaining programs that meet the needs of existing students.

They have had to make those hard choices this year and they'll get even harder in the years ahead.

Will the minister reconsider? Will they—will he provide funding that allows the university to meet the needs of students?

Mr. Goertzen: University tuition remains among the most affordable in all of Canada, here in Manitoba. I've given that statistic to the member opposite before. We can go faculty by faculty and compare them to the provinces to the west of them and—us and those to the east of us as well, Madam Speaker.

But more than that, it's not just about having affordable education, Madam Speaker. We know we need to provide those who may need a hand up to get into university or who are doing particularly well—to support them, and that is why we've provided this year alone \$80 million, far in excess whatever happened under the NDP.

For those who need scholarships or bursaries in university, Madam Speaker, we're providing those students with a hand up so they can do better in their lives. The member opposite continues to vote against those supports.

Provincial Finances and Economy Government Update

Mr. Shannon Martin (Morris): Madam Speaker, our PC government is committed to correcting the course and making Manitoba the most improved province in Canada by continuing to fix the Province's finances, improving the services and rebuilding the economy.

Can the Minister of Finance share some recent economic data with this House on the situation?

Hon. Scott Fielding (Minister of Finance): Thank you, Madam Speaker, for the question, and it's December in Winnipeg; snow's on the ground, the skies are blue and the skies are blue ahead for the province of Manitoba in terms of the finances.

As we know, Manitoba is leading the country in terms of exports—[interjection]

Madam Speaker: Order.

Mr. Fielding: —to the United States, Madam Speaker: up over 22 per cent. Average 'weeky'—weekly earnings for employees are up over 2.5 per cent; that's leading the nation.

Private sector capital investments in the province of Manitoba are leading the country with businesses like Roquette, HyLife Foods, other—Simplot—that are coming to town.

We know and Manitobans know and the bond rating agencies are starting to know that Manitoba is on road to recovery.

Provincial Economy Growth and Jobs Plan

Mr. Dougald Lamont (Leader of the Second Opposition): Madam Speaker, tomorrow is the state of the province address, and two years ago at that event the Premier (Mr. Pallister) announced the Premier's enterprise council, and then a year later the Premier provided a sneak preview of the results of a Deloitte study which found that, I quote: The Province is unable to articulate a forward-looking vision for the Manitoba economy. As a result, industry, academia and peer governments are uncertain how to best to engage with the government of Manitoba. End quote.

It's a complaint I've heard directly from many stakeholders, Madam Speaker, but it took the Premier a year and a half and \$150,000 to figure it out. I expect the Premier will announce a new plan to plan tomorrow.

My question is: Whatever happened to the Premier's enterprise council he announced two years ago?

Hon. Brian Pallister (Premier): I appreciate a question from the member that doesn't involve a request for a larger office.

The Enterprise Team has been meeting regularly, and they're one of literally hundreds of various groups and individuals that had been met by David Angus and Barbara Gamey, who have co-authored the economic development strategy that we'll be releasing tomorrow, Madam Speaker—and I, on behalf of, I hope, all of us and all Manitobans, I want to thank them for their tremendous efforts.

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

Mr. Lamont: I do believe Manitoba can do much better, but there are storm clouds on the economic horizon.

The Business Council of Manitoba made it clear that this is a time to invest in Manitoba and the Manitoba Employers Council 2018 report lays out some important challenges for Manitoba. Of our four neighbouring provinces we are last in GDP per capita. We have the lowest post-secondary graduation rate. We have the lowest weekly earnings and we have the highest migration rate.

What Manitoba should be focusing on more than anything is investing in good jobs of good pay. That will drive the economy, attract people and get them to stay and increase government revenues. But, instead, this government is passing laws to make it easier to pay people less, even as they give themselves raises and tax cuts.

Does this Premier see that temporary, part-time jobs with bad pay and no benefits are the cause of Manitoba's economic woes and not the solution?

Mr. Pallister: Well, I appreciate the member asking a question about something he's familiar with, which is temporary and part-time jobs, Madam Speaker, but the fact remains that we lead the country in average weekly wage growth, so I don't accept his preamble.

What I would say, Madam Speaker, is that what we're concerned about is making sure that Manitobans who want to work have the dignity of work, and we want to make sure they have the rewards of that work as well. That's why we're doing a great job of holding the line on tax increases while others around us choose to raise theirs.

Madam Speaker, that is something the member does advocate, by the way, higher taxes, and I want to give him the opportunity to explain to Manitobans how that equates to helping people in their homes and in their small businesses.

His position on higher taxes isn't something we agree with; we're pushing for lower taxes and more money on the kitchen tables of Manitoba families.

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

Mr. Lamont: Madam Speaker, the austerity policies this government is offering are not new; they failed before and they will fail again. In the last 10 years every single jurisdiction that has tried austerity has ended up deeper in debt with a slower economy. We need to invest and grow and accelerate our way out of debt.

* (14:40)

The government's own projections are that this—their economy—sorry—that Manitoba's economy will slow over the next two years. This government has been dependent on federal transfers, raiding Hydro and cuts to try to balance the budget.

In July this government's growth projection for this year is 1.9 per cent; for next year 1.7 per cent. Standard & Poor's downgraded Manitoba twice under

this government for not having a plan to balance the budget and for announcing they would rely entirely on cuts with no plan to bring in more revenue.

Does the Premier see that his government's policy of cut first and ask questions later with no plan for growth is slowing Manitoba's economy and making it more susceptible in event of a downturn?

Mr. Pallister: Just hilariously dumb preamble, Madam Speaker, and totally wrong.

In fact, we lead the country in investing in the compassionate departments of government on a per capita basis. *[interjection]*

Madam Speaker: Order.

Mr. Pallister: Wrong. We hold the line on tax increases, Madam Speaker, while the member advocates they should go up. And he is always advocating for a federal government strategy which has now, instead of balancing the federal books, created deficit situations in the excess of approximately \$20 billion a year.

So, he talks about priming the pump of the economy by borrowing more and taxing more and claims he has a new idea. Those are old ideas, Madam Speaker. They are failures and we're not following them.

Instead, we're working in partnership with the private sector to see the economy grow, and that is exactly what is happening and it will continue.

An Honourable Member: We can say dumb? We can say that?

Madam Speaker: Order. Order.

I'm going to urge caution to everybody on language that—*[interjection]*

Some Honourable Members: Oh, oh.

Madam Speaker: Order. Order.

I'm hearing it now from both sides of the House. I do find the word is probably not very useful in this House. It does tend to, when we use language like that, just inflame debate, and I would ask for courtesy of all members, please.

Northern Manitoba Economy Growth and Jobs Plan

Mr. Tom Lindsey (Flin Flon): Northern Manitobans don't know what this government is doing to grow the northern economy, but they do know that hard times are coming. Premier's (Mr. Pallister) made it clear countless times that he knows job losses are coming

and that he's known for a long time; and to be clear, he has known for a long time somewhere between 1,500 and 2,000 job losses are coming, maybe more. This government's reply so far has been: business as usual.

When will this Premier stop the evasions, take responsibility for helping northern Manitobans with a plan to grow the economy and maintain the services they need?

Hon. Blaine Pedersen (Minister of Growth, Enterprise and Trade): Madam Speaker, for 17 years the previous government ignored the North, and it shows, because the mining industry all but disappeared out of the—because they completely ignored the mining industry. They—in fact, they pushed it away from Manitoba.

We are working very closely with the mining and—industry within the North. There is huge potential for more discovery. We've got—we're working with communities in order to open those mines. We are also working on a tourism strategy, which the previous government totally ignored, and there's tremendous potential for tourism in the North.

There's lots of job opportunities coming, it just takes time. That's something that the NDP ignored for so many years.

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

Mr. Lindsey: All I have to say to that answer is wow.

There were mines opening when we were in charge. Now the mines are closing and this government does nothing. They abandoned—*[interjection]*

Madam Speaker: Order.

Mr. Lindsey: —Churchill; they ignored Thompson. Now they're ignoring—*[interjection]*

Madam Speaker: Order.

Mr. Lindsey: —job losses in the rest of the North. They've made massive cuts to northern health care. They can't even help create one job—one job—that would help mothers-to-be have a baby in Flin Flon. So, mothers want an obstetrician.

Will this minister stop cutting, talk to northern Manitobans and give them a northern economic jobs plan that they need now?

Mr. Pedersen: There the member goes again, completely disparaging the work and input of the Look North initiative where we heard from many, many

northern Manitobas—Manitobans about what is best for Manitoba. It's unfortunate they take such a position.

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

Mr. Lindsey: The infamous Look North plan—*[interjection]*

Madam Speaker: Order.

Mr. Lindsey: —to have a plan to have a plan is—seems to be the only plan that this government has and it's not a plan.

This government abandoned Churchill for more than a year. They ignored their—*[interjection]*

Madam Speaker: Order.

Mr. Lindsey: —calls for help. The government refused to join our complaint to restore the rail line against OmniTRAX—a complaint, by the way, that we won, while they sat and did nothing.

The people of Churchill were staring down economic collapse—*[interjection]*

Madam Speaker: Order.

Mr. Lindsey: —because the tourist industry that this government loves to talk about—but that's all they do is talk—so prices were skyrocketing.

Will the minister admit they got it all wrong on Churchill, the same as the rest of northern Manitoba—*[interjection]*

Madam Speaker: Order.

Mr. Lindsey: —commit to investments to help Churchill get back on its feet, as well as the rest of northern Manitoba?

Hon. Brian Pallister (Premier): We're excited to work with the people of the North and all Manitobans to develop northern mineral potential, engage indigenous communities, focus on strategic infrastructure, address housing challenges. We're going to do all those things.

I understand why the member's grumpy, Madam Speaker, because he has to go to the doors of his riding and tell them to turn the heat down because of his carbon tax position. He has to tell them they shouldn't fuel up their car as much to get around in the North because he's also advocating for higher fuel prices. He has to tell the people of his riding that he believes that minerals should just be left in the ground because that's the position of the NDP.

This isn't a fun time for member, but I wish him well. I wish him well at Christmastime and I wish all members and all staff here the very, very best in the Christmas season upcoming, Madam Speaker, and you too.

Madam Speaker: The time for oral questions has expired.

