

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

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Speaker*

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-Second Legislature

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, March 25, 2021

The House met at 1:30 p.m.

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

ROUTINE PROCEEDINGS

Madam Speaker: Introduction of bills? Committee reports?

TABLING OF REPORTS

Hon. Blaine Pedersen (Minister of Agriculture and Resource Development): Madam Speaker, I'm pleased to deliver the Manitoba Watershed Districts Program 2019-2020 Annual Report.

Madam Speaker: Ministerial statements?

MEMBERS' STATEMENTS

Rashmi Saxena and Ankur Aneja

Mr. Andrew Smith (Lagimodière): Madam Speaker, during the COVID-19 pandemic, many Manitobans have been in need of assistance. Rashmi Saxena, and her husband, Ankur Aneja, heard the call for help and devised a way to assist Winnipeggers who were struggling.

They started with a Facebook group that was established in order to provide relief to Winnipeg families, seniors, and immune-compromised individuals who had lost access to the basic necessities. The group successfully connected those seeking assistance with others who were willing to help.

Within a few months, the group had grown from a few, to thousands of members who were donating their time, food, and resources to those who needed it the most. Members of the group worked together to build a caring community who believed that they could overcome their challenges together.

By May of 2020, their endeavour evolved into We Got This Canada, an incorporated non-profit which aims to provide nutrition, assistance and engagement to low-income families, individuals with disabilities, special needs and seniors.

In collaboration with local businesses and generous donors, the group has been able to touch thousands of lives, serving up to 500 families a month, providing hot meals, food, and hygiene hampers. Through their various programming, and with the

continued support of the local community and generous donors, the organization continues to work relentlessly as they address the needs of Winnipeg's vulnerable population.

I am very proud of this group, made up entirely of Manitobans, for Manitobans, as they rose to the occasion when they were needed the most.

Madam Speaker, I ask that we acknowledge Rashmi Saxena and her husband Ankur Aneja for their leadership in these difficult times, as well as the many volunteers and donors who have made, and continue make We Got This Canada a successful community assistance organization it is today.

Please join me in recognizing them.

Thank you.

Anti-Racism Week

Mr. Jamie Moses (St. Vital): Well, happy Anti-Racism Week. Although, should I really be happy? You know, I am at least glad this issue is being discussed and ways to eliminate racism, that they're slowly taking shape. But really, in 2021, I'm not happy that racism exists at all.

Now, I do 'commayor'—commend Mayor Bowman and the City of Winnipeg for holding the 'antism'—racism week and the discussion—all the issues. But this won't prevent and stop a lot of the racism that occurs in our society. But I do applaud the mayor and city council.

You know, racism can come in many forms, including overt racism, the racism we see when a first responder might withhold appropriate life-saving treatment to an Indigenous person or a person based on their race. It happens when we see horrifying acts of racial violence as we saw in Georgia just a few days ago.

Racism can be subtle, you know, like when I, for example, walked into a diner a few months ago, and an employee mistaken me—mistakenly presumed that, based on the way I looked, I was a SkipTheDishes driver there for a pick-up order.

Racism, of course, can also be systemic. This Pallister government ought to know that very well, because through their action, and often inaction, it comes to light. For example, we see racism when the

government tramples on Indigenous rights through Bill 57, when it chooses not to listen to marginalized communities, newcomer families on education and puts forward Bill 64, which creates new barriers to learning. We see racism when this government delays an anti-racism education legislation, Bill 212, using excuses like we already do some diversity training, to explain away their inaction.

This is a clear signal that this Pallister government—

Madam Speaker: The member's time has expired.

Some Honourable Members: Leave.

Madam Speaker: Is there leave to allow the member to complete his statement?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Madam Speaker: Leave has been denied.

Wildfire Prevention

Mr. Dennis Smook (La Vérendrye): It is indeed an honour to rise in this House today to do a private member's statement.

My statement today is twofold. I would first like to thank all the volunteer firefighters and departments for all the hard and dangerous work they do to protect Manitobans and their property. In the last couple of weeks, Manitoba has experienced above normal temperatures and, combined with the lack of precipitation this past winter, the dangerous—the danger of serious wild fires is real.

Madam Speaker, I have noticed over the last couple weeks that many fire departments have already been out fighting fires, and if we don't receive any rain, the situation will only get worse.

Madam Speaker, spring is a beautiful time of the year, and after a long winter everyone is just waiting to get outside. And with this comes the need to clean up all the dead grass around the yard and the fields, and no quicker way than to burn it.

Madam Speaker, before striking that match, I would ask all Manitobans to check with the local authorities to see if there are burning bans in their area, if burning permits are required and to make sure that, if they are going to burn, they have a plan in place should the fire get out of control.

Madam Speaker, I was a volunteer firefighter for over 20 years. Too many times I have seen fires that

were started innocently that got out of control and destroyed homes and property. Wildfires can be very destructive, and I am one that is hoping for rain so Manitoba firefighters can be like the rest of us and enjoy spring.

Madam Speaker, I would ask all members of this Chamber, help me thank all the Manitoba firefighters for all they do to protect us and our property.

Thank you, Madam Speaker.

Appreciation for Educators

MLA Uzoma Asagwara (Union Station): I'm honoured to rise in the House today to highlight the good and important work of Manitoba educators and commend the resilience of students in Union Station and throughout Manitoba.

Madam Speaker, long before this pandemic, Manitoba teachers, administration and staff have put students first.

They have coached; tutored; volunteered; provided menstrual products for kids of all genders; provided safety, comfort, understanding and space for students to be all of who they are. They've served as bridges of understanding. They've even have fed our children. All of this, on occasions, with their own money and on their own time.

Bill 64 is the culmination of disregard and mistreatment of Manitoba educators by this Premier (Mr. Pallister) and his government.

It's shameful that in the midst of the pandemic, when we've seen school leaders and students alike rise to meet unprecedented challenges, this Cabinet have so wholly disrespected Manitoba educators and their families.

Bill 64 does nothing to address the root causes of the challenges which they face. Educators and students need committed, intentional and root-level support.

And so, to all Manitoba educators, staff, students, families and communities, and those within those groups who have felt especially nervous that they might somehow lose the progress that's helped make them feel safer, perform better, feel affirmed and valued, know that you deserve to be lifted up, supported and equipped with the resources that you need, not to just survive this pandemic, but to thrive through it and well beyond it.

Know that we thank you. We believe in you, and we are here for you. You are invaluable, and know that

you can bet that on this side of the House, we're going to keep fighting for you.

* (13:40)

Miigwech.

Winnipeg Declared Kilt Skate Capital

Mr. Dougald Lamont (St. Boniface): This week, a signal honour was bestowed upon the City of Winnipeg that embodies so much of what is great about our capital city: volunteerism, pride in cultural heritage and rivers to skate away on.

On Monday, March 21, Winnipeg, Manitoba, was declared the Kilt Skate Capital of Canada by the Scottish Society of Ottawa, beating out Moncton, New Brunswick; Mauricie, Quebec; Regina, Saskatchewan; Almonte, Portland; Victoria Harbour and Lake Dalrymple, Ontario; and Calgary, Alberta.

Winnipeg even toppled two-time kilt-skate champion Glengarry, Ontario. And, Madam Speaker, we need to emphasize what a breakthrough this is.

Kilt skates across Canada were cancelled due to the pandemic, because they were often held in arenas because for some reason people think you need to be inside or even slightly warm to skate in a kilt, and nothing could be further from the truth.

Usually, the St. Andrew's Society of Manitoba organizes the kilt skate, but this year, Cathy Laver-Wright, a proud kilt-skater and resident of St. Boniface, personally logged 61 skates this winter, 20 of which she wore her kilt or brought her kilt-skate flags or a combination of both.

On January 25th, the birthday of Robbie Burns, when it was a brisk -21°, I walked from my office in the Legislature to the river in my Robert the Bruce tartan kilt, and submitted my video as part of Winnipeg's bid.

I can say that skating while wearing a kilt is warmer than you think. But I did almost freeze my kneecaps off. And despite the fact that I was involved, Winnipeg still won.

A huge thank you to Cathy Laver-Wright, because it would not have happened without her. Thank you also to national director, Don Cummer, as well as Gordon Cameron, John Perrin and Dwight MacAulay and the whole St. Andrew's Society.

You don't have to be Scottish at all to participate.

I hope next winter, the members of this Legislature, the mayor, city councillors, Members of

Parliament, will join us and Cathy in defending Winnipeg's honour and title as the Kilt Skate Capital of Canada.

Thank you, Madam Speaker.

Hon. Cameron Friesen (Deputy Government House Leader): Madam Speaker, I would ask if there is leave to revert to ministerial statements to allow the Minister for Sport, Culture and Heritage, who has arrived in the House, to be able to make an important statement.

Madam Speaker: Is there leave to allow the minister to do a ministerial statement? *[Agreed]*

MINISTERIAL STATEMENTS

Qaumajuq Inuit Art Centre

Hon. Cathy Cox (Minister of Sport, Culture and Heritage): I am extremely pleased to rise in this Chamber today to recognize the virtual opening of Qaumajuq, our new Inuit Art Centre at the Winnipeg Art Gallery.

Today, we recognize the leadership of key Manitobans who made this centre possible: Dr. Stephen Borys, CEO of the Winnipeg Art Gallery; Dr. Julie Nagam, curator and associate professor of art history at the University of Winnipeg; as well as all the language keepers and elders and the Indigenous advisory circle members. Thanks to their hard work, Manitoba is now home to the world's largest collection of contemporary Inuit art.

The name of the facility Qaumajuq means it is bright, it is lit, and it signals to visitors that Inuit voices and culture are at the heart of this centre. And with the help of the Indigenous advisory circle, the Winnipeg Art Gallery now has more Indigenous-led focus for its events and actions.

Thanks, in part, to our partnership with the Government of Nunavut, the Winnipeg Art Gallery holds in trust close to 14,000 Inuit art pieces in its collection. The Visible Vault alone holds close to 5,000 pieces in a beautiful three-storey glass display case.

And the stories of each piece, including carvings, drawings, textiles and new media, will shine brighter than ever before thanks to this beautiful new facility. Qaumajuq is not just a building. It is a cultural centre where Inuit vision and voices are shared with the world.

Madam Speaker, Manitobans can be very proud of the Winnipeg Art Gallery. Winnipeg has embraced

the Indigenous reconciliation, and all of Manitoba has as well, and made significant advancements in the presentation, scholarship and celebration of Inuit art.

Future events, workshops and exhibitions will shine a light of education and healing. And the knowledge and learning centre on the second floor will allow visitors to experience virtual and live programs and resources.

People from around the world, Madam Speaker, will come to Qaumajuq to experience the history and art of Canada's Inuit people through this innovative and wonderful centre.

I am very proud of our government's contributions to Winnipeg's newest landmark and commend all the generous donors, sponsors and other levels of government for their generosity in creating Qaumajuq.

The Inuit Art Centre is a wonderful legacy that will inspire and educate future generations.

Madam Speaker, I ask all members to join me in recognizing the achievements of all the individuals involved in creating this centre, and extending our beautiful best wishes as they open Qaumajuq, Manitoba's Inuit Art Centre, at the Winnipeg Art Gallery.

Mr. Diljeet Brar (Burrows): Winnipeg has recently become home to a new cultural landmark that is drawing attention from across the country. I am so excited to celebrate today the opening of Qaumajuq, which in Inuktitut means it is bright, it is lit.

Qaumajuq is an innovative new museum attached to the Winnipeg Art Gallery, and will be the largest public collection of contemporary Inuit art in the world. With close to 14,000 pieces, including carvings, drawings, prints, textiles and other media, each piece tells a story in its own right.

Qaumajuq will attract people from across Canada and the world, bridging the divide between the North and south and bringing greater attention to the amazing art of Inuit.

In recognizing its colonial history and vowing to work towards a future of reconciliation, the Winnipeg Art Gallery partnered with Inuit leaders in the design of the building.

The team at Qaumajuq strive to create a space for Inuit to feel welcome, engaged and inspired to share their culture with the world and for elders to pass their teachings on to broader community. Inuit have guided

the creation of Qaumajuq and its programs, including its inaugural show called INUA, which means life force or spirit in many Arctic dialects.