PETITIONS

Addictions Services— Brandon and Western Manitoba

Mr. James Allum (Fort Garry-Riverview): I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

(1) Addictions are a health and social problem that require co-ordinated responses from the health-care, social services, education and justice systems.

(2) It is well known that the number of people addicted to alcohol, drugs and other substances is on the rise in Manitoba, with a notable increase in use of 'methamphetamine' and opiates, two highly addictive and very destructive drugs.

(3) Between 2015 and April 2018, drug abuse and alcohol abuse were two of the top three risk factors identified by the community mobilization Westman HUB when dealing with persons with acutely elevated risk.

(4) Recent Brandon Police Service annual reports show a steady increase in calls for service for crimes against property and person.

(5) In Brandon and western Manitoba, individuals seeking addictions treatment and the families trying to help them do not have local access to the services or supports they need.

(6) There is no publicly available, centralized list of addictions facilities in Manitoba.

We petition the Legislative Assembly of Manitoba as follows:

* (14:50)

(1) To request that the provincial government consider establishing a cross-departmental team to provide leadership on a culturally appropriate, co-ordinated response to the growing addictions crisis in our province that includes an aggressive, widespread education campaign on the dangers of using methamphetamine and opiates, along with addictions

education for front-line medical staff in health-care facilities.

(2) To request that the provincial government consider providing additional addictions services in Brandon and western Manitoba across the continuum of care, including acute response, detoxification, long-term rehabilitation, transitional housing and support for managing co-occurring disorders.

(3) To request that the Minister of Health, Seniors and Active Living consider establishing a publicly available inventory of all addictions facilities in Manitoba.

Some Honourable Members: Oh, oh.

Mr. Allum: Madam Speaker, if the members aren't interested in listening to the petition, I can start all over again.

Madam Speaker: Order, please. Order.

Two messages: I would ask everybody that when somebody is standing in the House to do something that we respectfully listen. But I would also point out that this has been going on for years, that as soon as a petition is being read and everybody's leaving there is lots of noise.

So I don't know. I would leave it to members here to decide how they want to address that because this isn't a new issue where the noise is now higher than it used to be. It's been like this forever, as long as I've been in this Chamber.

So, you know, if members want this place to be quiet at the time when members are leaving the Chamber, then I leave it up to members because I can only yell, you know, order so many times.

But keep in mind that there are people here reading petitions and both sides have done it over the years. I—representing other peoples' views.

So I'm going to, you know, issue this one caution, but I just want all members to know that when things were flipped over and, you know, different sides were on different sides it was always noisy.

So it's going to be up to everybody here to be part of the solution because I can only call order so many times while people are leaving the Chamber.

So I would ask for everybody's respect of other members that are trying to read a petition.

Mr. Allum: Well, thank you, I think, Madam Speaker.

(4) To request that the Minister of Health, Seniors and Active Living consider providing supports for the families of people struggling with addiction, including counselling, patient navigation and advocacy, and direct access to free 'nalaxone'.

This petition is signed by Quincy Martens, Loreen [*phonetic*] Simpson, Norma Fluker and many other Manitobans.

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

Daylight Saving Time

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

And this is the background to the petition:

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

And this petition has been signed by Jordan Siemens, Bob Davis, Ann Friesen and many, many more fine Manitobans.

Vimy Arena

Hon. Steven Fletcher (Assiniboia): I'd like to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

(1) The residents of St. James and other areas of Manitoba are concerned with the intention expressed by the provincial government to use the Vimy Arena site as a Manitoba Housing project.

(2) The Vimy Arena site is in the middle of a residential area near many schools, churches, community clubs, senior homes, and neither the provincial government nor the City of Winnipeg considered better suited locations in rural, semi-rural or industrial sites such as the St. Boniface Industrial Park, the 20,000 acres at CentrePort or existing properties such as the Shriners Hospital or the old Children's Hospital on Wellington Crescent.

(3) The provincial government is exempt from any zoning requirements that would have existed if we—if the City had owned the land. This exemption bypasses community input and due diligence and ignores better uses of the—for the land which would be consistent with a residential area.

(4) The standards—there are no standards that one would expect for a treatment centre. The Minister of Health, Seniors and Active Living has stated that the Department of Health has had no role to play in the land acquisition for this Manitoba Housing project for use as a drug addiction facility.

(5) The Manitoba Housing project initiated by provincial government changes the fundamental nature of the community. Including park and rec uses, concerns of the residents of St. James and others regarding public safety, property values and their way of life are not properly being addressed.

(6) The concerns of residents of St. James are being ignored while obvious other locations in wealthier neighbourhoods, such as Tuxedo and River Heights, have not been considered for a Manitoba Housing project, even though there are hundreds of acres of land available for development at Kapyong Barracks or parks like Heubach Park that share the same zoning as the Vimy Arena site.

(7) The Manitoba Housing project and the operation of a drug treatment centre fall outside the statutory mandate of the Manitoba Housing renewal corporation.

(8) The provincial government does not have a co-ordinated plan for addiction treatment in Manitoba as it currently underfunds treatment centres which are running far under capacity and potential.

(9) The community has been misled regarding the true intentions of Manitoba Housing as the land is being transferred for a 50-bed facility even though the project clearly falls outside of Manitoba Housing responsibility.

We petition the Legislative Assembly of Manitoba as follows:

(1) To urge the provincial government to take the necessary steps to ensure that the Vimy Arena site is not used for an addiction treatment facility.

* (15:00)

(2) To urge the provincial government to take necessary steps to ensure the preservation of public land along Sturgeon Creek for the purposes of parkland and recreational activities for public use, including being an important component of the Sturgeon Creek green whale—Greenway Trail and Sturgeon Creek ecosystem under the current designation of PR2 for the 255 Hamilton Ave. location at the Vimy Arena site, and to maintain the land to continue to be designated for parks and recreation active neighbourhood and communities.

This has been signed by many Manitobans.

Thank you.

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:

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

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.

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

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 Unicity labs, Dynacare has engaged in anti-competitive activities where it has been—where it has changed the

collection schedules of patients' specimens and charged some medical offices for collection services.

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. This 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.

Furthermore, Dynacare has instructed that all STATs 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 interest of higher profits. This has further resulted in patients opting to visit emergency rooms rather than travelling twice, which increases cost to the health-care system.

Medical clinics and physicians' offices serve 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 service to their patients due to closures of so many laboratories.

We petition the Legislative Assembly of Manitoba as follows:

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.

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.

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

Signed by Jan Currier, George Kwan, Wendy Tyson and many others.

Thank you.

Flin Flon General Hospital Obstetric Services

Mr. Tom Lindsey (Flin Flon): I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

(1) Access to quality health care is a fundamental right of all Manitobans, no matter where they live.

(2) The Premier has slashed budgets and cancelled projects for northern communities, making it harder for families to get the primary health care they need.

(3) The budget of the northern regional health authority has been slashed by over \$6 million, which has negatively affected doctor retention programs and the Northern Patient Transportation Program.

(4) With limited services in the North, the Premier is forcing families and seniors to travel further for the health care they need.

(5) On November 6, 2018, the regional health authority announced that obstetric delivery services at the Flin Flon General Hospital would be suspended, with no discussion regarding when they will be reinstated.

(6) The result of this decision is that mothers in Flin Flon and the surrounding area will have to travel at least an hour and a half to The Pas, creating unnecessary risk for mothers and babies.

(7) The people of Flin Flon are concerned for the health and safety of mothers-to-be and their babies, including the extra physical and financial stress that will be placed upon them by this decision of the provincial government.

(8) There has been no commitment from this provincial government that mothers and their escorts who travel to The Pas will be covered by the Northern Patient Transportation Program.

(9) Flin Flon General Hospital is a regional hub that serves several communities on both sides of the Manitoba-Saskatchewan border.

(10) Because this provincial government has refused to invest in much-needed health-care services in The Pas, the hospital in The Pas may not be able to handle the extra workload created by this decision.

We urge the Legislative Assembly of Manitoba as follows:

To urge the provincial government to reinstate obstetric delivery services at Flin Flon General

Hospital and work with the government of Saskatchewan and the federal government to ensure obstetric services continue to be available on a regular basis.

And this petition has been signed by Brianna Francoeur, Heather Morin, Amanda Dumas and so many other Manitobans.

**Addictions Services—
Brandon and Western Manitoba**

Mr. Rob Altemeyer (Wolseley): I wish to present the following petition to the Legislative Assembly.

The background for this petition is as follows:

(1) Addictions are a health and social problem that require co-ordinated responses from the health-care, social services, education and justice systems.

(2) It is well known that the number of people addicted to alcohol, drugs and other substances is on the rise in Manitoba, with a notable increase in the use of methamphetamine and opiates, two highly addictive and very destructive drugs.

(3) Between April 2015 and April 2018, drug abuse and alcohol abuse were two of the top three risk factors identified by the community mobilization Westman HUB when dealing with persons with acutely elevated risk.

(4) Recent Brandon Police Service annual reports show a steady increase in calls for service for crimes against property and person.

(5) In Brandon and western Manitoba, individuals seeking addictions treatment and the families trying to help them do not have local access to the services or supports they need; and

(6) There is no publicly available, centralized list of addictions facilities in Manitoba.

We petition the Legislative Assembly of Manitoba as follows:

(1) To request that the provincial government consider establishing a cross-departmental team to provide leadership on a culturally appropriate, co-ordinated response to the growing addictions crisis in our province that includes an aggressive, widespread education campaign on the dangers of using methamphetamine and opiates, along with addictions education for front-line medical staff in health-care facilities.

(2) To request that the provincial government consider providing additional addictions services in

Brandon and western Manitoba across the continuum of care, including acute response, detoxification, long-term rehabilitation, transitional housing and support for managing co-occurring disorders.

(3) To request that the Minister of Health, Seniors and Active Living consider establishing a publicly available inventory of all addictions facilities in Manitoba; and

(4) To request that the Minister of Health, Seniors and Active Living consider providing supports for the families of people struggling with addiction, including counselling, patient navigation and advocacy and direct access to free naloxone.

This petition has been signed by many Manitobans.

Madam Speaker: Grievances?