Sharing stories is at the heart of Qaumajuq's vision, and the team there has placed a strong emphasis on honouring their ancestors and families by including works created by their own relatives in the gallery's first exhibit, such as a beaded caribou-hide bag made by the grandmother of one of the curators.

Tonight and tomorrow at 6:30 p.m., there will be a virtual opening that includes performances from local Manitobans and Inuit artists, storytelling, a virtual tour and ceremony signifying the opening of the centre.

To honour the opening of Qaumajuq, Canada Life has sponsored the first seven days so that anyone can attend for free. This will be a once-in-a-lifetime experience and I hope to see you all there.

Thank you, Madam Speaker.

Madam Speaker: The honourable member for Tyndall Park (Ms. Lamoureux)?

An Honourable Member: No, it's River Heights, Madam Speaker.

Madam Speaker: Oh, the honourable member for River Heights.

Hon. Jon Gerrard (River Heights): I rise—I ask for leave to speak to the ministerial statement.

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

Mr. Gerrard: Madam Speaker, I'm pleased to speak today of the opening of Qaumajuq, the world's largest public collection of contemporary Inuit art in the world.

We thank the government of Nunavut, who have loaned to Qaumajuq 7,400 artworks which complement the 14,000 pieces in the Winnipeg Art Gallery collection.

It is exciting to see how Inuit culture is flourishing. The art commissioned by the Winnipeg Art Gallery for Qaumajuq includes recent pieces like sealskin space suit, demonstrating the mix of tradition and modern Inuit art.

The centre, with its focus on light, is a welcoming space and an important step toward reconciliation, featuring the participation of language and knowledge keepers.

I was pleased to hear that the museum has big plans to bring its exhibition to Inuit communities across Inuit Nunangat. This is an important part—*[interjection]*

Madam Speaker: Order.

Mr. Gerrard: This is an important step and means we are sharing this collection and the exhibitions across the North.

* (13:50)

Congratulations to architect Michael Maltzan; to Stephen Borys; to Heather Igloliorte, co-chair of the art gallery's Indigenous advisory circle and the lead curator of the INUA exhibition.

This is a soapstone milestone, a cultural centre in the heart of Winnipeg. A big thank-you to all who made this possible.

Miigwech.

Speaker's Statement

Madam Speaker: I have a statement for the House.

I would like to take a moment to pay tribute to Mr. Ray Gislason, our Deputy Sergeant-at-Arms, who is retiring from his post today.

Ray was hired as a gallery attendant with the Assembly in 2002 and appointed Deputy Sergeant-at-Arms in January 2011.

Ray previously served for five years as a police constable for the City of Winnipeg and was the recipient of the police commendation award for excellence. He holds a bachelor's degree in sociology from the University of Winnipeg, specializing in criminology.

Later in life, he worked as a highly successful publisher and the owner-operator of Gislason Advertising. He was also the founder of the Buy & Sell Newspaper and several other publications.

Ray has an extensive volunteer history, working with youth as a coach, team manager and league board member for various baseball, hockey and football teams. He also is an avid curler, slo-pitch baseball player, and has sung in various choirs and quartets over the years. Ray has been an active volunteer with Folklorama, and has sung with his quartet, the Prairie

Song Birds, at various hospitals and many seniors care homes.

Ray and Barb have been married for 52 years, and they have two sons and five grandchildren.

Ray asked that I share the following sentiments with the House:

I am thankful to have been able to work with three terrific Sergeants-at-Arms: Dave Shuttleworth, Blake Dunn and Garry Clark. I am grateful to the Clerk and two Deputy Clerks—Patricia Chaychuk, Bev Bosiak and Rick Yarish—for hiring me and allowing me to work here over the past 20 years. It has also been a real pleasure to work under three Speakers: George Hickes, Daryl Reid and the current Speaker.

I am so lucky to have had a super group of Chamber Branch attendants to work with, and a new batch of whiz-kids to come forward each year to work as pages.

It has been a special honour to introduce four Lieutenants-Governor each time they enter the Chamber: Honourable Peter Liba, Honourable John Harvard, Honourable Philip Lee and Her Honour Janice Filmon.

It has been a pleasure interacting with MLAs from all parties, present and past, in a true unbiased, non-partisan fashion. I will miss playing catch on the south lawn at lunchtime with MLAs from all sides of the House and also with our pages.

I will treasure the friendly, supportive and welcoming attitudes from all sides of the political spectrum, as I have truly valued the many interesting conversations I have had with members, both inside and outside of the Chamber, over the years.

While this is his last day in the Chamber, you haven't seen the last of Ray in the building, as he will be staying on with the Assembly as a casual gallery attendant.

On behalf of all members, as well as the Clerk and all Assembly staff, I would like to thank Ray for his years of dedicated service to this institution, and to wish both he and Barb the very best in the sunny years to come.

* * *

Madam Speaker: Now, if we can maintain that cheer, I'm going to call oral questions.

ORAL QUESTIONS

Ray Gislason Retirement Acknowledgement of Service

Mr. Wab Kinew (Leader of the Official Opposition): Madam Speaker, I wasn't expecting that, so I would like to take the opportunity to extend—on behalf of our team, our colleagues here—a great and sincere thanks to Ray and a congratulations on a well-earned retirement.

I also want to say thank you for your service. Thank you for your service in this Chamber at the Legislature, thank you for your service in law enforcement, and also thank you for your service in the community. You are an example to all of us.

And, on a personal level, I will miss that booming voice—Your Honour, the Lieutenant Governor—each time that we have royal assent.

I'm sure that the Premier wants to pay some words in a tribute here of an exemplary public servant.

I do have a question on climate change, but want to just take my turn to say congratulations and please enjoy your retirement.

Hon. Brian Pallister (Premier): There are some people who just epitomize class. That man is most certainly one of them. He has made everybody here aware of how good it feels to be appreciated by someone with a professional approach to his job, and he's always taken that approach, whether on the curling ice or on the ball field or here.

So, I like him too much to say much more. I will simply say I think all of us like him too much to say goodbye, so we want you back here. So, if you'd reconsider, that would be really good, Ray.

All the best. Good health to you and your beautiful family. We will miss you.

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

Carbon Pricing Lawsuit Action on Climate Change

Mr. Wab Kinew (Leader of the Official Opposition): Well, it's moments like these that I think you see through the partisanship a little bit, don't you, Madam Speaker.

But, on that note, let me dive right back in, eh.

The Premier has a choice, Madam Speaker. He can continue to fight against the federal government

in various lawsuits and continue losing them, or he can get on with fighting climate change for real, finally.

The people of Manitoba, people across Canada, are clear. The climate crisis is one of the challenges of our lifetime, and we need immediate action now, not fights between various levels of government in our country.

Will the Premier take the opportunity today to simply announce that he is going to be abandoning any further lawsuits against the federal government on carbon pricing?

Hon. Brian Pallister (Premier): Well, Madam Speaker, first of all, for clarification, this isn't a lawsuit, it's a point of clarity, and we're asking the courts to rule on whether there's provincial ability to develop our own carbon strategy, something Manitobans have devoted themselves to doing.

We focused incredible preparatory time and effort, with thousands of Manitobans involved in designing a made-in-Manitoba strategy that's more stringent than several other provinces' plans that were approved by the federal government.

So the principle that we are going to stand up for, and have—and we've made our case, at very little expense, but on an important issue, nonetheless, Madam Speaker—is awaiting the judgment of the Supreme Court.

So if the member's concern is fiscal, I can tell him that there's no other fiscal issue here. If his concern is the principle of whether Manitobans should be able to design a climate plan to fight climate change as part of a global challenge, I would say let's the court—let the court decide. That is their responsibility.

We'll stand for Manitobans on this issue because we have a better plan than provinces the federal government has already—where provinces have already been approved.

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

Mr. Kinew: But, Madam Speaker, instead of actually fighting climate change, what the Premier has done is spent hundreds of thousands of dollars trying to fight the federal government in court, and lost.

What happened in the meantime? Well, we've lost precious years at a time when the experts are saying we cannot waste a single moment in addressing the climate crisis.

In fact, what has happened over the past five years with this government in place?

Well, we've seen greenhouse gas emissions increase by some 5 per cent, Madam Speaker. We're moving in the wrong direction. Action is needed immediately to address this problem, which is not only the problem of our time, it will be the problem of our children's time and our grandchildren's time as well.

So, will the Premier please listen to the science, listen to reason, listen to the future generations, abandon the lawsuits, and instead invest in real climate action in Manitoba?

Mr. Pallister: We're taking action, Madam Speaker, sincere action, committed action, consistent action, where the NDP did not. And so, there wasn't a target ever set by the NDP that was hit. Gary Doer admitted that and, frankly, he was right, sadly.

* (14:00)

On the erroneous information, which adds to the continual and growing list of the member's erroneous assertions, hundreds of thousands of dollars has not been expended, Madam Speaker, and we have not lost a court case. We have made a great court case, which we hope the Supreme Court, a court of adjudication, will rule in Manitoba's favour on.

And then, Madam Speaker, we can have our made-in-Manitoba plan respected and can be part of the global approach to fighting climate change with local enthusiasm and involvement at its forefront.

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

Climate Change Mitigation Manitoba Hydro Role

Mr. Wab Kinew (Leader of the Official Opposition): Madam Speaker, the Premier lost at the Supreme Court earlier today. And it continues a very troubling pattern that the Premier has when it comes to addressing the climate crisis. On the one hand, he uses Manitoba Hydro as a tool to go launch these frivolous lawsuits against the federal government. And then, on the other hand, he comes back here to Manitoba and he attacks Manitoba Hydro. He undermines it with a cover-up of \$5 billion in export sales.

Madam Speaker, the path forward is clear. If we want to address the climate crisis, we need Manitoba Hydro rates to stay cheap, we need the workers to be on the job and we need the public to have confidence

in that utility. And yes, the—and yet, the Premier undermines Hydro in all of those respects.

Will the Premier simply acknowledge that he has mismanaged the Hydro file up to this point, and commit to doing better?

Hon. Brian Pallister (Premier): Yesterday, the member tried these kinds of assertions, and truth was the causality. And we checked, and he set a modern-day record, with 24 factual errors that he put on the record. And he's just added two more.

Madam Speaker, I want the member to know, if the NDP is going to keep lying about us, we'll just have to keep telling the truth about them. And the truth is they squandered \$10 billion on Americanizing Manitoba Hydro without asking Manitobans for approval. They disrespected the Public Utilities Board, they disrespected Hydro senior leadership, they disrespected the workers at Manitoba Hydro.

They had no respect for anyone. They just had a political goal and they decided they'd get their way, because they don't understand what we understand, Madam Speaker: Manitoba Hydro belongs to Manitobans, not the NDP.

Madam Speaker: Just a caution: I would ask members that we are asking everybody to refrain from using the word lie in the Chamber, and allegations of lying. It just tends to inflame debate and it isn't something that we have allowed in this Chamber. And I would just caution all members that we go down a slippery slope when we start to make accusations like that. So, just a caution to members. *[interjection]*

Order. Order.

I would urge members the—it's a serious statement I have made. I'm not asking people to find a way around it. I would ask that members respect this institution and try their very best to stick to parliamentary language in this House.

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

Manitoba Hydro Revenue Request for PUB Hearing

Mr. Wab Kinew (Leader of the Official Opposition): Here's why it's a cover-up, Madam Speaker. The Wall report said that they took the needs-for-and-alternatives-to report as their frame of reference. That is what this Premier directed Mr. Wall to use in his investigation. But the needs-for-and-alternatives-to report itself references SaskPower

buying 500 megawatts. I'll table the document. This is from 2014. Yet, not a single Manitoban knew of the benefit when these contracts were finalized.

Not only did Mr. Wall sign off on these agreements while he was still premier of Saskatchewan, he left them out of his report, presumably at the direction of the Premier.

It's clear that we need an independent expert process to tell Manitobans the truth about this cover-up.

Will the Premier immediately call a hearing of the Public Utilities Board today?

Madam Speaker: And just for clarity, that was the supplementary question.

Hon. Brian Pallister (Premier): Right, Madam Speaker. So the deliberate malicious use of false information continues from the member opposite.

The NDP record, Madam Speaker, on respect for its board members at Hydro is shameful. It overruled its own board members at Hydro when they had questions about Keeyask, and said, politically, let's go ahead and do it. When Hydro executives said, we don't think it's a wise idea to go 500 kilometres extra around the west side of the province, the NDP overruled that, too, by letter, and said, no, no, spend that extra billion.

And as far as a respect for the Public Utilities Board is concerned, there was nothing but disrespect shown by the NDP because they actually spent over \$1.2 billion more on Keeyask without it even being heard at the Public Utilities Board.

We'll strengthen the Public Utilities Board they ignored and we'll strengthen the transparency and take Hydro out of the NDP darkness into the light, Madam Speaker, into the light.

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

Mr. Kinew: Madam Speaker, the document that I tabled is significant, and you can tell, because the Premier does not want to address it. In fact, he's running away from it quite quickly.

But the significance of the document is this: Mr. Wall, in trying to refute the cover-up, said that the reason he participated in the cover-up, at the request of the Premier, was because he was only supposed to look at the 2014 NFAT report.

The passage that I tabled shows that those export sales were mentioned in that report. Therefore, their

exclusion from the Wall report, their deliberate concealment from the public of Manitoba by this Premier, is a cover-up. It is clear and it was carried out for political purposes simply because those export revenues contradict this Premier's political story.

We need Hydro to succeed in order to address the climate crisis.

Will the Premier finally abandon his cover-up and send the matter to the Public Utilities Board today?

Mr. Pallister: No respect for the truth; no respect for the Public Utilities Board; no respect for the people who worked on committees that were appointed by the NDP; no respect for the reality that \$10 billion was expended by the NDP government to Americanize Manitoba Hydro without telling Manitobans the plan, Madam Speaker.

So, Madam Speaker, while he disrespected Manitobans and disrespected Manitoba Hydro, we have to clean up that mess, and we're prepared to do it. The Wall report will help us by helping us to understand—[interjection]

Madam Speaker: Order.

Mr. Pallister: —how all this got out of control.

How did this \$10 billion get spent and wasted on an Americanization strategy when Manitoba Hydro is supposed to be for Manitobans? Let's find out so that we can expand our Manitoba Hydro and strengthen it, not ignore it and cover it up, as the NDP want us to do.

Bring it into the light, Madam Speaker, that's what we're going to do.

Manitoba Hydro Revenue Request for PUB Hearing

Mr. Adrien Sala (St. James): Yesterday, we learned that the former premier of Saskatchewan didn't think a \$5-billion contract was relevant to his so-called economic review of Hydro.

Brad Wall counted expenses at Manitoba Hydro, but he didn't count revenues from signed contracts. That is patently absurd and it's a clear attempt to disguise the financial situation at Hydro to advance this government's political agenda.

Will the Pallister government immediately call a general rate application before the Public Utilities Board?

Hon. Jeff Wharton (Minister of Crown Services): Certainly, the member would know a lot about

cover-ups, Madam Speaker. We know that they covered up—*[interjection]*

Madam Speaker: Order.

Mr. Wharton: –\$10 billion, Madam Speaker, \$10 billion.

Madam Speaker, they did not even go to the PUB. They speak highly about the PUB that they ignored.

Bill 35 will improve the PUB—*[interjection]*

Madam Speaker: Order.

Mr. Wharton: –so that those actions, Madam Speaker, will never happen in Manitoba again.

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

Request for Crown Corporation Committee

Mr. Sala: Manitobans are seeing rate increases without a public hearing, and Bill 35 will hide the true financial picture at Hydro for years to come.

As we learned yesterday, the picture this government paints of a crisis rests on a faulty premise. This government didn't include \$5 billion in its analysis.

They've known what the real situation is but refuse to share it. Instead, they work to undermine public confidence in Hydro and to push control over rate setting into their own hands.

Yesterday's news exposed it all. The minister and this government have no excuse.

* (14:10)

Will they immediately call a meeting of the Crown Corporations Committee so they can be held accountable?

Mr. Wharton: I'm sure the member opposite has some experience with rates, Madam Speaker. Under the NDP, Manitoba Hydro rates went up by 40 per cent—40 per cent. Shameful.

Madam Speaker, we know that the NDP cannot be trusted when it comes to rates—*[interjection]*

Madam Speaker: Order.

Mr. Wharton: –or taxes, Madam Speaker. There's not a tax that the NDP don't like. We know that the NDP went to every door in 2011, knocked on every door and said, we will not raise the PST. One year later, what did they do? They raised the PST on Manitoba hard-working families.

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

Cost of Hydro Review

Mr. Sala: Brad Wall chose to ignore \$5 billion in revenue for contracts he knew about when he was premier. Based on that flawed analysis, he then went on to call for all manner of privatization, contracting out and public-private partnerships. Just like Manitoba's Premier (Mr. Pallister), he ignored the evidence to get the outcome he wanted.

Manitobans paid millions for this embarrassing political exercise at a time when those funds could've gone to support families, communities and small businesses in fighting COVID. The review isn't worth the paper it's printed on, and Manitobans shouldn't be on the hook for the bill.

Will the Premier go back to his friend, Brad Wall, and let him know we want our money back?

Mr. Wharton: Certainly, the question I would have for the member from St. James and the Leader of the Opposition, Madam Speaker, is will they give \$10 billion back to Manitoba ratepayers?

Madam Speaker, we know the NDP built mega-projects for Americans, leaving Manitobans on the hook for generations to come. We'll ensure that Manitoba Hydro will be brought back to the Crown jewel it once was—under this government.

Manitobans know they can't trust the NDP on Manitoba Hydro. They can't charge—they can't trust the NDP on managing anything other than maybe a lemonade stand.

Altona Emergency Room Request to Retain Services

MLA Uzoma Asagwara (Union Station): Madam Speaker, Tim Friesen from Altona spent his last days advocating for the emergency room in Altona. He wrote the minister, expressing concern that the ER had to be diverted after he was admitted to the hospital.

He explained that his own admission was done in a crisis and that the uncertainty of ER closures was deeply concerning. He described ER diversions, and I quote, as nearly ludicrous, end quote, and urged the Pallister government to staff facilities up to ensure that they don't close.

Unfortunately, we've since learned that the Altona ER is, in fact, slated to close on April 1st.

Will the minister take the words of Mr. Friesen to heart to keep the Altona ER open?

Hon. Heather Stefanson (Minister of Health and Seniors Care): Of course the recruitment and retention of clinical staff in rural communities is a challenge, not just here in Manitoba, Madam Speaker, but across the country, and has been for many years, and the NDP should be aware of that.

And, as a matter of fact, Madam Speaker, the former minister of Health said, and I quote: We recognize that recruitment and retention in rural hospitals isn't just an issue here in Manitoba; it's an issue across the country.

And who said that? The former minister of Health, Sharon Blady. *[interjection]*

Madam Speaker: Order.

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

MLA Asagwara: Madam Speaker, Tim Friesen passed away on October 3rd after battling cancer.

From palliative care, he described the care of his workers as excellent, but remained worried about emergency care. He explained to media that the recent diversion of the Altona emergency room was concerning, and he reflected on his own experience needing ER care.

He said, and I quote: An ER is there specifically to make the first connection between the patient and the health-care system, and if there's a hospital with an ER, the ER needs to be open 24-7. It's just that simple. End quote.

Will the minister heed Mr. Friesen's words? Will she keep the Altona ER open and not close it on April 1st, as she currently has planned?

Mrs. Stefanson: And, of course, our hearts go out to the Friesen family and their tragic loss within their family, Madam Speaker.

Of course, we know that COVID-19 has created additional challenges by significantly hampering the region's ability to recruit nurses into open positions there. I can reassure Manitobans that this is not a permanent closure.

Members opposite used the same fear-mongering tactics when the community of Roblin was facing challenges with its emergency room, Madam Speaker. Today, Roblin's—*[interjection]*—well, if the Leader of the Opposition wants to listen, today—*[interjection]*—

today Roblin's emergency department is open and is, in fact, providing 24-7 service, which is even better than it was doing prior to the temporary service—

Madam Speaker: The member's time has expired.

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

MLA Asagwara: Well, I hope, Madam Speaker, that the residents of Altona can count on that statement and be assured that their emergency room won't stay closed.

The government is closing emergency rooms in rural Manitoba, and they're doing it during this pandemic. We all know how crucial access to ERs is for people having strokes and heart attacks. If these folks are forced to wait for an ambulance and the nearest ER is—*[interjection]*

Madam Speaker: Order.

MLA Asagwara: —even further, that essential care is eroded.

Filling vacancies and keeping ERs open in rural communities is vital.

Will the minister tell us today what her plans are to address these vacancies in rural Manitoban—Manitoba, and will she keep those other emergency rooms of concern open?

Mrs. Stefanson: Well, Madam Speaker, our government is taking real action to address rural health-care issues and to ensure all Manitobans are receiving the best quality of health care as close to home as possible.

And I will also mention that even members opposite recognize this. I quote: We know that recruiting emergency physicians to rural and 'remort'—remote environments, not only here in Manitoba but across Canada, is very challenging.

And who said that, Madam Speaker? Former minister of Health, Theresa Oswald.

Post-Secondary Education Funding and Tuition Increases

Mr. Jamie Moses (St. Vital): Madam Speaker, I've spoken to University of Manitoba students and they tell me they want more affordable tuition. Instead, they are facing an average tuition hike of 3.75 per cent for the third year in a row. With \$5.9 million cut from the University of Manitoba's funding, cuts to faculty and staff and tuition hikes are the result. Students are going to suffer the consequences. This government

must make a conscious decision to invest in our students' future in a meaningful way.

Will the minister commit today to restoring funding for Manitoba's post-secondary institutions, so that education remains affordable and accessible for all Manitobans?

Hon. Wayne Ewasko (Minister of Advanced Education, Skills and Immigration): I'd—I'll get to the opposition member's question in a few seconds.

I'd like to give a big shout-out to Ray and his family, and Barb, of course. And from all your friends on the pebbled surface, I know that you're probably going to be curling six or seven days a week next winter. And hopefully that—you know, we all abide by the health orders and we get back on that ice, Ray.

*(14:20)

So, congratulations on your retirement, and I know you won't be far. So thanks again, Ray, and I'll get to the member's question in a next answer.

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

Mr. Moses: I think the students of Manitoba are looking for actual answers and assistance from this minister to make their life a little bit more affordable.

They've made deliberate decisions to make life more difficult for students by cutting funding to University of Manitoba and all post-secondaries.

Now, over the course of the pandemic, the University of Manitoba has been subject to tuition increases of 7 per cent.

We know the pandemic is having impacts on students. It's harder to find work for students. Many students can't work because they have underlying health conditions and they have been left out of many COVID-19 initiatives.

I ask again: Will the minister stop shortchanging Manitoban post-secondary institutions and restore operating funding, yes or no?

Mr. Ewasko: I thank the member from St. Vital for the question.

I would just like to remind the member that this year, as well as the previous couple years, Madam Speaker, historical funding for post-secondary institutions: well over \$1 billion of direct and indirect funding this year again.

Tuition rates, Madam Speaker, are going to remain affordable here in Manitoba. *[interjection]*

Madam Speaker: Order.

Mr. Ewasko: Even with the tuition increase, Manitoba students will continue to enjoy the third lowest tuition rates in all of Canada, the lowest in western Canada, Madam Speaker.

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

Advanced Education Legislation Request to Withdraw Bill 33

Mr. Jamie Moses (St. Vital): Four years—four years—that's how many years in a row students and their families have looked at this government and said, your life—my life is getting more challenging because of your decisions and the cuts to post-secondary funding.

Now this government is trying to push ahead on Bill 33, which would give this government and the minister even more unchecked power and authority to control tuition. This government has continued determining—to undermine post-secondary institutions, and it has to stop.