* (15:10)

**ORDERS OF THE DAY
GOVERNMENT BUSINESS**

Hon. Kelvin Goertzen (Government House Leader): Madam Speaker, could you please call for second reading debate: Bill 7, The Highway Traffic Amendment Act (Immediate Roadside Prohibitions); followed by Bill 4, The Public Sector Construction Projects Act; Bill 2, The Municipal Amendment Act (Strengthening Codes of Conduct for Council Members); Bill 5, The Mental Health Amendment and Personal Health Information Act; and Bill 6, The Statutes Corrections and Minor Amendments Act, 2018.

Madam Speaker: It has been announced that the House will consider second reading of Bill 7 this afternoon, followed by second reading of—and second reading debate of bills 4, 2, 5 and 6.

SECOND READINGS

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

Madam Speaker: Moving, then, to the first one, second reading of Bill 7, The Highway Traffic Amendment Act (Immediate Roadside Prohibitions).

Hon. Cliff Cullen (Minister of Justice and Attorney General): I move, seconded by the Minister of Education, that Bill 7, The Highway Traffic Amendment Act (Immediate Roadside Prohibitions), 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 Justice (Mr. Cullen), seconded by the honourable Minister of Education and Training (Mr. Goertzen), that Bill 7, The Highway Traffic Amendment Act (Immediate Roadside Prohibitions), be now read a second time and be referred to a committee of this House.

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

Mr. Cullen: I'm pleased to rise in the House today for a second reading of Bill 7, The Highway Traffic Amendment Act (Immediate Roadside Prohibitions).

We know that there are still too many people who haven't gotten the message about driving drunk and they are taking the lives of too many Manitobans.

In 2017, nearly one third of all motor vehicle fatalities involved impaired driving as a contributing factor. This translated to 23 lives lost with another 81 Manitobans injured, 27 of whom were injured seriously.

Madam Speaker, this year alone we have lost 69 people on our roads with impaired driving being a contributing factor in 28 of those deaths. Put simply, there are 28 people who won't be spending the holidays with their families this year because of the actions of a drunk driver.

Bill 7 is about taking action to combat the culture of drunk driving that persists in our province. It is about sending a message: if you drink and drive, you will lose your vehicle, you will lose your licence and you will lose a lot of money.

The legislation that our government has introduced creates new sanctions for drivers in the warn range of the blood alcohol content of between 0.05 and 0.08, while at the same time increasing sanctions for first-time drunk drivers in the fail range of 0.08 and over, giving the police the option to impose those sanctions rather than proceed criminally.

Drivers in the warn range will face a new monetary penalty of at least \$200 for a first offence, escalating to at least \$400 for a third or subsequent offence. These drivers will also have their vehicles impounded for three days for a first offence, escalating up to 30 days for a third or subsequent offence. Finally, if a driver is caught for a third or subsequent time, they will be required to drive with an ignition interlock for a year. These sanctions are on top of existing licence

suspensions and other consequences for warn-range drivers.

At the fail level, first-time drunk drivers who cause no injury or death will face a new monetary penalty of between \$500 and \$1,000 which will be established by regulation. These drivers will also face a mandatory ignition interlock of one year on top of existing 30-day vehicle impoundment, 90-day licence suspension and mandatory addictions assessment programming.

Under our new law, the police will have the discretion to proceed with the fail sanctions rather than spend four hours or more processing someone for a criminal charge in cases where the driver causes no injury or death. Madam Speaker, this will get police back on our roads sooner, allowing them to catch more drunk drivers.

When I introduced this bill last week, Madam Speaker, I was very pleased to be joined by representatives from police agencies across Manitoba, including Chief Superintendent Mark Fisher from the RCMP here in Manitoba, Inspector Gord Spado of the Winnipeg Police Service traffic division, Chief Wayne Balcaen of the Brandon Police Service, and Chief Rick Head of the Manitoba First Nations Police Service.

What we heard loud and clear from them in their remarks to the media was that they believe Bill 7 will change the behaviour of Manitoba drivers. Chief Balcaen said, and I quote: The message will be sent to motorists that there is no longer a delay. There is no longer waiting for this process to grow through the courts. It is the immediate impact that will affect people's judgment and thinking before they get behind the wheel.

Chief Superintendent Fisher said, and I quote: During my time in British Columbia prior to arriving in Manitoba, we implemented this exact—or very similar—program in immediate roadside prohibition and had significant impacts on the number of deaths 'attributable' to impaired driving. End of quote.

In addition to the police, I was also proud to have the support of Manitoba Public Insurance, an organization that will implement many of the changes to Bill 7. Under this legislation, MPI will continue to take off five demerits from the Driver Safety Rating scale for drivers in the warn range. However, drivers who register a fail and are processed under the new IRP model will receive 10 demerits.

MPI will also be involved in the review process, giving drivers the opportunity to request a review of the roadside sanctions through the office of the

Registrar of Motor Vehicles. No legal representation is required to participate in the hearing process, but drivers are free to attend with counsel if they choose to do so.

Finally, I was proud to receive a commitment from MPI that they will launch a comprehensive public education program following passage of Bill 7 to provide Manitobans with the information they need so they can drive safe and sober on our roads.

Madam Speaker, this legislation offers a bold approach to combatting drunk driving in Manitoba. And we know it will work because it has worked in British Columbia. Between 2010 and 2016, BC's IRP law has helped save 351 lives and reduced alcohol-related deaths by 50 per cent. It has had a similar impact on alcohol-related injuries and collisions. A University of Victoria study showed that BC saw a 23.4 per cent reduction in alcohol-related injury collisions and a 19.5 per cent reduction in property damage collisions.

Madam Speaker, these results show why MADD Canada has been a strong supporter of immediate roadside prohibition, 'broath' in British Columbia and here in Manitoba. Last week, I was proud to be joined by MADD Canada CEO, Andrew Murie, who stated, and I quote: This bill will save a tremendous number of lives and injuries on Manitoba roads. End of quote.

In closing, Madam Speaker, our government is happy to have a—the support of MADD Canada, Manitoba Public Insurance and police agencies across Manitoba for this groundbreaking legislation. I am hopeful that all members of this House will do their part to help make our roads safer. I hope they will all support Bill 7.

Thank you very much, 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.

* (15:20)

Ms. Nahanni Fontaine (St. Johns): Would the minister be so kind as to tell us who identified this issue for government that required the introduction of this amendment?

Hon. Cliff Cullen (Minister of Justice and Attorney General): I do appreciate that question from the member opposite.

Clearly, Manitoba Public Insurance, on an ongoing base, are tracking the number of fatalities, the number of accidents, the number of injuries to Manitobans each year, and clearly Manitoba Public Insurance have indicated to us that Manitobans are still not getting the message about drinking and driving, and the statistics are still alarming, in terms of the number of Manitobans that get killed on our roadsides each and every year because of Manitobans still drinking and driving.

Ms. Fontaine: So, to be clear, Madam Speaker, the MPI asked the minister for these legislative changes?

Mr. Cullen: Manitoba Public Insurance recognize that Manitobans are still getting injured on our roadways. And certainly Manitoba police, in our discussion with them as well, they talk about distracted driving and impaired driving still being a major problem on Manitoba roadways.

So taking this under advisement, certainly with discussions with MADD Canada, recognizing that there's an option for sending a message, quite frankly, to Manitoba drivers that more has to be done. It's about changing the culture of Manitoba drivers.

Ms. Fontaine: I didn't necessarily hear the minister say that MPI specifically asked for these legislative changes.

So I would ask the minister again whether or not there was any particular stakeholder that approached the minister on these legislative changes.

Mr. Cullen: Well, Madam Speaker, again I appreciate the question from the member.

You know, from our perspective as a government if we're losing this year to date 28 Manitobans who have lost their lives, drinking and driving has been a contributing factor. From our perspective as a government, I think it's incumbent upon us to look at any type of sanctions that we can to reduce that number of deaths across the province.

Certainly, we had a look at the British Columbia legislation, which was brought out way back in 2010. We did lots of communication with British Columbia

in terms of their implementation of that particular legislation. We reviewed that, and we think we've worked out some of the kinks that British Columbia had in their system.

Ms. Fontaine: Can the minister tell us what stakeholders he met with and consulted in the development of these legislative changes—changes?

Mr. Cullen: Again I appreciate that particular question.

Obviously, with British Columbia having some expertise in this, having gone through it about eight years ago now, have certainly had expertise in this legislation. We did consult extensively with them.

Clearly, in terms of the process going forward, Manitoba Public Insurance will be directly involved, in terms of processing some of the sanctions here, so we had certainly quite a considerable consultation with them. We did also consult with Mothers Against Drunk Driving, and appreciate all their input into this, and we also consulted with police forces across the province of Manitoba.

Ms. Fontaine: In the minister's answer he talks about supposedly consulting with lots of stakeholders. I would—I am curious, Madam Speaker, what the total time frame the government was looking at in respect of these consultations in the development of this legislation.

Mr. Cullen: Again, I appreciate the line of questioning.

Obviously, this is a fundamental change in terms of a policy and legislation going forward. We wanted to make sure that we've got this legislation correct, so we have spent considerable time in consulting with those agencies that I referenced previously.

We recognize there still is consultation ahead, there still is some regulatory framework that has to be developed over the next few months as well, so we will continue our discussion with the agencies and the stakeholders that I referenced before. We, certainly, now that this is public we will certainly have more consultations with the public in terms of how they see this legislation moving forward, as well.

Ms. Fontaine: Can the minister provide us with a brief synopsis at what is some of the regulatory framework that they're going to be looking at?

Mr. Cullen: Clearly, there is some monetary penalties that have to be addressed here as well, and we're certainly looking at what BC has done in terms of their

monetary penalties. We will also probably have that discussion with Manitobans as we move forward.

We certainly have some constitutional issues. We have to be cognizant of that when we set those monetary penalties. But those are the—some of the issues that will be dealt with when we speak of regulations coming forward.

Ms. Fontaine: Other than monetary penalties in respect of a regulatory framework, I'm—I would imagine that there would be a lot more to undertake and execute this piece of legislation. So I'm asking the minister if he could expand on what regulatory framework pieces or components that he sees.

Mr. Cullen: Obviously, we are going to be—have ongoing discussions with Manitoba Public Insurance in terms of the process going forward. We will be having discussions with police forces across Manitoba as well in terms of trying to have, I would say, sort of a comprehensive similar policy across Manitoba, although not regulatory in nature. I think we can establish this by policy.