Will the minister do what's right for students, do what's right for post-secondary institutions, and withdraw Bill 33 today?

Hon. Wayne Ewasko (Minister of Advanced Education, Skills and Immigration): I know I've answered a few questions and put it in writing, not only on Twitter, but hard-core letters to the students' associations, and they know—they know, Madam Speaker—that come Bill 33 going to committee and third reading, we're—I look forward to obtaining unanimous consent on Bill 33.

Madam Speaker, \$1 billion each and every year going to post-secondary institutions, six—over \$60 million going to Manitoba student loans and Canada Student Loans, \$30 million in scholarships and bursaries.

Madam Speaker, I wish the member would not follow his leader's attention-seeking behaviour and stop fear mongering Manitoba students.

Protecting Critical Infrastructure Act Request to Withdraw Bill 57

Ms. Nahanni Fontaine (St. Johns): Bill 57 is a direct attack on Indigenous peoples and activists in Manitoba, and, really, it's a direct attack on anyone

that would dare disagree with the Premier or any of those folks that he actually favours.

Bill 57 leaves far too much room for this Cabinet to interpret what is deemed critical infrastructure, and its intent is to instill fear around the fundamental right to protest and dissent. The minister knows this. The Premier (Mr. Pallister) knows this. His whole get-along gang knows this.

Why do they continue to support a bill that seeks to quash the fundamental rights of Manitobans to protest? Will the minister get up today and withdraw Bill 57? *[interjection]*

Madam Speaker: Order.

Hon. Cameron Friesen (Minister of Justice and Attorney General): We continue to regret that the member stoops to name-calling across the aisle, but on the subject of the bill, let me just say it's an incorrect reading of the bill.

A correct reading of the bill recognizes, indeed, that Bill 57 calls for those determinations to be made not by legislators but by courts.

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

Ms. Fontaine: The right to peacefully assemble is absolutely inherent in our democratic processes. Bill 57 gives the minister and large corporations unprecedented power to silence those that would dare to protest for environmental rights, Indigenous rights, women's rights, just to name a few.

Bill 57, if it had been around 10 or 20 years ago, we wouldn't see the advances that we have today, Madam Speaker. The right to protest is fundamental to holding governments to account.

Bill 57 is regressive and oppressive.

Will the minister take a stand for basic human rights and withdraw Bill 57 today?

Mr. Friesen: Madam Speaker, this bill protects and recognizes the fundamental right of individuals to gather, to have free speech, to assemble in the manner of their choosing. What this bill also seeks to do is to set a balance between these rights and our obligation to keep people safe and to keep infrastructure open.

The fact of the matter is that with the bill's mechanism, it's essentially justices, it's judges, who would make the determinations about what is critical infrastructure, and they would establish protection

zones to allow exactly those people to be able to have their say.

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

Ms. Fontaine: Manitobans are concerned at the Pallister government's growing oppressive regime. And Bill 57 is so broadly written that it could apply to almost anything, of course, except for abortion access infrastructure, Madam Speaker. Is this really the legacy that the minister wants to be a part of, one of silencing Manitobans and taking away all of our rights? Every member on that side of the House is complicit in Bill 57.

So, again, will the minister stand up in the House, get some courage and withdraw Bill 57?

Mr. Friesen: Madam Speaker, Bill 57 is a balancing act. It's a balancing act between exactly protecting and enshrining and recognizing people's right, fundamentally, to have their say, to gather, to speak out. On the other side, we have an obligation to keep people safe. We've seen across this nation and others where there has been those unfortunate, regrettable interactions, clashes and the failure for infrastructure to operate.

So, Madam Speaker, we have confidence that this bill goes in the right direction. We're proud to sponsor it—*[interjection]*

Madam Speaker: Order.

Mr. Friesen: —and we look forward to the debate.

While that member continues to try to shout down the debate, we invite the debate.

COVID-19 Vaccine Rollout Government Record

Mr. Dougald Lamont (St. Boniface): While the Premier has been focused on blowing up the education system and undermining Manitobans' wages and workplace safety, the pandemic is not yet over.

We are still in code red in Manitoba. Numbers are up. We're going into spring break, Easter and Passover next week, and I am again getting notifications of COVID cases in my children's schools. Northern communities have had to call in the army again because the—this government can't, or won't, do it. And despite receiving extra shares of vaccines, Manitoba is still near the bottom of the pack for getting people their shots.

Can the Premier provide Manitobans with an actual vaccination plan today?

Hon. Brian Pallister (Premier): Seven thousand doses on Tuesday, Madam Speaker.

Extended code red restrictions—sadly necessary, given, especially, the presence and growing presence across the country and here in Manitoba, of variants of concern—to protect Manitobans. Half a million this week, Boldness Project, to protect vulnerable families; I think we should mention that. Half a million for the United Way, to continue a 24-hour helpline for Manitobans so they can dial for—in for government, health and social services. Extending supports for youth aging out of care, we think that's a very important priority. And today I was pleased to announce an additional \$6-million funding program to support our very, very vital and important arts and culture industry in the province of Manitoba.

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

* (14:30)

Mr. Lamont: The government's own website says they have the capacity to deliver 20,000. So they're 13,000 vaccines short every single day.

But the lack of information is incredible. There are independent-living seniors in St. Boniface, where the average age is 70 and—in the 70s and 80s. They want to know if they can just have someone show up and vaccinate them all.

Waterloo, Ontario, has mobile vaccination units right now. We're supposed to be getting them here. When?

I've had seniors calling to ask whether they'll get their second shot in time because they don't know. We've heard that some folks are able to walk into pharmacies and get a shot without any checks for eligibility.

Why has this government dropped the ball on the pandemic again?

Mr. Pallister: A question coming from a Liberal about vaccine availability is always welcome, Madam Speaker. Sadly, we still, as of this morning, I believe, rank 51st, and we're behind Guernsey, Jersey and other Channel Islands. We aren't getting vaccines across the country.

But the Liberals are doing a mail campaign into NDP ridings in BC, into Conservative ridings in Ontario, telling everybody in those ridings that it's the

provinces' fault. That's what the Liberals like to do just before an election. They like to blame everybody else, Madam Speaker.

We don't have enough vaccines. Manitobans are ready to go to get vaccines in arms. Our vaccine team has worked its tail off. Our front-line health people deserve a round of applause for the work they've done, and that member should be ashamed of himself for being Trudeau-west yet again, Madam Speaker. It's unbelievable.

Manitoba Education System Elimination of Boards and Divisions

Hon. Jon Gerrard (River Heights): Yes, Madam Speaker, Manitoba school boards have been an incredible source of new ideas and innovation.

The White Horse Plains school board brought in audio and video links to Hutterite schools. The Seine River School Division piloted Roots of Empathy, to help kids learn empathy, and also Kids at Play: half-day kindergarten, half-day early-childhood education. The Seven Oaks School Division brought in Met schools. And there are many, many more examples.

Why is the Premier getting rid of school boards when they've done so well at listening to parents, at considering local needs and in bringing in new advances to education in our province?

Hon. Brian Pallister (Premier): Madam Speaker, school boards and the work they've done are well respected and appreciated by, I hope, all members of this House.

But, Madam Speaker, they're comprised—school boards are comprised of individuals, and individuals who care deeply about education. And I would suggest to the member that that caring won't stop with a reform that moves resources to the front line.

And what the member is also failing to recognize in this is the innovative and skilled and dedicated and caring approach that's taken by classroom teachers across this province, across the length and breadth of this province.

If we can strengthen the role of classroom teachers in supporting children in this province, Madam Speaker, after years of the NDP strengthening the top of the system, let's get the money to the classroom where it'll help our children.

Families Experiencing Domestic Violence Pilot Project Partnerships with WPS

Mr. Alan Lagimodiere (Selkirk): Madam Speaker, COVID-19 has forced many people to stay in dangerous situations within their households. It is widely known that instances of intimate partner violence have increased as a result.

The Minister of Justice recently announced a joint project with the Winnipeg Police Service to help address domestic violence situations.

Can the minister please share the details of this very exciting announcement with the House?

Madam Speaker: The honourable Minister of Justice.

Some Honourable Members: Oh, oh.

Madam Speaker: Order. Order. Order. Order.

Hon. Cameron Friesen (Minister of Justice and Attorney General): I thank the member for Selkirk for that excellent question.

Earlier today, our government announced a pilot project—a partnership with the Winnipeg Police Service on a pilot project that will better support families facing domestic violence struggles.

This partnership between the Department of Justice's Victim Services staff and the WPS will allow for both parties to consult and determine the appropriate outreach for families dealing with these calls for service in instances where charges are not laid.

Officers and Victim Services workers will now be able to respond to non-violent, low-risk calls in tandem, which will help families with a much quicker response to both police and social services. The main goal is to identify ways to improve response to non-criminal domestic violence matters. It's a creative approach, the first of its kind in—

Madam Speaker: The member's time has expired.

The time for oral questions has expired.

PETITIONS

Diagnostic Testing Accessibility

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

The background to this petition is as follows:

(1) Until recently, diagnostic medical tests, including for blood and fluid samples, were available and accessible in most medical clinics.

(2) Dynacare blood test labs have consolidated their blood and fluid testing services by closing 25 of its labs.

(3) The provincial government has cut diagnostic testing at many clinic sites, and residents now have to travel to different locations to get their testing done, even for a simple blood test or urine sample.

(4) Further, travel challenges for vulnerable and elderly residents of northeast Winnipeg may result in fewer tests being done or delays in testing, with the attendant effects of increased health-care costs and poorer individual patient outcomes.

(5) COVID-19 emergency rules have resulted in long outdoor lineups, putting vulnerable residents at further risk in extreme weather, being—be it—whether—be it hot or cold. Moreover, these long lineups have resulted in longer wait times for services and poorer service in general.

(6) Manitoba residents value the convenience and efficiency of the health-care system when they're able to give their samples at the time of the doctor visit.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to immediately demand Dynacare maintain all the phlebotomy, blood sample, sites existing prior to the COVID-19 public health emergency, and allow all Manitobans to get their blood and urine tests done when visiting their doctor, thereby facilitating local access to blood testing services.

And this petition is signed by many, many Manitobans.

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

GRIEVANCES

Madam Speaker: I understand there are no further petitions that will be read today, so I will move on to grievances.

Ms. Cindy Lamoureux (Tyndall Park): Yes, Madam Speaker. I bring forward a grievance today with a heavy heart because principal of Sisler High School, George Heshka, passed away this morning.

Sisler is not a typical high school, as any Spartan and my colleagues from Waverley and Notre Dame would both know. It is a champion high school, and,

Madam Speaker, this is because of Principal George Heshka.

Principal Heshka had a way of making our high school experience more than just an academic one. He created a safe space on our school grounds to be a family of Spartans, and I want to spend a moment reflecting upon how Principal Heshka did this for me personally. And, Madam Speaker, I am sure that there are thousands of students who could do likewise.

I remember when I was in grade 10, I fainted in choir class and, long story short, it landed me in the principal's office, where Principal Heshka made me sit for probably much longer than I needed and forced me to drink orange juice as I was starting to settle. I remember saying, let me go back to class, and he would say, no, no, you should go home.

And we went back and forth a couple times, Madam Speaker, me insisting I'm ready to go to class and him saying, ah, let's wait a little bit longer, drink a little bit more orange juice, maybe consider going home. Ultimately, he allowed me to go back to class, but first he made me call my parents.

This was the kind of man that Principal Heshka was. He cared deeply for his students and our well-being, and he made us feel safe.

I also remember my graduation year. My father made a speech at my grad and he referred to me as his precious little princess, and at the time, this just embarrassed me; I was 17 years old. But when I was called up on stage to receive my diploma, Mr. Heshka sort of nudged me and said something along the lines of, you know that your dad loves you, right? Madam Speaker, it felt like he was telling me, don't be embarrassed; this is a happy moment. And I felt that he really cared about what I was feeling, even at 17, even in high school.

Madam Speaker, last quick story. A couple years ago, we had a special guest come to Sisler High School, and while Principal Heshka and I were walking beside each other in the hall, he was saying, oh, this is exciting. And anyone who knows Principal Heshka knows he can be quite serious at times, but you could just see the love for the school shining through him. There was so much joy and so much pride.