Certainly, this legislation allows discretion of the respective police services across Manitoba, the individual police officers in terms of how they want to proceed.

Ms. Cindy Lamoureux (Burrows): I had asked the minister this question during the bill briefing and he was unable to answer during the bill briefing, but I'm hoping now he was able to go and get the answer so he could explain it today to the House.

If this legislation is based off a model used in British Columbia, we're wondering, first, how many people are appealing the screening, and out of those people appealing how many people are being successful in their appeal.

Mr. Cullen: I do appreciate that question as well. Obviously, that number has decreased over the years in terms of the appeals coming forward. I don't have the specific numbers for the member, but I know over the years this particular regime has gone through the entire court system and the courts have verified that the roadside screening devices are now allowable to ascertain the blood level.

I will also say that, certainly, here in Manitoba we have these available, but there is an appeal mechanism will be available under this legislation to make appeals in terms of the roadside screening devices.

Ms. Fontaine: How does the minister plan to mitigate any potential racial profiling in respect of police officers' discretionary new powers in respect of issuing fines and seizures of vehicles?

Mr. Cullen: This legislation, I will say from the outset, does allow some discretion for the officer in the field. Certainly, if an individual is impaired and has caused death or bodily injury, they will not be—the option will not be there for the immediate roadside prohibition for that particular individual. It will be diverted automatically to a criminal situation, a criminal file, Criminal Code situation.

* (15:30)

The discretion still lies with the member that he may go the Criminal Code if he deems it necessary in that particular situation.

Ms. Fontaine: You know, why, in respect of ensuring that there are individuals who are not driving drunk on our roadways—and I'm sure that everybody in the House agrees with that, obviously, quite obviously, for the safety of all Manitobans—but why is the government not investing in public transportation as well and actually minimizing and actually deterring public transportation in respect of some of the cuts that this government has undertaken?

Mr. Cullen: Certainly, this legislation will send a message to those getting behind the wheel. We think the public education campaign that currently exists with Manitoba Public Insurance, and a new program that will exist once this legislation is close to being implemented, will send a message to drivers to make sure that they look at other options to get behind the wheel.

We as a government have a fairly robust transportation policy in terms of financing transportation across the province—I would say, from a government perspective, across jurisdictions, probably some of the robust funding for public transportation anywhere in Canada.

Ms. Fontaine: I know the minister doesn't believe that. That's—we know that that's not necessarily true, particularly when we've seen the significant cuts in the last budget.

But speaking of, you know, supporting transit, will this government or this minister commit to making—putting carbon tax revenues toward electrifying the transit fleet and making Manitoba a more greener province?

Mr. Cullen: Though maybe not in scope of this legislation, I think Manitoba's a pretty green 'prominence'. We've made a commitment to make Manitoba even a greener province, and we're not going to do that by way of another tax or carbon tax on Manitobans.

Ms. Fontaine: How does this government or the minister plan to support officers, police officers, who will be the ones enforcing the legislation when actually they're the very same people that are also cutting budgets to policing institutions across the province?

Mr. Cullen: Well, Madam Speaker, I think I will take a moment to correct the record. We've increased rural policing budget this past year: almost \$7 million to rural police forces. We certainly continue to invest money in Winnipeg Police Service as well. And, certainly, we're putting money from the proceeds of crime back in the hands of police officers across our province. We made a commitment to that. I think it was the tune of almost \$2 million that we've allocated this year to putting money back in the hands of police officers. We will certainly work with the police officers across the province to make sure that they have the tools in their tool boxes to address drunk driving.

Ms. Fontaine: How does the minister think that making cuts to Manitoba prevention programs on a variety of different fronts will help decrease the number of impaired drivers on the road?

Mr. Cullen: Well, Madam Speaker, I'm not sure what the member's driving at. I know they seem to be hung up on these—the concept of cuts. Our government doesn't believe in that. I mean, we're putting more money in health care than ever before, more money in response to families. Certainly, when it comes to Victim Services, we're investing more money in Victim Services than ever before. And so we're pretty proud of our investment when it comes to Victim Services. We've made a commitment to education when it comes to drunk driving. We made commitments already. We made commitments for future programming in terms of education when it comes to drinking and driving and this new legislation.

Ms. Fontaine: How does the government plan to roll out public education on this new legislative framework for Manitoba?

Mr. Cullen: Certainly, when we introduced this legislation last week, it was very supported by MADD Canada, very supported by police agencies across the province, including the RCMP. We will expand on that. We've asked MPI to be involved in that, and we

know they've set aside some funds to make sure that Manitobans will be aware of these new rules around drinking and driving. We believe in—as police officers do, this is a step in the right direction to try to send a message that drinking and driving is not acceptable here in Manitoba and we want to change that culture. We believe this is a step in the right direction.

Thank you very much.

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

Debate

Madam Speaker: The floor is open for debate.

Ms. Nahanni Fontaine (St. Johns): I'm pleased to get up and put a couple of words on the record in respect of this bill, highway traffic amendment act (immediate roadside prohibitions).

Before I begin, though, Madam Speaker, I do just want to take a couple of minutes. I do have a half an hour, so I do want to just take a brief couple of minutes, which I don't believe I will have time tomorrow or the opportunity tomorrow, just to say to all my colleagues that I appreciate all of the hard work that everybody's done and all of the support that you have provided me as House leader. And I just wanted to take this moment to say *miigwech* to each and every one of you and that I lift you up and that it's—*[interjection]* And that I wish everybody happy holidays, and to everybody in the House as well, happy holidays and safe holidays.

Mr. Dennis Smook, Acting Speaker, in the Chair

And certainly to that end, in respect of safe holidays, as I said several times in the House, I know that we all believe and understand and agree on the need for Manitobans to be safe on our roadways and on our highways. There's no disagreement there, certainly from any of us in this Chamber. And, you know, especially during these holiday seasons, I know—holiday times there is a lot of attention, and rightly so, paid to ensuring that Manitoba families are safe on the roadways, and so certainly on this side of the House and again, I want to include everybody in the House, that we all believe and understand that families should be safe.

We understand, as well, Deputy Speaker that driving impaired is a very, very serious issue and should be taken very seriously and certainly, you know, takes the lives of Manitobans that—innocent lives of Manitobans that were just driving, living their lives and happening to be in the wrong place at the

wrong time for individuals who choose to make very deadly decisions in some cases, to get behind the wheel and drive while intoxicated.

We also know that certainly it costs millions of dollars in damages for taxpayers and for Manitobans, and so certainly we would agree that repercussions are an important part of deterring people from driving while intoxicated and certainly it is a shift in behaviours and a shift in culture, which I know those of us that are a little older in the Chamber can see actually the progression of, you know, public education campaigns, shifting the narrative in respect of drinking and driving from, you know, the '60s and '70s and '80s, to now where, you know, the vast majority of Manitobans and young people know not to get behind the wheel while intoxicated.

I've shared, I think, a couple of times in the House that I have a young teenager who we've had many discussions. They're not fun discussions. I don't necessarily like them, because they make me very, very worried, and if you—if people knew me personally, you would know that my biggest worry in life are my two sons. I worry about them excessively, to the point that they're always telling me to just relax, because I'm always worrying so much about them.

* (15:40)

But certainly I've had discussions with my youngest son to never get into a vehicle with anybody that's even had just a sip of alcohol. You just don't want to chance that. In fact, I was on—I checked my Facebook just before question period and I saw a post from a young woman; she is actually one of the MMIWG family members that I worked with for the last many years. And actually today is the anniversary—I think it's about three years now, Deputy Speaker, where—she was 18—she was in a very, very serious crash where she almost lost her life. And I believe that there was some alcohol involved. She wasn't driving, but she was somebody in a passenger car, and it was very touch and go. And so she was in the hospital for weeks on end.

And you may or may not know that the member for Point Douglas (Mrs. Smith) and I, for—this will be our seventh year—we actually put on a Christmas party for families of missing and murdered indigenous women and girls just to help alleviate some of the financial constraints and bring families together. We do that now totally on donations, but that year that this young woman—and again, she was only 18—had been in the crash, she was actually released, I think, the day before our Christmas party. And so she came with her

family, and she was in a wheelchair, and she was just banged up and, you know, black and blue all over. But she survived. She was very, very lucky. And actually today, as I said when I—just before question period, she was reflecting on that and reflecting on how grateful she was to still be here.

So, certainly, I think that we all know folks, you know, within our sacred circles of individuals who have been impacted, you know, first-hand or by extended family, for individuals who have faced this issue. And certainly it is unacceptable in 2018 to get behind the wheel if you've been drinking at all.

So, you know, I share that because I would not ever want, you know, it to be understood that, you know, in any way, shape or form that we are in support or against legislation that would strengthen roadways.

However, you know, I think it's incumbent on us to ensure that legislation that's being proposed or brought forward in the House is given its due diligence and that there is not potential mistakes and, you know, opportunities to—as I said in one of my questions at the—in this particular legislation—has—have the opportunity to profile or discriminate against Manitobans—particular segments of Manitobans.

To that end, Deputy Speaker, I would like to just read into the record an editorial that was in the paper on December 1st. And I think that it does a very good job at kind of dissecting the issue in respect of this legislation. So I do just—I do think it deserves to be read into the official record.

Excuse me, Deputy Speaker. So this was in the Winnipeg Free Press, and it's an editorial by Carl DeGruse [*phonetic*], December 1st, 2018. And I quote: "Perhaps the highway signs on the province's borders should be changed to read: 'Welcome to Manitoba, the home of roadside justice.'"

First, the provincial government changed distracted—the distracted driving law. Beginning November 1st, police officers got the power to immediately punish suspected distracted drivers with measures such as three-day suspensions of their licences and a \$672 fine.

"And on Thursday, the government tabled an amendment that again lets police sidestep the law courts and, on the spot, punish suspected impaired drivers. The officers will be able to impound vehicles, impose a mandatory ignition interlock for one year and issue fines for impairment reading as low as 0.05."

The important 'abjective' in both cases is "suspected." The drivers are only "suspected" offenders. But the Progressive Conservative government has altered the rules so drivers can now be punished upon accusation, without a chance to defend themselves.

"People who ponder the implications of the government's changes might wonder: what about important legal traditions such as the presumption of innocence and due process?"

"To ask that question, you must have Manitoba confused with provinces that still respect the rights of its citizens.

"It's not that the government is wrong to get tough with drivers who drink or are distracted. Those goals are commendable.

"The problem is its method. By moving roadside enforcement outside of the Criminal Code, it undermined traditional legal safeguards and erased the rights of Manitobans to get a proper hearing.

"It's like the government wants us to trust the police and forget about the legal rights that have evolved through hundreds of years of jurisprudence.

"Well, no one should trust the police unconditionally. Police have a tough job and they're not perfect. We should trust the justice system to catch the mistakes made by police.

"Justice Minister"—and the member's name is used—I will not quote that, "said Thursday the new Manitoba system will mirror an impaired-driving program in B.C. It's called immediate roadside suspension.

"The B.C. system has been often criticized as a cash grab. Do the math. Between 15,000 and 20,000 drivers a year are fined under its program, and a typical fine swells to more than \$3,000 because it includes 'administrative penalties' such as fees to tow and impound the vehicle, to have the driver's licence reinstated, to have an interlock device installed in their vehicle and to enrol in a mandatory responsible driver program.

"Manitoba's coffers will be similarly enriched. In a news release on Thursday,"—the minister—"noted the new \$200 fine for blowing 0.05, the lowest level of impairment, would be just the beginning of the driver's financial hit: 'Adding up all the administrative sanctions and penalties, the minimum cost . . . could be \$2,600 for a first offence to about \$3,200 for a third and subsequent offence.

"Like B.C., Manitoba will test drivers with Approved Screening Devices (ASD), which are not to be confused with breathalyzer machines that offer evidence that is commonly accepted in court.

"The ASD is a portable device that is quick and easy for police. Cullen noted"—

Some Honourable Members: Oh, oh.

Ms. Fontaine: I apologize—I apologize—I apologize—I apologize—the minister noted—*[interjection]* Good suggestion.

The minister—"noted approvingly that the ASD takes only six minutes to test drivers while the breathalyzer takes four hours.

"What"—the minister—"didn't tell the public is that it's been shown in B.C. that the ASD is often inaccurate.

"Many types of ASD can't differentiate between alcohol from the breath and alcohol in the mouth, which means the results can be elevated if the subject was tested soon after a drink of alcohol that left an oral residue."

The ASD machines must also be recalibrated at least every four hours and different police forces have been shown not to calibrate them properly.

* (15:50)

"Unfortunately for drivers who know the ASD exaggerated their impairment because they know they only had one glass of wine, the onus in B.C. is on the drivers to prove the machine is wrong. This is frustratingly difficult because police typically don't allow public access to the service and calibration records for machines, so drivers must go to considerable trouble and expense of filing freedom of information requests.

"There is an appeal process in B.C., but it's widely criticized as unfair because it takes place outside of a court system where drivers could exercise their legal rights, and because the punishment has already been levied by the roadside officer before the appeal can be heard.

"As an example, imagine the plight of a driver who needs her vehicle for employment. With her vehicle impounded and her licence suspended for a month, she has to book an appointment to explain to an appeal official why her roadside conviction is wrong. She has been severely penalized" before she can even state her case.

"There are plenty of better ways for Manitoba to crack down on distracted driving and impaired driving. By all means, continue to increase the fines, increase the advertisements that change behaviour and increase the number of traditional Checkstop blitzes."

But police shouldn't have—hand out convictions and sentences at roadside. Their role is to investigate and charge, not to judge—not to be judge and jury.

"Manitoba drivers accused of impairment used to have the freedom to challenge police accusations and be convicted only on evidence that is trustworthy. Those hard-won rights have been lost in the government's zeal for roadside justice." End quote, Deputy Speaker.

So I know that took a little bit of time, but I did want to read that officially into the record and—just in case there were members in the House that didn't have the opportunity to read it. I would imagine that everybody did, but I think, just for history's sake, it's important to read that piece in the record. I think that it is a very good analysis, and certainly a very good deconstruction of some of the issues of this bill that is before us here today.

So I want to talk a little bit in more detail about the bill and what are some of the issues and problems that we see. But, first, Deputy Speaker, if we were to look just a little bit, in respect of what goes on right now, I think it's important to look if—so, when you're pulled over by police, they are investigating impaired driving, and there is two avenues in which the investigation can go.

(1) If they have reasonable and probable grounds that you are intoxicated—so meaning obvious gross signs of intoxication—they simply arrest you and take you to the detachment for a breath test, which gives numerical readings on a Breathalyzer. And then, if you are over the allotted amount, you are charged criminally, Deputy Speaker.

(2) If police don't have obvious gross signs of impairment but actually suspect that you have been drinking—and that could be that you smell of alcohol or you share with the police officer that you did have a couple of drinks, but otherwise you look perfectly fine—then they can make an approved screening device demand on you, which is, as we indicated, a roadside test right there and then, instead of going to a policing detachment.

If you fail the roadside tester, under—currently, Deputy Speaker, you would simply be arrested, taken to the station, and made to blow on the Breathalyzer

and charged. If you blow on the ASD and blow a warning of 50 milligrams to 99, you currently lose your licence for 24 hours and have your vehicle impounded for 24 hours and are made to do an impaired driving assessment program at AFM. But the new rules that this piece of legislation is looking at is that under this new section the police must seize the motor vehicle and impound it if the driver is suspected or prohibited under HTA, if the driver is on a conditional licence and driving outside the conditions.

So these are all of the criteria in which, under this new bill, vehicles will be seized and impounded: (3) if they are operating a vehicle while prohibited under the Criminal Code; (4) if the doctor—not the doctor, if the driver is in care and control or operating the vehicle and the officer believes their blood alcohol level is over 100; if drivers' blood levels have drugs that exceed amounts in the regulation; (6) if the blood levels reveal a combo of drugs and alcohol that is overprescribed amounts in the regulation; (7) if a person refuses to comply with a screening test or breath test demand; (8) if they blow a 50 mg to 99 mgs, a warning; (9) if they fail a calibrated screening device, meaning over 80 mgses, but the officer does not demand that they go to the station and give a breath sample into a Breathalyzer; (10) if, on blood and breath sample, the officer believes over 50 mgs but less than 80 mgs, and where the drug amount is lower than prescribed in regulation.

So what does that all mean, Deputy Speaker? Under this proposed legislation, your vehicle will be seized if you are suspended or driving out of your licence conditions for any reasons: if you are over 80 mgs, if your blood exceeds regulation limits for drugs, if your blood exceed combo of drugs and alcohol, if your drug hits a warning for alcohol but lower levels of drugs are found, if you refuse to comply with screening tests/breath tests, if you blow a warning 50 to 80 mgs for alcohol, if you blow over a screening device but the officer doesn't want to criminally charge you.

So, as we noted earlier and as the minister noted, the—this legislation follows and is, I would imagine, based on—hugely based on legislation in BC. In Alberta, the officer has the discretion to issue tickets upon failure of the screening device instead of charging someone criminally and taking them to the station for a Breathalyzer test.

If someone refuses the ASD, the police officer has the power to suspend them administratively and make

them pay an administrative penalty without charging them.

In this current legislation, we see that police officers have increased discretionary powers. This gives police officers discretion they don't currently have to issue an administrative penalty and suspension without going through criminal charges. And I think that the, you know, one of the material points of this piece of legislation is that, again, you are suspected.

First, you are stopped because you are suspected of being intoxicated, and then, with the ASD, right away, you are administratively charged right there on the spot.

* (16:00)

If you are charged or not charged, you will also get immediately a 90-day suspension. Your vehicle will be impounded, and if under 160 mgs for 30 days, and if over 160 mgs for 60 days, you must—individuals will then be required to attend and complete AFM impaired driving assessments to get licence back. And that's actually a \$625 fee, Deputy Speaker. And then a \$50 reinstatement fee.

So it's quite a bit of money for individuals to be able to cough up right away, which, hopefully, I will have time to get into what is a concern as well in respect of that this is nothing more than a cash grab for government.

And then I think it begs the question where are those dollars going and what will those dollars be used for. So, hopefully, I'll have enough time to get into it, but it doesn't look like it.

In addition, if you are not charged, you must fail—access a penalty, a \$500 fine and a mandatory one-year ignition interlock. And here's the other piece, Deputy Speaker, under this current legislation the debt must be paid within 30 days of the suspension order. And if you fail to pay, they will not renew your driver's licence.

So we spoke a little bit about officer discretion—police officer discretion, which, again, this bill would give certainly a lot more discretionary powers to police officers right now.

So again, I just want to remind, if—right now, if an individual blows over the screening—on a screening device, you are arrested and processed. This now allows the police officer to choose who he wants to charge and who he doesn't.

And there's been many instances also in BC and Alberta where people have—folks in different

organizations have raised concerns about the potential for racial profiling in these discriminatory powers. And we know, certainly, there have been—across Canada—lots of research and lots of debate and lots of protest and lots of forums and lots of books and all kinds of stuff about racial profiling within Canadian policing institutions.

And, certainly, here in Manitoba, there has been lots of research and lots of discussion on a variety of funds for a variety of years in respect of racial profiling and the indigenous community.

And so I think it's fair to say that there is concern with the legislation, that if there is the potential for racial profiling of indigenous peoples who are driving—and I would suggest also the black community, as well, who—I would suggest to you the black community has often said that they are racially profiled by policing, not only in Manitoba but certainly across the country.

So this piece of legislation does warrant caution and does warrant some concern that, in these discriminatory—or, officer discrimination—discretion powers, that there is the possibility. And I know that there's been research in respect of offering police officers increased discretion—or, discretionary powers—it—and the possibility that it is similar to carding that we see in BC, and particularly in Ontario, of racialized communities.

The other piece that's been brought up in respect of this legislation is that young people could be disproportionately targeted for being suspected as intoxicated.

And then there's the possibility, Deputy Speaker, in respect of executing these discretionary responsibilities, that if a police officer comes into contact with an individual who maybe is a little bit cheeky and not as compliant as the officer would like, then the officer is less inclined to—and perhaps more inclined to charge and seize the vehicle and penalize financially the individuals.

So there has been concern with legislation like this that it does further entrench systemic racism against particular segments of the 'ciety, particular populations and cultural groups of different folks in Manitoba and certainly across the country.