* (14:40)

Madam Speaker, the serious side of Principal Heshka, though, is important, as he was an amazing person when it came to holding the room. He did this

while doing his job as principal and making us feel safe and heard. He was the principal at Sisler High School since 1980, and he truly transformed the school. Sisler is an innovative institution with award-winning programs in career exploration, youth entrepreneurship, women, trades, robotics and self-directed learning.

Further, Madam Speaker, Maclean's magazine in recent years also said Sisler was acclaimed as one of the 10 best schools in Canada. And, in addition to these praises about the school, Principal Heshka was a modest man who was presented with the Queen Elizabeth Diamond Jubilee Medal on behalf of the Governor General of Canada, His Excellency The Right Honourable David Johnston. And there's even more: he recently had a park named after him. And this park, and I'm proud to say, is in my constituency of Tyndall Park.

Madam Speaker, our thoughts and our prayers are with Mr. Heshka's family; his children, Jon and Kris; and all the teachers and the students at Sisler High School. Principal Heshka was a good, honest man who made a huge impact on thousands and thousands of students' lives in the North End of Winnipeg and on our school system here in Manitoba. He will always be cherished, be loved and remembered as our principal. People will remember him across Manitoba because of his dedication to Sisler and his care towards his students.

He will be missed, and I am asking if the Speaker would allow just a moment of silence at the end of anyone who wishes to speak to this grievance. *[interjection]*

Madam Speaker: Order, please. *[interjection]* Because they're not allowed.

There is no ability to respond to a grievance. So I don't know if the—*[interjection]* Does the member for Waverley—is he wanting to raise his own grievance?

Mr. Jon Reyes (Waverley): Yes, Madam Speaker.

Madam Speaker: The honourable member for Waverley, then, on a grievance.

Mr. Reyes: Thank you, Madam Speaker, on a grievance, and I'll keep my words short because the—my friend and colleague, the member from Tyndall Park, eloquently said some gracious and great words of a great man who I've known since I attended Sisler High School.

And I just want to say that I was very surprised of his passing today. To me, and to many students, former students, parents, many friends, teachers, he is truly a legend, a great disciplinarian, great educator. I just want to say that every time that I would go to that part of the city where I'm from in the North End, I was proud to be from that area of town. Even though that I now represent the area of Waverley, the south end, I remember him always asking me that question when I first became the MLA in St. Norbert: Why St. Norbert, why not here? And I would tell him that the most beautiful woman on earth lives in the south end, and his response was, you're such a politician, Jon.

So all I can say is that Mr. Heshka, to the Sisler High School family, to my colleagues from Tyndall Park and Notre Dame, we mourn altogether and my deepest condolences to Mr. Heshka and his family.

Thank you.

Madam Speaker: Is there—I believe the member for Tyndall Park (Ms. Lamoureux) asked if there was leave for a moment of silence. Is there leave? *[Agreed]*

Please rise.

A moment of silence was observed.

ORDERS OF THE DAY

GOVERNMENT BUSINESS

House Business

Hon. Kelvin Goertzen (Government House Leader): I'd like to announce the Standing Committee on Legislative Affairs will meet on Tuesday, April 6, 2021, at 6 p.m. to consider the following: Bill 14, The Minor Amendments and Corrections Act, 2020; Bill 19, The Minor Amendments and Corrections Act, 2020 (2); Bill 55, The Reducing Red Tape and Improving Services Act, 2021; and Bill 68, The Legislative Assembly Amendment Act.

Madam Speaker: It has been announced that the Standing Committee on Legislative Affairs will meet on Tuesday, April 6th, 2021, at 6 p.m. to consider the following: Bill 14, The Minor Amendments and Corrections Act, 2020; Bill 19, The Minor Amendments and Corrections Act, 2020 (2); Bill 55, The Reducing Red Tape and Improving Services Act, 2021; and Bill 68, The Legislative Assembly Amendment Act.

Mr. Goertzen: A further committee, Madam Speaker. I'd like to announce that the Standing Committee on Justice will meet on Tuesday, April 6th at 6 p.m. to consider the following: Bill 27, The Administrative Tribunal Jurisdiction Act; Bill 46, The Court Practice and Administration Act (Various Acts Amended); and Bill 51, The Limitations Act.

Madam Speaker: It has been announced that the Standing Committee on Justice will meet on Tuesday, April 6th, 2021, at 6 p.m. to consider the following: Bill 27, The Administrative Tribunal Jurisdiction Act; Bill 46, The Court Practice and Administration Act (Various Acts Amended); and Bill 51, The Limitations Act.

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Mr. Goertzen: Madam Speaker, could you please call for debate this afternoon and into the evening, as agreed upon, bills 58, 48, 21, 28, 29, 54, 56, 52, 53, 6, 17, 18, 20, 22, 23, 25, 36; followed by 5, 8, 12, 26, 32, 33, 37, 41, 45, 47, 49, 61, 62 and 63.

Madam Speaker: In accordance with the Sessional Order adopted on March 15th, 2021, today, the House will be continuing with second reading of specified government bills that are on the specified track.

Limited debates will be taking place in accordance with rule 2(10), with the exception that after each debate concludes, the Speaker shall put the question on the bill under consideration.

For government bills that have not yet had the second reading motion moved, for each bill, the minister responsible will move the second reading motion and then speak for up to 10 minutes. An up-to-15-minute question period will be held, followed by the official opposition critic and the independent Liberals getting to speak for up to 10 minutes each. Once these steps have been completed, the question will be put on the second reading motion.

This will happen for bills in the following sequence: bills 58, 48, 21, 28, 29, 54, 56, 52, 53, 6, 17, 18, 20, 22, 23, 25 and Bill 36.

Once these bills have been completed, the House will then deal with bills that are already at debate at second reading, to complete all of the actions that are required to ensure that the question period is finished and the official opposition critic and the independent members have the opportunity to speak up to 10 minutes each, if they have not already done so. For this, the question—following this, the question is to be put.

The bills in this category are: 5, 8, 12, 26, 32, 33, 37, 41, 45, 47, 49, 61, 62, 63.

The House is to sit until midnight with points of order and matters of privilege to be deferred until 1:30 p.m. on the following sitting day. At midnight, there is to be no further debate. At that time, second reading motions will be moved and the question put immediately without debate and the bells can ring for no more than one minute on each question.

DEBATE ON SECOND READINGS

Bill 58—The Criminal Property Forfeiture Amendment Act

Madam Speaker: I will now call debate on second reading of Bill 58, The Criminal Property Forfeiture Amendment Act, standing in the name of the honourable member for St. Johns (Ms. Fontaine), who has seven minutes remaining.

* (14:50)

No debate? The honourable member for St. Boniface (Mr. Lamont)? *[interjection]*

No, River Heights, sorry.

Hon. Jon Gerrard (River Heights): A few words on this bill, The Criminal Property Forfeiture Amendment Act. This is a bill which is objective to capture, possess property own by those who are criminals in the conduct of their criminal activities.

I understand the thought behind this bill, but then that—in the past, when the police have had to wait until a criminal is convicted instead of acting immediately, they may lose the opportunity to possess property used in the commission of a crime because the criminal has disposed of that property in some fashion.

However, as a physician, one of the things that I learned was that a primary important concept was do no harm, and that is one that I want to talk about in this context, that what we want to make sure is that, if this act is put in place, that property is not taken away from innocent people.

And as I said in question period, it is almost a certainty that there will be mistakes. I will give the members of the Chamber two stories to illustrate this.

One had to do with previous action under this act, and I believe the story is roughly as follows: that a father whose son was living with him—the son was accused of committing a crime, and the long and short of it is that result of this, the father's house was taken

away from him. So, all of a sudden, he was out of his house, was not able to live in his house, and he was not involved in any way in criminal activity.

The—this was an example of somebody who was incredibly distraught, incredibly inconvenienced. Just imagine what would happen to any one of us as MLAs if, all of a sudden, our house were taken away. And this was a very disturbing situation and my understanding is it 'pertisted'—persisted for some time.

The second example I will give is not an action under this act, but it is, in a similar way, property being taken away or held from an individual as a result of an action, which was legal but misguided. This was an action by the public trustee to—when an individual was—where there were questions, allegations flying, against a son who's looking after his father, that the father was put under the public trustee and put in a personal-care home—in fact, transferred from one personal-care home to another. But because of this problem of when a public trustee takes over the power of attorney for an individual, they take over, then, the control of that individual's assets.

In this case, the son had a name which was very similar to the father and the son's assets were all completely taken away and sequestered. And so he was unable to use them. In fact, it was several years before he was able to get his assets back, and they had been taken away for the wrong reason because he was not the one that the Public Trustee was taking the power of attorney for. He was not only inconvenienced; his livelihood was taken away. He was put in a very desperate situation for several years before this was corrected.

And it turned out that the allegations against the son were completely wrong; they were carefully investigated.

And here's another example of a mistake, or several mistakes, being made in this case. Though it was by the Public Trustee it illustrates how by somebody having a similar name, that all of a sudden, that individual can be—have their assets taken away.

We've seen this with people who are put on no-fly lists, that somebody with a similar name gets prohibited from flying even though they are not the person of interest. I think that this is probably problematic with people with more common names, but it's also more problematic when we have people from ethnic communities with unusual names which may not be common in Manitoba but may be common

in the community and mistakes get made and very unfortunate situations arise.

Now, I was not convinced by the minister's answer to my questions in question period that he's adequately on top of the need to have very rigorous approaches to making sure that anything that is taken away is not only restored but that the individual who is badly inconvenienced and put in very difficult circumstances because the property is taken away, has—receives retribution—receives compensation for the mistake that was made.

I see that when I look at the act itself or at the changes which are being proposed, that when one looks, for example, at section 2.1(1)(a), it says an order restraining the disposition of the property. Now, why is this not sufficient? If you have an order to restrain the ability of an individual to dispose of the property, you don't take it away from them, but you make sure that that property is not diverted or not put or used elsewhere. Why do you need to take away the property with sections (b) or (c) in this act?

I think the Minister of Justice (Mr. Friesen) needs to go back and revisit this act. And the—similar acts have been put forward in various jurisdictions within the United States, I understand. And in a number of them they have either withdrawn the act or have weakened them so that the potential for harming innocent people is much reduced.

And, certainly, we know—the minister didn't seem to be aware—that, you know, for example low-income areas in Winnipeg are, in fact, the areas where we have some of the highest crime rates and that this whole act, if not used very carefully, is going to disadvantage people who are low income.

So, notwithstanding the minister's intent to achieve something which might be helpful or useful in combatting criminal activity, I think that there needs to be a relook at this act, and we won't be supporting it at this stage.

Madam Speaker: The question before the House is second reading of Bill 58, The Criminal Property Forfeiture Amendment Act.

Is it the pleasure of the House to adopt the motion? Agreed?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Recorded Vote

Ms. Nahanni Fontaine (Official Opposition House Leader): A recorded vote, Madam Speaker.

Madam Speaker: A recorded vote having been called, call in the members.

* (15:00)

The question before the House is second reading of Bill 58, The Criminal Property Forfeiture Amendment Act.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Mickelfield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Piwniuk, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Stefanson, Teitsma, Wharton, Wishart, Wowchuk.

Nays

Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Wasyliv, Wiebe.

Clerk (Ms. Patricia Chaychuk): Yeas 34, Nays 19.

Madam Speaker: The motion is accordingly passed.

* (15:10)

SECOND READINGS

Bill 48—The Fiscal Responsibility and Taxpayer Protection Amendment Act

Madam Speaker: I will now call second reading of Bill 48, The Fiscal Responsibility and Taxpayer Protection Amendment Act.

Hon. Scott Fielding (Minister of Finance): I move, seconded by the Minister of Economic Development and Jobs (Mr. Eichler), that Bill 48, the fiscal responsibility and taxpayer protection act, be now read a second time and referred to the committee of this House.

Madam Speaker: It has been moved by the honourable Minister of Finance, seconded by the honourable Minister of Economic Development and Jobs, that Bill 48, The Fiscal Responsibility and Taxpayer Protection Amendment Act, be now read a second time and be referred to a committee of this House.