I—in the last couple of seconds, I think it is also very important to understand that we are also—this legislation is also putting at risk individuals who rely on their vehicles to go to work, because if you don't have your job—your vehicle is seized and you may work out of town or your job is—your vehicle is

actually a part of your job, it puts individuals at increased risk for their employment, and I think that that's—certainly that something has to be understood and looked at as well.

There's not enough time to get through all of this legislation, but I look forward to debating this—

The Acting Speaker (Dennis Smook): The member for Kildonan.

Mr. Nic Curry (Kildonan): It's a pleasure to be here, of course, always, on behalf of the good people from Kildonan—important to discuss Bill 7, The Highway Traffic Amendment Act.

I'd like to thank my friend and neighbour from St. Johns for putting words on the record, This is an important discussion, especially this time of year. Certainly, it is a festive time of year. We celebrate many events. Many of my Jewish friends are celebration Hanukkah. We have Christmas events we're going to. I look forward to them. Many of our schools put on pageants.

There are also events that people are going to be drinking, consuming alcohol. I'd like to bring up a few stories, and I table for the House an article from CBC, December 23rd, 2013, talking about an event that happened on October 12th, 2008.

While driving home, a man was struck on Bishop Grandin Boulevard. The results of those injuries: broken femur, fractured hip, fractured pelvis, broken ribs, facial lacerations. He has metal holding his bones together.

Also like to table an article from CTV from November 1st, 2010, discussing an event that happened, Mr. Deputy Speaker—discussing an event that happens also in 2008 at Bishop Grandin and St. Mary's. Vehicle collision occurred. Two young women were killed as a result of this collision.

Again, 2008—I'd like to table a third story. December 2008, a man who was driving his vehicle struck and killed a woman, age 63. This was a grandmother. That event happened December 2nd, 2008.

Now, I doubt anyone in this Chamber knows those people. These tragedies happen frequently; they don't just happen in Manitoba. But everyone in this Chamber right now, every single person, knows the person—an event similar to this that happened on December 20th. Everyone knows this person—an event that happened on Bishop Grandin.

A person was driving in the wrong direction down the highway. That person was under the influence of alcohol, and they had passengers in their car. Those passengers, they walked away from it. So did the driver of that vehicle. Someone did not walk away from it: a vehicle they struck who was driving the right way down Bishop Grandin.

As my friends would say, of course you get in trouble driving the right way down the highway. I don't know if that was very funny when I was on morphine. But I spent a month in the hospital from December 20th to just after my birthday in January. I spent Christmas, I spent New Year's Eve, and everyone in this Chamber knows someone who suffered injuries because a result of drunk driving.

I have metal that holds my 'tibia' together. My pelvis was snapped in half. There is a nice crack that goes right down the middle; there's metal that holds that together.

These are not things—I don't bring up out of enjoyment, nor do I think it should necessarily also influence things. When I try to, say, sit cross-legged and play with my daughter and her friends and roughhousing, after a certain point, my joints hurt.

* (16:10)

As a person in my 30s, I'm well aware I'm participating in hip exercises with people sometimes twice my age. The important thing to know with this legislation is that the names I mention are really statistics, sad statistics, but we didn't know those people really. I never heard of them. But I highlight them because, only a few weeks after their events happened on the same road as two other of those collisions, I was almost killed. Everyone in this room now knows someone—they either know me very well or not so well, depending on maybe which part of the floor we sit on, but everyone knows someone who almost died as a result of drunk driving.

This is something that we must make effort to reduce. We must make effort to take these statistical increases where—the year I almost was killed from drunk driving, very few people. In 2017, 69 people were killed on these roadways. Twenty-eight of those deaths were as a result of drinking and driving, something that—there are potentially 28 families that were affected.

Myself, it wasn't fun being in hospital, but the thing that really upset me the most was that my family got to spend their Christmas Day in hospital. They got to spend their New Year's Day in hospital. I can only

imagine what they were thinking those moments they weren't with me at my bedside. And every family of those 28 deaths in 2017 went through the exact same thing.

Those are 28 families that got to spend maybe a birthday in the intensive care. Maybe they spent Easter long weekend preparing for a funeral. Maybe their summer with plans to go somewhere else completely ruined because one of their family members is gone.

If we can make any impact to take those statistics and reduce those numbers, this is a step forward.

This act is modelled after the laws and provisions brought in British Columbia that saw their fatalities decrease by up to 50 per cent—50 per cent fewer families suffering in hospitals, watching their loved ones go in and out of surgeries, wondering what it's going to be like to watch them learn to walk again, asking themselves what are they going to have to install in their homes so that that person can manipulate the bathroom.

Everyday occurrences change in seconds. They change in seconds when people choose to use substances and drive motor vehicles.

This is an act that will not prevent another death, necessarily. We know, sadly, that people will continue to consume alcohol after this act is put into place, but we can hope and we can expect that there will be fewer deaths. One less death is the whole world to that one family.

There are concerns brought up by the opposition, certainly. My concern at the end of the day is that if we can give another family their Christmas back because their kid wasn't almost killed on Bishop Grandin, that is a step in the right direction.

Thank you, Mr. Deputy Speaker.

Ms. Cindy Lamoureux (Burrows): Mr. Deputy Speaker, it's good to have the opportunity this afternoon to stand and speak on Bill 7.

You know, it is—it's critical that we, as members of the Legislature, do everything that we absolutely can to keep our Manitobans safe. And that means encouraging people to—not to drink and drive. It means building that awareness around the hazards of consuming alcohol and then getting on the road.

Bill 7 amends The Highway Traffic Act to allow peace officers to impose immediate roadside prohibitions on drivers, based on blood alcohol content. This includes a licence suspension, car

impoundment and administrative penalties, all three of which have associated costs.

This bill has been created based on fairly new legislation in British Columbia, and we know that in BC, upon conviction of driving while impaired, drivers must pay a fine of \$1,000 and purchase the driver risk premium to maintain their car insurance. Insurance costs depend on the driver's previous driving record and begin at a minimum of \$905 a year for criminal offenders. The criminal conviction then stays on record for 10 years. Towing and impoundment fees are around \$150 for three days, \$230 for seven days and \$680 for 30 days. And all licence reinstatement fees are \$250.

Mr. Deputy Speaker, the ignition interlock is a Breathalyzer mounted in your vehicle which will not allow the vehicle to start until a breath sample free of alcohol has been provided.

In addition to the consequences that I just mentioned, a court can also order you to enroll in ignition interlock if you have had three or more licence suspensions in the past five years or you have had two or more 90-day suspensions in the past five years. The driver must pay for installation, training, monthly monitoring and maintenance for a total cost of more than \$1,700.

Now, we have several thoughts on this legislation. In studying the legislation in BC, we're nervous that if this legislation is passed people may feel that their rights are being taken away, and people who are faced with a criminal record charge before having the opportunity to be proven innocent will actually hurt our economy if this is the perception that's being taken.

Our biggest concern is that the screening device cannot differentiate between alcohol from the breath or alcohol in the mouth. If there's alcohol in the subject's blood, it will be exhaled along with the person's breath, but if there's also alcohol in the subject's mouth the results will always be elevated and thus inaccurate, for example, mouthwash, Mr. Deputy Speaker.

If a person is leaving their house, takes some mouthwash in their mouth and then spits it out before getting into their car and just happens to be spot checked with this screening device, Mr. Deputy Speaker, they could be inaccurately detected.

It is also concerning that we hear many people having difficulty providing a sample that the device will accept. Any variation in flow rate of breath can cause the device to reject the sample as inadequate. The operator can only guess why the sample was rejected. If the officer's aware that the subject is having

difficulty providing a sample, they may use the manual button to try and obtain the best sample possible. Many of the devices have electronic and mechanical problems.

So this bill clearly does need still quite a bit of debating. We can talk about the impoundment of motor vehicles and how a peace officer will be able to impound a vehicle if they reasonably believe that a person driving has broken any provisions associated with drinking and driving. This can include the refusal to comply.

The calibrated screening device themselves are an interesting mechanism because it is a simply pass, warn, or fail. A fail, not less than 0.8, or a warn, not less than 0.5, is an indication on a calibrated screening device that measures driving under the influence.

We see there is a concern because calibrated screening devices do not give exact measurements of intoxication, but rather a pass-or-fail model. There is a lot discretion being used here and factors that should be considered.

Mr. Deputy Speaker, this bill also indicates that, before serving a person with a suspension and disqualification order, the peace officer must advise the person that they may request the peace officer to conduct an analysis of a sample of the person's breath with another calibrated screening device. Such a request must be made promptly.

In the case of a second reading, any action must be based on the lower screening device results. I believe this is an extremely important point, and if the bill passes, we need to do everything we can to build the awareness around this.

Mr. Deputy Speaker, the first time car impoundment happens when drug and blood alcohol concentration is equal to or over the legal limit. To start, there is a car impoundment of 30 days. Any refusal to comply can result in having your vehicle taken away for up to 60 days.

Now, the second and subsequent car impoundments can lead up to 90-days-plus car impoundments and there are also administrative penalties for suspended drivers if the peace officer serves the person with a suspension and disqualification.

The administrative penalty is an additional cost associated with the car impoundment or licence reinstatement. The administrative penalty is a debt that is then due to the government that must be paid no later than 30 days after the date of suspension, or if a person

applies for a review, 30 days after the decision is made upon the review.

If the suspension disqualification orders that give rise to the administrative penalty is revoked by the register, that's Manitoba Public Insurance, the person is not liable to pay the penalty, and if they already paid it, it must then be refunded to them, and that's very assuring, Mr. Deputy Speaker.

It is important to note, too, that administrative penalties do not exceed \$1,000 and may be different depending on the grounds.

* (16:20)

During all of this, while a review is taking place, a temporary driver's licence may be issued if the person applies for the temporary licence before the expiry of the person's licence suspension, and if the registrar has not yet made a decision on the review.

Just to wrap up, Mr. Deputy Speaker, we are going to be supporting this bill to move to committee because we're interested in what Manitobans have to say, and we're very curious to see, really, just how all the members here in this House feel about the bill. We want to make sure that everyone has the opportunity to speak on it.

We are a little bit skeptical, especially because the model that we are basing ours off of that is implemented in British Columbia, we don't have any of the statistics yet on if this model is, in fact, being successful. And we'd like to know those numbers and facts before we start implementing legislation here in our province based off theirs.

So, yes, we'll be supporting the bill to committee, and that's all I have to say.

Thank you.

Mr. Jim Maloway (Elmwood): I'm very pleased to speak to Bill 7 today. And you know, at the outset, I do want to echo what the member for Burrows (Ms. Lamoureux) just said on a couple of points, but the important point here is about the track record of this type of legislation.

You know, she indicates that the legislation has been—is in effect in BC, but—and I don't know when it was effected in BC or how long we've had to track the information, but that is very important that we do that.

We passed, a while back now, a few months ago, legislation dealing with distracted driving. And, in that particular case, the minister, you know, at the briefing, was reminding us that there were—the number of

accidents caused by distracted driving had increased over a period of five years from 2,415 to 11,086 and—but really didn't have a complete breakdown and all the details of those claims, but we had to accept those statistics.

And on that basis, clearly, there was a problem in our land, plus he was able to indicate that a number of other provinces had similar—had enacted certain legislation, similar legislation. However, I think there, too, he was not able to give any, you know, number of years that had been in effect anywhere.

So we did not have a track record, you know, anywhere in the country, you know, spanning three to five years, or whatever the period should be to be able to tell whether it's been successful or not. He was just jumping into the stream, you know, just following what all the other provinces were doing.

And—but he had some statistics to back himself up, because he's saying, well, you know, MPIC stats say that the distracted driving accidents are from twenty-four to eleven thousand. Now, you know, Len Eastoe over at—let's see, he's not at POINTTS, but there's two or three of these organizations that help, you know, that contest these cases.

You know, he—one of the first things he looked at is he said, well, look, I don't really necessarily buy Autopac's stats and I'd like to have more information about them. And he was, of course, appearing at the committee.

And that's what we're talking about now. We're just discussing the bill in principle and some of the pros and cons, as we see them, to the bill, and throwing up different issues that have to be considered, but at the end of the day, this bill will go to committee and people like Len Eastoe and other people involved in the industry will be coming forward.

And I know they're going—he's going to be making the argument that you can't—that you shouldn't be acting as the judge in these situations and jury, and we're giving the police officers an awful lot of jurisdiction here. And I think it was mentioned at a time too, that we were going to turn Manitoba into a big parking lot; that was a potential to do that.

So, I mean, obviously, we, too, are concerned about the statistics. However, I can tell you that the minister, in the distracted driving case, was pointing out that while the distracted driving accidents had grown tremendously, in terms of impaired driving collisions, they had actually decreased. They had decreased from 230 to 145 per year. So the decline is,

you know, the right-going in the right direction and doesn't seem to me like it's as big a problem as the distracted driving; however, you know, we have to look at all these aspects.

Now, we only have to look back to, you know, a number of years ago, you know, the member for Flin Flon (Mr. Lindsey), the member for Riverview—you know, I've been around a long time—member for Tyndall Park (Mr. Marcelino), and, you know, back in the—you know, back in the 1950s, the 1960s, there was a kind of a cavalier attitude towards drunk driving.

It was very common in those days for people, especially teenagers, to be, you know, drinking in their cars and driving around. And we can all remember, you know, high—in high school, students who would have accidents while drinking and there would be two or three people dead after a weekend party, and these sorts of, you know, these sorts of behaviours, you know, had to come to an end. And, over time, that's exactly what happened.

The government, for example, in Manitoba, back in the Howard Pawley days, brought in, you know, more legislation; they brought in seat belt legislation; there was a big reaction in the public to that. There was a big reaction to the requirement of motorcyclists wearing helmets when it was proven that it was a—when it's proven that it would save lives and reduce injuries.

And so every time the government tries to involve itself in safety type of exercises, there's going to be a number of people on the other side from, like I'd indicated, from the legal profession, from people involved in the POINTTS issue. But there—everyone has a role to play in this because we need a law that actually works and a law that's actually fair, not one that is lopsided in favour of one way or the other.

And I think a lot of the arguments people are making actually have a certain validity to them. For example, the member for St. Johns (Ms. Fontaine) talked about profiling, and that's valid observation on her part.

You know, I also know, too, you know, having been a liquor inspector many, many years ago, I know that there was certainly—it is certainly some pressure in the business to write tickets, you know. And so, if you could go out and raid some hotels and, you know, arrest some people and close some hotels down for infractions, well, that just, you know, that just made things better for your career.

And, you know, I'm—I don't know any police officers, but I'm sure that there's a number of young police officers out there, you know, talking among themselves about how many tickets they write in a period of time, and I'm sure there's a—there is some pressure to produce some decent numbers if you're going to continue in that profession.

So we have to guard against so many different aspects when we're dealing with this bill, and that's why we're going through the process we're going through right now, and, hopefully we'll be able to come up with a solution that works in Manitoba and perhaps it'll have to be tweaked a little bit different from BC, but, certainly, I think it's the right—generally it—going in the right direction.

* (16:30)

Now, I want to make some comments about past experiences in sort of related areas. We had a big, big problem back in the 1990s with auto theft in this province. And, you know, the government was at its wit's end as to how to deal with the situation.

And, you know, there was—the Liberals of the day, they were really tied to bait cars. You know what a bait car is? They had them—it worked, I guess, okay in BC. And they were kind of an entrapment regime where they would have this car sitting there, and the doors would be open, and—so the person would—that was going to steal this car would get in. And then, of course, the thing would lock and trap them in the car. That's was—that was the system that was working, or it was being tried, called bait cars. Worked in a few jurisdictions.

And the Liberals of the day, who in those days were a little bigger in numbers than they are right now, but—they were up to 20 there at this period, probably. And they were making speeches in here, boy, constantly about bait cars. Reg Alcock, he was one of the big pushers of bait cars.

Well, you know, at the end of the day, what got results was not bait cars—although they probably helped a bit in BC and other places—but was having the ignition interlock program. And we did it here in Manitoba. And we did it with the Gary Doer government. And even when they first looked at it, they were having thoughts about this. And they, I think, brought it in originally as optional. And guess what, there wasn't much uptake. You know, like, when it was an optional program, it had a little bit of uptake, but not a lot.

But, at the end of the day, when they made it mandatory after the first couple of years, this program was so successful that it—Manitoba became, like, the showcase province for reductions in car theft. All because of this ignition suppression system.

Now, at that time, new vehicles that were being built—and, by the way, I think they—the ignition suppression systems became mandatory in—believe it was 2010. All cars in Canada—sold in Canada had to have the ignition suppression systems installed, okay? But as early as 1995, I had a Ford truck that had that system in it, okay?

So what you had here was kind of a bias against people that had older cars because people that had older cars who could not afford brand new cars were—those cars were being stolen left, right and centre out on the street. But anybody that could buy a vehicle later than 1995—depending on, you know, a higher end vehicle, got a suppression system installed. And all new vehicles after 2010 had to have them.

Well, you see, the problem solved itself, right? It just took an extra 10 or 20 years, but only, you know, the richer people could afford—the people buying the newer cars—*[interjection]*—yes—could afford to drive one of these things, right? And you know what, the suppression system, the interlock system to lock those vehicles, I think it was a \$30 item. That's all it took was for the federal government to mandate these suppression systems, and the cost was 30 bucks per vehicle. And yet here we were in Manitoba, had a whole industry develop, and it was, like, \$300 to install these things.

And, by the way, they didn't work that well all of the time because people were installing them because they had to, and then, of course, they couldn't start their car—some of them couldn't start their car, whereas if it was a factory-installed system, it was under warranty, for starters.

Because, you see, when one of these things didn't work because of temperatures and so on, the people would go back to their car dealer and then there'd be a big fight going on between the manufacturer and the installer of this thing, and the car manufacturer, General Motors, for example, would say, well, but it's not our—it's an aftermarket. And our vehicle is fine; it works fine, but it doesn't work with that thing, right? And then the customers would be—and this didn't happen with a lot of customers, but it did happen. But none of this had to happen. If they simply built the cars correct in the first place, they wouldn't've been stolen because they couldn't be stolen, okay?

So now we roll ahead to where we are now, and there's talk of self-driving cars, okay? And there's a lot of technology. You know, the member for Concordia (Mr. Wiebe) has a super technology-loaded vehicle there because I'm parked right beside him—I'm parked right beside him. But, you know, I was told that, you know, with the distracted driving legislation, that, you know, you should check and see what's in your car because you might be surprised that newer model vehicles probably come equipped with hands-free this and hands-free that. So here you go again; people are going to have a leg up if they've got a newer vehicle.

So I took a trip down to General Motors dealership a week or two ago, and they said, you know what, you have a vehicle that actually texts; you can talk text to your truck. How about that? And it's one of the few vehicles that actually has it.

So, you know—so they set it all up; now it doesn't work. I don't know why it doesn't work, but they set it all up and for that brief—that brief—drive down Portage Avenue, I was able to start texting people using my voice. And it worked really nice, and I don't know why it doesn't work anymore. I now have to drive back there and get it fixed.

But my point about this is that over time this problem will partly solve itself because 10 years from now you're going to see, you know, voice texting is going to be in all of the vehicles, right? And that's where a lot of this, you know, effort should be made, is the federal government in the United States, the federal government in Canada. California has lots of influence over what we're driving because they make regulations. You can't drive in California unless your car can do this or can do that.

So there's a lot of technology that can be forced by governments to force the car manufacturers to provide these products to you at a decent price, products that work and products that are not going to—that are going to help solve the problem.

Now, let's take, for example, these—there's something called a—well, anyway, it's a device that put—that's on your vehicle that you blow into and if you've been drinking, your car doesn't—*[interjection]*

All right. Now, I know, they've been using those for a number of years now, and they—but they use them after the fact. They use them after the fact. I don't know what the costs are, but I know that somebody who's been driving impaired who gets caught, they can be told that they can drive to work, limited hours per day, and they have to install, at their own expense, this little device that they have to breathe into.