Mr. Fielding: Bill 48 makes important amendments to the fiscal responsibility and taxpayer act. The bill sets into legislation a careful path for Manitoba to follow to balance budgets within an eight-year time period, Madam Speaker, while investing more in health, education, lowering taxes while conserving our environment.

The government is proud of the work that it has done to eliminate the deficit in 2019 and '20, Madam Speaker. COVID-19 has caused significant financial and economic harm in Manitoba and, quite frankly, around the world. Our government has and will continue to make important, necessary investments to fight the pandemic and to help Manitobans and Manitoba economy recover.

It is in this context that we amend the—Manitoba's balanced budget legislation, The Fiscal Responsibility and Taxpayer Protection Act. The baseline deficit will be reset to be the deficit determined in accordance with the act for the 2020-21 fiscal year. To set a path to balance by the end of 2020-29, the annual deficit reduction target is reduced by lesser one-eighth of the deficit from 2020-21 fiscal year and the amount that—the actual reduction in the previous year, Madam Speaker.

The Fiscal Responsibility and Taxpayer Protection Act allows for excluding expenditures for emergencies such as a pandemic that have not been anticipated, as well as floods. Because of the ongoing, unknown nature of COVID-19, for 2021-22 fiscal year, the act is amended to allow for the exclusion of 2021-22 COVID expenditures, Madam Speaker.

In recognition of the hardship faced by many Manitobans this year, all government MLAs and Cabinet ministers have voluntarily returned a part of their salaries for 2020-21. As the ministers have already made reductions in their pay, the amount of

ministerial salaries withheld in 2021 fiscal year, we paid off—

Some Honourable Members: Oh, oh.

Madam Speaker: Order.

Mr. Fielding: —after royal assent of the bill.

Thank you, and I look forward to answering any questions from members of the opposition.

Questions

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

Mr. Mark Wasyliw (Fort Garry): I'm wondering if the minister can explain why, under the current existing act, expenditures that are required in a fiscal year as a result of a natural or other disaster in Manitoba that couldn't been anticipated, are not counted in the deficit calculation. It appears that, given COVID, it needs that legal definition.

Mr. Doyle Pivniuk, Deputy Speaker, in the Chair

So, why was it necessary to change the act when the current act covers this situation?

Hon. Scott Fielding (Minister of Finance): Well, finally, we have something we can agree upon with the member of the opposition in terms what the legislation does talk. The act allows exclusion of expenditures required to the fiscal year as a result of a natural or other disaster in Manitoba that cannot be anticipated. That sounds like COVID-19, Mr. Deputy Speaker.

The reason why we're setting this, Mr. Deputy Speaker, is because we've had a 100-year pandemic of health and economic consequences that you are seeing around the world. What we have done is commit to a balanced budget within an eight-year time period. We think this is 'reasomol'; we think this is a doable. And we've done this before, and we're going to do it again.

Hon. Jon Gerrard (River Heights): Yes, I ask the minister—*[interjection]*

Mr. Deputy Speaker: Order. Order.

The honourable member for River Heights, on a question.

Mr. Gerrard: Yes, I ask the minister, what is his salary? And how much will this bill, when it is passed, increase his salary this year compared to what it would've been without this bill?

Mr. Fielding: Mr. Deputy Speaker, the number for the salaries, our MLAs, are fully public documents.

In terms of the salaries—additional salaries, in terms of the ministers' salaries—it's around \$50,000, and what this legislation, as the member asked, once it's passed, is it holds back a portion of the ministers' salaries. What we have a—plan is to phase that out over an eight-year time period. The deficit—we think it's reasonable; we think it's doable; we think that Manitobans, once the pandemic is over, want our government to get in balance.

That's the problem that has been in the past. The problems with the NDP is that they blew their budgets every year, Mr. Deputy Speaker. That's a practice we will not be taking to the bank. That's a practice that the bond-rating agencies frown upon. We're not going to make those mistakes. We've got a plan to get ourselves back into balance once we're through the pandemic.

Mr. Wasyliw: Wonder if the minister can explain why no bill briefing was held for this act.

Mr. Fielding: We would provide as much bill briefing as the member wants on any bill.

Mr. Gerrard: Okay, so the minister's said that the additional salary that he gets as minister is about \$50,000.

I ask, what would be the difference, how much more will he earn with this bill than if this bill had not been put in place, that is, this year and the next eight years?

Mr. Fielding: The salary, if I understand the question right from the member, the withheld—withhold a portions of things is some around \$11,000. It works out to a net about \$5,500.

The salaries are established by the commissioner of—the commissioner makes those determinations in terms of the salaries that are—that members have, as well as members' salaries.

Some Honourable Members: Oh, oh.

Mr. Deputy Speaker: Order.

The honourable member for River Heights (Mr. Gerrard). *[interjection]* Oh, sorry.

The honourable member for Fort Garry.

Mr. Wasyliw: Given that this government—*[interjection]*

Mr. Deputy Speaker: Order.

Mr. Wasyliw: —has previously changed the legislation—I think this is the fourth time—when you hadn't met the legal requirements.

* (15:20)

How can Manitoba trust that this government will not simply change the bill, yet again, to protect your salary?

Mr. Fielding: And what our government is very proud of the fact is we initially put forth a plan to get ourselves back into balance in eight years when we took over the horrible books from the NDP. We—that was a plan that was in place. We thought it was a reasonable plan at that point to do it in eight years. *[interjection]*

What we ended up doing it—and the member from 'cordia' should know this, because he was part of the horrible administration in terms of the finances—is we beat that projection by four years, Mr. Deputy Speaker. In fact, we balanced the budget in last year's Public Accounts.

There is about a \$5-million surplus four years in advance.

Mr. Deputy Speaker: The honourable member for River Heights. The honourable member for River Heights, if you unmute.

Mr. Gerrard: The minister wasn't entirely clear why this bill needs to be changed and changed and changed. It's almost annually. Why not stick with the original bill? And, you know, if your salary is to be reduced under the original bill, just leave it there and take the consequences and recognize that that's appropriate, rather than trying to change it every year to save your salary.

Mr. Fielding: Well, first of all, we've met and exceeded our expectations every year, Mr. Deputy Speaker. We can go back on the record and take a look.

And to answer the member's question specifically, the reason why the legislation is changing is because we clearly had a one-in-100-year pandemic,

one-in-100-year economic shutdown that happens with this.

So the government wanted to take accountability, and what we want to do is put together a reasonable, doable plan based on past track record that we've done to eliminate the deficit and get ourselves back into balance in an eight-year time period.

We think this is reasonable. We think this is doable. And we've done this before and we're going to do it again, Mr. Deputy Speaker.

Some Honourable Members: Oh, oh.

Mr. Deputy Speaker: Order. Order.

I'm unable to hear everybody speak in here, so I want to make—the sound in this Chamber is getting so loud that it's hard to hear the speakers when they—especially on Zoom. So if everybody would be a little bit quieter and we can proceed. It's going to be a long day and long night, so we'll—let's behave ourselves here.

The honourable member for—Minister of Finance.

Mr. Fielding: Oh, thank you for the—

Mr. Deputy Speaker: Oh, sorry. The honourable member for Fort Garry.

Mr. Wasyliv: Now I'm wondering—I think the point that the member from River Heights is trying to make is that this act actually does the opposite. This is about not assuming, you know, accountability.

So I'm wondering if the minister can tell us why it's so important to protect the salaries of himself and his ministers who have clearly failed Manitobans during this pandemic.

Mr. Fielding: Well, I would argue, and I think the bond rating agencies and the financial community is—on a financial basis, we've cleaned up a mess that was left to us by the NDP government.

We're going to have to do that again, but this time it's because of COVID-19, Mr. Deputy Speaker. What we've done as a government, we've put additional resources—\$3.2 billion, some of the highest in a per capita basis in the country—to address both the health, the education, to support people as well as businesses during the pandemic.

And if you look at things like the numbers in terms of unemployment rate and the amount of growth, obviously there's some good trajectory that's happening here. We're clearly not done through the

pandemic. We might need additional supports that are in place. We've done that.

We're going to continue that again, because our goals as a government is to protect Manitobans and support the incomes as well as businesses here in Manitoba.

Mr. Gerrard: It's odd to have this act before we even see the budget and the budget predictions. I think it's questionable whether this is needed at all or whether, you know, the government should accept the fact that sometimes they get a little less in salary just because they wanted an act and had a chance to put it in place.

And they should, you know, take the considerations, take the act as it is, rather than try to change it every year. *[interjection]*

Mr. Deputy Speaker: Order.

Mr. Gerrard: So, you know, it seems odd.

Why is the government bringing in this act before the budget?

Mr. Fielding: The numbers—the base-line years establish of what Public Accounts numbers will be. So whether the deficit comes in around \$2 billion, which we are anticipating being somewhere around \$2 billion, would be one eighth every year.

We're going to do this in a timed way that makes sense. It's a plan to get ourselves back in a balance post-pandemic. We think it's a reasonable—we think that it's a responsible plan. We're the only party here in the Legislature that's going to support balanced budgets because we know the horrible track record that the member of Concordia and other members had when they had the hands—their—when they had their arms and their fingers on the joysticks of power.

We know what they did. They raised taxes. They raised the deficit. They cost \$10 billion of expenditures under Hydro that's caused—

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

Mr. Wasyliv: The minister referenced bond agencies. I just want to remind him that the Pallister government has had two consecutive bond rating downgrades. No government in the history of Manitoba has ever had that happen. And in five years of government, they have not received one bond grade upgrade.

Now, can the minister tell us why his government doesn't believe that Manitobans should make a fair

wage? And he believes that IBEW workers, teachers, bus drivers all make too much money and that they should have salary cuts, yet he believes that his wage should be protected.

Mr. Fielding: And what I would say to Manitobans is we provided supports for Manitobans when needed most.

In fact, there's been over—360,000 Manitobans got some sort of direct supports from our government to make sure Manitobans were supported. A lot of them were very vulnerable Manitobans.

Some are things like the Risk Recognition Program, where over 80,000 people in the workplace—that's over 12 per cent—got over \$1,500. Seniors, 250,000—230,000 seniors got an economic support benefit of \$200. Disabled people got supports by over \$200. As well as other direct supports that are in place. If you worked at lower-income areas and things like personal-care homes, you got an extra \$1,000. We provided supports to Manitobans—

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

Mr. Gerrard: It's not clear to me that the government is going to need eight years to get the budget back in balance. We haven't even seen the budget to know what the projections are. The recovery could be fairly robust, and we could be doing much better than the dismal government's projections at the moment.

But, you know, we know that the government has not always spent wisely. We accept that they have not planned well with this bill here.

But why is the government projecting eight years of unbalanced budget when we haven't even seen the budget?

Mr. Fielding: Our priority is to protect Manitobans first. Manitobans want a plan once we get in balance, and we believe it's a reasonable, doable plan. To answer the member's question directly—he's asking some good questions.

Number 1 is there's reassurance. Let's say we're able to balance the budget in an earlier time frame. It has parameters within this legislation if you go into a surplus, then you can't go back into a deficit position or you'll lose your salaries. That's what's account-called accountability.

We know the NDP knows nothing about accountability because when they go to doors and they tell voters that they're not going to jack up taxes, and of

course, that's what they do. My thoughts is that the NDP would never dream of supporting this because they don't believe in balanced budgets, they don't believe in using taxpayers' money—

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

Mr. Wasyliv: I'm wondering if the minister can tell us whether this bill makes him a hypocrite? And if not, why not?

Mr. Deputy Speaker: The honourable member for—the honourable Minister for Finance. *[interjection]* Order.

Mr. Fielding: We know the bottom barrel that the member has come to, as usual. That's his nature. That's what he did to us on the school divisions when he's taking junkets and spending money like there's no tomorrow.

You look at the Wiens report, it just talks about the type of management that's in place. What Manitobans wants from us is accountability, they want a plan to get ourselves back into balance. *[interjection]*

Mr. Deputy Speaker: Order.

Mr. Fielding: They want a reasonable plan, a doable plan, and they want some results. And, Mr. Deputy Speaker, we produce results. We suggested a plan, prior, to get ourselves back into balance in eight years. We did it in four years. We're going to do it again.

Mr. Gerrard: Mr. Deputy Speaker, that completes my questions. Thank you.

Mr. Deputy Speaker: Okay, the honourable member for Fort Garry.

Mr. Wasyliv: I think the minister doesn't understand what the word hypocrite means. It means that you do the exact opposite of what you say you do. So you say this is about accountability and then show none.

So I'm wondering if the minister can make it absolutely clear for Manitobans that if this bill doesn't pass, your salary gets cut.

* (15:30)

Mr. Fielding: Well, the member knows about being a hypocrite because his track record, in terms of the school division and every day, which he talks about.

What he should be doing is, No. 1, focusing on supports for Manitobans, making sure that Manitobans are protected during a pandemic.

But once the pandemic is over, they want a plan to get ourselves back into balance. They want a plan to make priority investments in health and education and social services. They want a plan to make sure that Manitobans aren't overtaxed, the taxes that the NDP took off and we'll continue to take off, Mr. Deputy Speaker. And my advice to Manitobans is watch and see.

I met with the leader opposition in the budget consultation. I asked him, I pleaded him, to put together and support a plan to get ourselves back into balance, and what did he do? He refused to do such.

Mr. Wasyliw: I'm wondering if the minister can tell us if he agrees with the decision of the Pallister government to lay off 11,359 government employees when the pandemic hit, and how he can reconcile this with the government's stated position that we're all getting through this together and—while attempting to protect government ministers' salaries through this bill?

Mr. Fielding: Our government believes—it wants to make sure that Manitobans are protected. That's what we're going to do; that's what this budget will do. It will protect Manitobans, but also put ourselves in a pathway to prosperity, a pathway to get ourselves back into balance.

That's something this government believes in: accountability. And you know what? More importantly, Mr. Deputy Speaker, what this government does, it does what we said we're going to do. We did things like reducing taxes; we did things like prioritizing expenditures where they needed. We're getting results. We're going to continue to get results from Manitobans, and they're going to be supported.

We encourage the NDP; we beg the NDP to support this budget to have a plan to get ourselves back into balance once the pandemic's over.

Mr. Deputy Speaker: Time for question period has expired.

Debate

Mr. Deputy Speaker: I'm now going to recognize the honourable member for Fort Garry, on debate.

Mr. Mark Wasyliw (Fort Garry): I mean, it's pretty common knowledge that politicians today are not held in the highest regard by the public and that there's low levels of public trust and high degrees of cynicism in the community about the work that we do and what happens here at the Legislature.

I don't think you have to look far. Just examine the Pallister government's legislative agenda to see why there's so much lack of trust and cynicism. They've earned every bit of it.

But this piece of legislation is exhibit A. This is more political theatre than actual public policy making. This is meant as a piece of virtue-signalling to the Pallister government's ever-shrinking base. It's not a serious piece of legislation. It's not actually meant to accomplish anything. And honest to God, I feel bad for the poor civil servant that had to draft this silly piece of legislation. It certainly wasn't a respectful use of their time.

And the problem with these kinds of balanced budget legislation we're talking about—this is almost like a museum piece—is a throwback to the 1980s Reagan-era legislation. And including, you know, earlier versions of this bill, there has never been a balanced budget law in—anywhere, all of North America, that actually punished the government for not complying with it. And the reason we see is here. This government's on its fourth version of this law. So, no government in the history of governing is going to punish itself by docking the pay of its Cabinet.

So when—you know, there's a danger that the government's going to contravene the act. They do what they're doing here. They simply come back and they change the parameter. They move the goalposts and they make sure that they don't actually have to face the consequences of their own bill. So why have it? Why have it if you're just going to change it and make sure that it has absolutely no meaning or consequence?

So when the Pallister government first came in in 2016, there actually was a balanced budget law in place, and, of course, if they had followed it, the ministers would have gotten docked. So they changed the law. They watered it down so badly that all they had to do was save \$1 from the previous year and they would escape, their paycheque intact.

Obviously, this was widely mocked. They were called hypocrites, and rightly so—widespread derision of the bill. So they amended it and gave it a similar strength to the previous version of this bill under the previous government.

But, you know, when I was getting ready for this debate, I was looking at some of the critics of the time. And there was a prominent Conservative columnist in Winnipeg at the time, somebody that I normally have very little in common with or agree, and he described

this law as useless. He described as not even worth happening on the books and that it was introduced for show.

You know, broken clocks, they're right twice a day, and he was right on this occasion. And I think that's a very astute observation about the quality of this bill.

So—and then we now have the final reiteration of the bill, and it's loophole after loophole and escape clause after escape clause. And if all else fails, this government's just going to come back and just change the bill for a fifth time.

So why are we engaged in this silliness; why with this cynical political theatre? And why the need to reset the bill when the previous bill actually contemplated severe natural disasters, most likely floods, but it also applies to COVID?

So that law's already on the books. So what's the purpose? And, you know, there's just no reason to even have this law and I think COVID also shows how absurd this type of law is. There is absolutely no policy reason to bind the hands of the government. If the government, including this government, wasn't allowed to run a deficit last year, it would be even more devastating for the health of Manitobans and our economy.

Even this government, with their fetishizing of deficits, needed to borrow in bad times to support struggling Manitobans and pay off, you know, and it's our basic law of economics: governments borrow in the bad times to help the Province ride it through and then pay off the debt in the good times.

Their approach, and this minister's approach is, of course, Reaganomics—the voodoo economics—doesn't actually help grow an economy. It's not fiscally responsible but what it does is redistribute wealth. It takes wealth from poor and working-class Manitobans and it gives to the wealthiest and those in least need in Manitoba. And that's their whole economic agenda.

And the end result is that it makes us less equal because in order to pay for those wealthy tax cuts, they're cutting their social programs that most Manitobans rely upon.

So, if any government actually followed this law, they would have to underspend on social programs and devastate their economies. And it's not sustainable in the long run. And we see this, their whole economic approach playing out in the last five years.

They are the only government—history to have two back-to-back credit downgrades, and in five years of poor economic 'stewardish'—stewardness, they have never had a credit upgrade.

So, if they were on the right 'proach' and they love the bond market so much, why are they not getting credit upgrades? So, that's concerning, and then we also see what else has happened. Because they have locked into an austerity 'agenida', it's slowed down our economy.

In 2016, we had the second fastest growing economy in Canada, and this minister drove it off a cliff before COVID. And before COVID hit, we had dropped to seventh place, and now with us in this situation and them laying off 11,000 civil servants, it's going to prolong the recession and make it harder for Manitoba to recover.

The Parliamentary Budget Office, this is a federal independent agency of government, says that Manitoba taxes are too low to sustain our level of social services and that we either have to raise our taxes to pay for our social services or there has to be drastic cuts to our social safety net. You can't have first-class services and then no money to pay for it.

And that's why the bond markets have downgraded us. That's why they say that we have a revenue problem in Manitoba. So what does this government do when they borrow \$2 billion during the pandemic? They turn around and hand that money over to the wealthiest Manitoba in unnecessary tax cuts that will do nothing to stimulate the economy. It's the definition of fiscal irresponsibility.

But I'll ask, you know, minister—or Deputy Speaker, rhetorically, what does this bill actually do? It tells ministers that we don't trust you, that we don't think you are responsible or that you can do your job properly and we're going to punish you by threatening to harm your paycheque.

And so that's quite the indictment of the Pallister Conservative Cabinet, that they cannot be trusted, that they have to be threatened by their boss and that their families' paycheque has to be threatened because they will not act responsibly as ministers, and they will not put the Pallister government's view of the public interest ahead.

* (15:40)

And so on this side of the House, we obviously believe our members are all competent, they're trustworthy, caring professionals. We don't need to

threaten our own members about what's right for Manitoba.

So clearly this Premier (Mr. Pallister) cannot trust his own Cabinet, and although I may be sympathetic to his position, the solution is not to bring in these phony show laws. The solution is to bring in Cabinet ministers that he can actually trust and skip the cheap political theatre that's in this bill.

And, you know, it's so toxic about this bill because why is deficits the metric? Why aren't we tying child poverty rates in Manitoba to ministers' pay? Why not make sure that this Cabinet eliminates child poverty, and if they don't, then take away their pay? But that is not valued by this government. They don't seem to care about that. That's maybe too much of an abstraction to them, the real suffering of Manitobans.

So at the same time, you know, they want to reward their ministers by putting Manitobans out of work, by cutting teachers, nurses, raising student tuition, doubling child-care fees, causing labour strife, strikes and protest. All that means that you get to keep your salary. So this is sort of Alice in Wonderland stuff; you know, the next election certainly can't come soon enough.

And this is cynical, dishonest legislation and we should treat Manitobans as adults. We should treat Cabinet ministers as responsible professionals. And we should have serious conversations about public policy and not engage in these kind of frivolous, silly, political theatre legislations.

So thank you, Deputy Speaker.

Mr. Deputy Speaker: The honourable member for River Heights—the member from River Heights is on mute.

Hon. Jon Gerrard (River Heights): All right, I will put a few words on the record on this bill. I want to make several points here. As the minister has himself explained that he would suffer under this act if he doesn't meet the requirements—a loss, a decrease in his salary of about \$11,000.

If you take his salary as an MLA and as a minister, it probably comes somewhere in the range of \$150,000, maybe a little less, maybe a little more. But 11,000 is less than 10 per cent of that. It is, in fact, less than 8 per cent of that. And if you take in count that the more you earn the more higher proportion of taxes you pay, that after taxes it amounts to about a 5 per cent cut.

So given the tight times that we're in, given the fact that the Premier (Mr. Pallister) and his government have refused to give many people any raises in pay, and many people cuts in pay, that it's not unreasonable that the Premier and his Cabinet should stick with this legislation.

And if they suffer a 5 per cent effective cut in what they take home at the end of the year, that sends a message that they're not following the act, but it's not a huge loss, compared with what so many others have suffered under the COVID situation and under the changes that his minister and his colleagues and Cabinet have brought forward.

So let's put this in perspective that this is a government which is really focussed on trying to save about 5 per cent of their salaries by bringing in, practically every year, changes to this legislation.

I also want to comment and put in perspective the comments of the critic for the official opposition who has said that this is Reagan-era legislation. It was—it is true, brought in initially in a form in the 1990s under the Conservative party, but it was maintained as legislation for 17 years under the NDP.

And he, the member, who is the critic for the official opposition, shouldn't—you know, should be careful because this was a bill which, of course, the NDP changed it almost as regularly as the PCs are changing it. But, you know, it was Reagan-era legislation which the NDP party adopted for 17 years in one form or another. You know, the critic for the official opposition should be a little careful in terms of his approach to this legislation.

I think, quite frankly, the other thing that I would say—and my colleague for St. Boniface may well have a few words as well—the other thing I would say is that this is a little premature to make all these changes when we haven't even seen the budget. The budget will be coming down in a couple of weeks. We will have a better understanding of where we actually are.

I mean, it boggles my mind in a sense that this legislation was brought in in November the 2nd. We didn't see it because it was hidden for a long time but the government, it seems to me, given the COVID situation, given the projections that—and the uncertainty, should be a little cautious about trying to predict exactly what's going to happen in the next eight years.

We could have a much more robust return in our economy or, on the other hand, there could be some lingering after-effects which are quite severe. But be

that as it may, it would be better to have a budget before we deal with this legislation instead of having to pass the budget afterwards.

The last thing I want to talk about is the fact that this legislation, in its original form, has provisions to deal with major economic challenges like a COVID pandemic, like the situation that the NDP faced with the major floods in 2011 and 2014. And so I think that the legislation actually had provisions that could have been used just fine in this COVID pandemic, and the government really has to adequately explain why they don't want to use the existing provisions.

And so, Mr. Speaker, we won't be supporting this legislation. It's been changed so many times that it's hard to know exactly what it stands for except to preserve 5 per cent of the minister's salary—of all the—each of the ministers' salary. I think there's better things that we can do in this Legislature than debate and to advance legislation which would save ministers 5 per cent of their salary, which is already quite generous.