And why does it cost so much money? I don't know. But, once again, it's a third-party application. It seemed to me that if the federal government was really concerned about all this, that they could mandate, you know, nationally—the national government could say, yes, every vehicle, you know, every new vehicle sold in Canada has to have such a device. The cost of the device would be a fraction of what it would be. It would come with the vehicle. It would have a warranty under the vehicle, and that way, if you're—you know, you get into your car and you've had a couple of drinks, you know, at a reception—I don't go to any of them—but—

* (16:40)

An Honourable Member: Boston Pizza.

Mr. Maloway: —there's a—you have a reception at Boston Pizza—I told her—you have a reception somewhere and you go to it and you have a couple of drinks. And guess what, you get into your car and you breathe on the car and it doesn't start. Simple as that. Problem solved. Don't have to be introducing all kinds of bills that, you know, will be accused by some as cash grabs, will be giving these police officers a lot of responsibility in deciding if, you know, whether they're in a good mood that day, whether they're going to arrest this guy or that guy. I mean, there's just a lot of discretion here that, probably, you know, could be avoided if we were to—were able to use a technical, you know, solution here.

So, you know, like, obviously, this is not going to happen. The technology is driven by, you know, a number of different issues and they're always going to put the technology—the high technology into the more expensive vehicles. And that's going to take, you know, 10—a whole cycle, 10 years, 15 years before all vehicles have these things.

But that is the approach that government should be taking. But they don't do that. They say, oh, well, you know, how can we solve the problem. Well, let's just pass a bill. Let's just set up a bill and give these police officers more authority to go out and give them their little testing machines. And if you're over 0.05—and, you know, and why are we staying at 0.05? Like, why don't we just amend this thing? Why don't we bring it down to 0.01? Why don't we—you know, why have—why is it—you know, why is it 0.05? Because alcohol affects people differently, right? I'm sure there's people that have, you know, judgment issues having—just basically looking at a glass of wine, you know? Or a couple of sips.

And there's other people—and I—you know, at least one of them comes to mind now is an acquaintance of mine from Thompson who, you know, could seemingly drink all night and all day and still—and was a lawyer on top of that—and seemed to be able to function quite well and never, never had any traffic infractions and so on.

But, you know, the point is there. We have to do—we have to do something to at least, you know, make an effort here. There is just a lot of pieces to this bill that have to be looked at.

And like I said, that's what—you know, that's where we're going to deal with a lot of the stuff in committee. And—I mean, the government is—I think with this bill, they're going to attract a lot more interest than they did on the other one because I think there's going to be a number of people that are going to want to present at committee who will not buy the government's line on this one hook, line, and sinker and who are going to want to have a—I guess, more input on the bill itself.

Now, let's get back to the bill itself here. And the member for Burrows (Ms. Lamoureux) did talk about the explanatory notes to the bill because, you know, like, a lot of people—we hear, well, there's going to be—amending the traffic act to allow changes to the drunk driving. We say, well, hold on here, didn't we just do something about that? Well, no, that was distracted driving.

You know, the public are kind of—not less necessarily where we are on all of this, right? And so, before you start kind of, like, leading the parade, you know, you should find out just, like, what's going on with this whole issue. And I don't know why the government hasn't done some sort of an advertising campaign on this. I mean, they're—they—dropping these bills. You know, bills just show up with no warning, it seems. And they're driving them through.

And, you know, sooner or later they're going to find themselves, like, not leading the parade anymore. And that's not—going to be to their detriment.

But this bill, Mr. Deputy Speaker, amends The Highway Traffic Act to allow peace officers to impose immediate roadside prohibitions on drivers based on blood alcohol content, and, once again, I say if you're at 0.08 right now, now you're going to be—this bill is dealing with 0.05. You know, at what point are we going to say, well, even that is too high for this particular person, we want to go down to 0.03? You know. I don't know where the proper limit is.

Depending on a driver's blood alcohol content and previous suspension history—so they're throwing that in there, too—consequences may be a licence suspension for a period ranging from 72 hours to three months.

Now, the distracted driving bill follows that same pattern, you know. So, basically, you're not appearing before a judge; you're not getting any legal advice here; you're just finding out that your car is gone, you know.

Now, the question is: What if you're driving somebody else's car? You know, what if I'm driving the member for Flin Flon's (Mr. Lindsey) car? And because, you know, there are issues, you know, with this marijuana law. For years and years and years, even before the marijuana law, if you were to lend your vehicle, like if I borrowed the member for Concordia's (Mr. Wiebe) vehicle and I went to a party, then I headed for the border, you know, like, he had nothing to do with this—absolutely nothing to do with this, and the car could be impounded at the border.

You know, like, but that's been the case for forever. So you have people with vehicles, they lend them to their son or their daughter, they drive it around the weekend, and then they take a trip to Fargo and they drive up to the border and all of a sudden a sniffer dog smells something. Bingo—there goes the car, you know, and, meanwhile, the teenager's back at university, right.

So there has to be some sort of, you know, rules about what they can do and whether they can seize somebody else's car, right. I don't know whether they can do that or not.

Impoundment of the vehicle for a period ranging from three days to 30 days. Now, you know, I know that this is going to cost people that are caught an awful lot of money; that's for sure. Drivers must also pay an administrative penalty, may be required to use an ignition interlock system. Well, once again, there's that system again. The Registrar of Motor Vehicles may refuse to renew the driver's licence or insurance if a person with an unpaid administrative penalty.

By the way, as an aside, you know what happens? In a lot of cases when people have their driver's licence taken away from them, they just go and drive anyway. Like, we see that in the, you know, in the Autopac agencies, people are, like, driving around with—police are picking people up all the time. They can't afford the licence because they've got all these penalties on them, so they just kind of give up and they just drive—they drive without them.

And so they said drivers must also pay an administrative penalty and may be required to use the ignition interlock system. The Registrar of Motor Vehicles may refuse to renew the driver's licence or insurance of a person with an unpaid administrative penalty, and that's called, I think, a d-o-g or something and there—people have tons of these things.

Amendments are also made to The Drivers and Vehicles Act. The person who receives an immediate roadside prohibition may be required to undergo an impaired driver's assessment and complete an education or treatment program before having their driver's licence reinstated.

So, you know, once again, even with the addiction—you know, people have addiction problems. Well, there's like long waiting lists to get in the programs, and then there's people who actually want to go to programs, but they can't get into the programs because there's not, you know, there's not enough space.

* (16:50)

So I am concerned about this legislation, about the timing of it, like after—now, mind you, it was a different minister involved here, but maybe these ministers don't talk to one another.

But certainly, the indication that we had from minister number A, the distracted driving guy, the distracted driving minister, was saying, well, you know, we're not worried about drunk driving, because the number of accidents going down. We're worried about distracted, and we've got to be very careful that we don't turn—I think his words were, turning Manitoba into a parking lot, he said.

We've got to, you know, there's going to be, like, just thousands of vehicles out there. And so, you know, now only—what—it's just been a few months, and all of a sudden, boom, here we go. We're off on another one. So I don't really know who is, kind of, in charge over there. We keep saying it's the Premier (Mr. Pallister), has to be. *[interjection]*

Doctor—the member for Flin Flon said Dr. Hook.

Yes, certainly there's going to be lots of, you know, sort of extra industries benefiting by this legislation, but nevertheless, this bill will get to committee eventually, and we will hear from Mr. Eastoe, I'm sure, and many others who will put some very good arguments for amendments and so on forward. Anyway—

The Acting Speaker (Dennis Smook): The member's time has expired.

Mr. Ted Marcelino (Tyndall Park): The main thing that I want to discuss about this bill is the due process clause that we have in the Charter of Rights.

And the way that this bill has been presented and phrased is that there are so many things that a roadside enforcement action might take.

A police officer can pull you over and say that you are under the influence or impaired, no matter what language it is, and could impose those penalties and punishments that usually were meted out, given from the authority of the court system.

With this bill, the problem is that it goes against the very definition of due process.

What is due process? Due process is the legal requirement that the state must respect all legal rights that are owed to a person. Due process, the clause that gives the individual citizen or resident of our country, it balances the power of the law of the land and protects the individual person from it.

And then, there's the procedural due process that requires adequate notice prior to the government's deprivation of one's life, liberty or property, and an opportunity to be heard and defend one's right to life, liberty or property.

The proposed law, that I don't think should be supported, allows officers to impose IRPs. You know what those are? You don't. Immediate roadside prohibition on drivers, based on their blood alcohol content—

An Honourable Member: I believe that was introduced by the NDP.

Mr. Marcelino: You want to speak about it? Good. Hear me out first, then.

And depending on the driver's blood alcohol content and previous suspension history, the consequences are enormous: 72 hours to three months of licence suspension and impoundment of the vehicle, no matter who owns it, for a period ranging from three days to 30 days.

Have you been to a storage lot where those cars are brought in? They tow them and then, before you could even get them, you have to pay the impoundment fee, plus an administrative fee that the City charges.

And the reason why I mention something about the fee and the penalty which are supposed to be in money is because I want to see whether it's true that this is a cash grab. And if it were an additional cash grab, maybe we should be told where the money will be spent, if they are able to accumulate enough of those penalties.

And the way that I see this is that the drivers who are suspected of being under the influence of whether alcohol or a combination of alcohol and drugs are treated fairly under the law. And the danger that we have is that once we assign the duties of judge, jury and executioner to one person—

Some Honourable Members: Oh, oh.

The Acting Speaker (Dennis Smook): Order. It's getting a little bit loud in here. Please keep it down.

Mr. Marcelino: If you want to speak again, do so, but hear me out.

The problem that I'm having is that, besides the heckling from the other side, is that it's as if they're trying to stifle the arguments that I'm making—*[interjection]* Because it does not make sense? Say so.

Any time that we are allowed to speak in this Chamber is a privilege that I know the majority does not want us to exercise. The heckling that goes on whenever they do not want what they hear is really not too much. I invite them to do that some more.

The main thing that's good about this bill is that there is that attempt to face up to the reality that we have a crisis in our hands, especially with respect to drugs. And—but we have to be able to balance our approach to solving that particular problem. We 'canast'—we cannot just impose any law in reaction to a perceived problem that we ought to face up to.

And, Mr. Deputy Speaker, I know that I'm of running out of time for today, but I'll be able to speak next time. And that—I will not conclude my speech now because I'll speak again next—

The Acting Speaker (Dennis Smook): When this matter is again before the House, the member will have 21 minutes remaining—22 minutes remaining.

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, December 5, 2018

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