So with those few words, Liberals, we won't be supporting this legislation. And, as I said, I think my colleague, the MLA for St. Boniface, may have a few words as well.

Mr. Dougald Lamont (St. Boniface): Yes, I think this is—there is a huge problem with this bill. The fact that it has been amended, I think, seven times by the NDP and four times by the PCs shows really what a completely empty piece of legislation it is, that if you have—it really is actually kind of embarrassing for lawmakers to say that, well, we're going to pass this tough law, but every single time that lawmakers actually have to face the consequence of the decisions they've made in passing the law, that they scramble and—to avoid the consequences of something they've set up for themselves.

The basic reason for this legislation originally is anti-democratic. The idea behind it is to say that, well, it doesn't matter who gets elected, it doesn't matter if it's NDP, Liberal, Green or PC, everyone is going to have to be—have the same opinion about the way government should work. It's trying to outlaw Keynesian economics. That's ridiculous.

It's trying to say that it doesn't—that the elections won't matter. That's the root of it, and that's why people have tried to pass it into law and pass it into constitutional amendments. It's a way of saying it doesn't matter who gets elected, it's always going to be the same. It's part of the anti-democratic—

fundamentally anti-democratic kind of policies we've been seeing from Conservatives for about 40 years.

And, you know, it was introduced for the conservative—by the Conservatives, but the NDP kept it on the books. They never left it, and they stuck to it. And it has had incredibly damaging effects. And the entire idea that we should never ever run a deficit has had incredibly damaging effects, because that's the reason why Hydro is in so much trouble.

* (15:50)

Because governments would be able to boast—as they are now, and as the NDP did—well, look at us. We've balanced the budget—again. Well, how did we balance it? Well, we took \$400 million from Hydro. That's—well, it was \$450 million was taken from Hydro last year. And the Premier (Mr. Pallister) is using that as a way of saying, well, now we can cut taxes again.

We have \$23 billion in debt in Hydro because we've been hiding it there in order to try to balance Manitoba's books and so that politicians can boast, look what a great job I've done balancing Manitoba's books because—when, in fact, we've been loading Hydro with debt in a way that has put Hydro and the finances of the entire Province at risk, because we're all on the hook for that debt.

And the actual history, if you look at what happened, the great myth that the PCs like to believe—and astonishingly, I think the official opposition even believe it—is that the NDP actually were Keynesians ever. Or that they didn't cut taxes; they did cut taxes at the very top.

So, in the spring of 2008, the NDP government announced they had reduced taxes since 1999 by \$1 billion a year—a whole range of business, personal and property taxes. And if you look at who actually benefitted when it came to income taxes, people at the top benefitted much more. So if you made \$50,000 a year, you would have saved 13,000 or \$14,000 in taxes. And if you made \$500,000 a year, you would have saved \$70,000 in taxes.

And during that entire time, it's actually the 35th—it's now been 35 years that EIA—almost 35 years—sorry, I'll correct myself. In 1992, the PC government of the day rolled back the EIA rates to 1986 levels and froze them there.

So people on EIA are getting the same amount they did 35 years ago, but the NDP and PCs have seen fit to change this legislation 11 times to make sure that

they won't face a pay cut that's equal to the entire—that can sometimes—more than someone on EIA might be receiving for an entire year.

And the fact is, is that it—the idea that—again, the idea that the NDP were Keynesian—this was used as a way of—it is spread. In the 2015 election, there was a—the Toby Sanger, the economist for CUPE, said, well look at this: NDP governments are the best at austerity; basically saying, look, we are the ones with the best fiscal managers, we're the best.

Well, how did they achieve it? It was Saskatchewan and Manitoba, and it was by freezing welfare for over a decade. It was by giving corporate tax cuts and by closing hospitals and not building roads and through cuts. That was—that's been the history of the NDP at least since 1990.

And people blame it on—I know people blame it on the federal Liberals. This is before the federal Liberals and Jean Chrétien or Paul Martin were ever elected. This is 1990, when Roy Romanow froze welfare rates where they stayed for 16 years, or 1992, when the PC government of the day rolled back EIA rates to 1986 and froze them there, and where they are today.

And part of this is that there is—it doesn't make sense. Good fiscal management is about knowing when to put out to borrow enough money even if you're borrowing money to get water to put out a fire. And this is 100-year crisis and we are not doing well enough because there are lots of people who are still on the verge of breaking down.

But I have to—I still have to add, is it—the fact that the provincial governments did this meant that these ideas were adopted at the federal level as well. So back in September 2008, there's a Keynesian economist from the University of Ottawa, was very prominent, ran into—ran into a—one of the leaders of a political party. It was the middle of the crisis—of the global financial crisis—he was in front of him at the security gate and he said, well, if you need to—if you want to pre-empt a huge recession, should ask for a stimulus program and argue in favour of a large federal deficit.

Now, this was during a federal election, and it was Jack Layton. Jack Layton said, well, provincial governments—NDP governments have run eight balanced or surplus budgets in a row, and if you have such crank ideas, you should start your own political party.

And in 2015, it was Liberals who said, well, we're going to run—we're going to be Keynesians and we're going to run a deficit. We're not going to cut. And the NDP sided again with the PCs.

I mean, part of this is—this is just history and, I mean, part of this is that I'm just trying to put some facts on the record. The fact is, is that Keynesian spending is something that governments—all governments do, but they pretend not to do it.

But the absolute obsession with it, paired with balanced budgets, paired with the embarrassing hypocrisy and greed of ignoring a balanced budget law so you can keep your raise while you're forcing other people into unemployment and you're cutting people's wages and freezing people's wages. It—it's really—it's deplorable in the sense—it's an embarrassment for politicians. It's embarrassing to be a politician when other politicians do this.

So is—it's a ludicrous bill that shouldn't exist, and we're going to vote against it because at the—I mean, the very least—the very least this government could do would be to leave this—leave these things in place, at least take some of their own medicine.

Even though I don't even—I don't even believe in cuts. I believe in efficiency but I don't believe in—but, honestly, if you're going to—please, walk the—walk the talk. But that's not going to happen, because we've seen that too many times that it hasn't.

Thank you very much.

Mr. Deputy Speaker: The question before the House is second reading of Bill 48, The Fiscal Responsibility and Taxpayer Protection Amendment Act.

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Mr. Deputy Speaker: I hear a no.

Voice Vote

Mr. Deputy Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Mr. Deputy Speaker: All those opposed motion, please say nay.

Some Honourable Members: Nay.

Mr. Deputy Speaker: In my opinion, the Yeas have it.

Recorded Vote

Mr. Matt Wiebe (Concordia): A recorded vote.

Mr. Deputy Speaker: A recorded vote has been requested, call in this—members.

* (16:00)

The question before the House is bill number—the second reading of Bill 48, The Fiscal Responsibility and Taxpayer Protection Amendment Act.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Stefanson, Teitsma, Wharton, Wishart, Wowchuk.

Nays

Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Wasyliv, Wiebe.

Clerk (Ms. Patricia Chaychuk): Yeas 34, Nays 20.

Mr. Deputy Speaker: The motion is accordingly passed.

Bill 21—The Conflict of Interest (Members and Ministers) and Related Amendments Act

Mr. Deputy Speaker: I will now call on Bill 21, the conflict of interest, members and ministers, the related amendment act.

Hon. Kelvin Goertzen (Minister of Legislative and Public Affairs): I move, seconded by the Minister of Finance (Mr. Fielding), that Bill 21, The Conflict of Interest (Members and Ministers) and Related Amendments Act, be now read for a second time and referred to a committee of the House.

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

Mr. Deputy Speaker: It has been moved by the honourable Minister of Legislative and Public Affairs, seconded by the honourable member for—Minister of Finance, that Bill 21, The Conflict of Interest

(Members and Ministers) and Related Amendments Act, be now read a second time and be referred to the committee of this House.

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

* (16:10)

Mr. Goertzen: I'm pleased to, again, be speaking this afternoon to the House on Bill 21, the conflict of interest act, members and ministers.

For many years now, there has been a need to redevelop and to strengthen Manitoba's ethical standards and accountability for MLAs, which has been identified by Jeffrey Schnoor, our current Conflict of Interest Commissioner, as the weakest in Canada.

The government was elected on a promise to improve transparency and accountability throughout government, including updating this outdated conflict of interest legislation. I'm proud today to announce that once this bill becomes law, we will have a new Manitoba ethics commissioner and it will be Jeffrey Schnoor, as the title of his current conflict of interest position changes. And this is in part through a number of consultations with Mr. Schnoor himself.

Mr. Schnoor will be granted—and future Manitoba ethics officers will be granted—expanded powers and responsibilities to ensure that our elected representatives always advance the public interest, rather than, in the rare cases, putting their private interests ahead of that. He will be tasked with enforcing new, enhanced rules for members, ministers, recognized party leaders and former ministers in Manitoba.

Subject to very limited exceptions, all members, under the act, will be required to disclose to the ethics commissioner all sorts of income, assets, interests and liabilities that are worth more than \$5,000. Members must also disclose all contracts with the government, directorships in various organizations, legal proceedings against the member and any support payments that are in arrears.

If a member fails to file their disclosure within 90 days of assuming office, they will be suspended without pay until their disclosure is filed. And, of course, there already exist disclosure timelines and requirements; these are just stronger and more set out.

Subject to limited exceptions, all members are also subject to the following rules. They must disclose all gifts over \$250 and are now prohibited from accepting gifts over \$1,000, except those required by

diplomatic protocol. And diplomatic protocol would be when there are diplomats who are presenting gifts to the government itself; there rarely are times when it exceeds that value, but in the rare times that they are. They must also not accept tickets from government entities for sporting or cultural events and they must not accept any gifts from registered lobbyists in Manitoba.

Recognizing the important role that ministers and party leaders play in our system, this new legislation includes enhanced rules for ministers and leaders of the official recognized caucuses. Under the act, ministers and party leaders are restricted in their private business activities if deemed as a likely conflict. If the commissioner is not satisfied with the proposed arrangement to remove the conflict, ministers and party leaders will be required to put their businesses in a blind trust that will be publicly disclosed.

Further, all ministers and party leaders will be prohibited from futures and commodities trading.

Ministers will further be subject to a one-year cooling-off period, where they cannot interact with government or receive unfair advantages over others.

And the act also modernizes the complaints process by getting complaints from MLAs out of the court system entirely. Currently, if you wish to make a complaint of conflict of interest against a sitting member of the Manitoba Legislature, it has to be done through, I believe, the court of—or the Queen's court in—across the street.

Instead, MLAs will be responsible for lodging complaints with commissioner and the results of those complaints will be publicly disclosed to the Legislative Assembly. We will therefore ensure transparency in the complaint and the investigative process.

Thank you very much. And I know that this is a bill that is somewhat personal to all members because it directly affects each of us, and I look forward to the questions that'll come here in this brief question period and then in committee in the days ahead.

Questions

Mr. Deputy Speaker: A question period up to 15 minutes will be held. Questions may be addressed to the minister by any members of the following sequence: the first question from the official opposition critic or designate; subsequent questions be asked each—by each of the independent members; remaining questions asked by any opposition

members. And no question or answer shall exceed 45 seconds.

Ms. Malaya Marcelino (Notre Dame): The commissioner recommended that ministers not be allowed to own untraded stock, such as holdings in their own businesses, unless those were very tightly monitored by the Conflict of Interest Commissioner.

We know that the Premier (Mr. Pallister) has these kinds of holdings.

Why did the government choose not to implement the commissioner's recommendation?

Hon. Kelvin Goertzen (Minister of Legislative and Public Affairs): Madam Speaker, this particular piece of legislation goes much further than any conflict of interest legislation that existed for 17 years under the NDP government. In fact, the current commissioner indicated that what we had in Manitoba is the weakest conflict of interest law in all of Manitoba.

This is a step, a gigantic step, of going forward and ensuring that we are much closer, if not ahead, of other jurisdictions, Mr. Deputy Speaker. I'm sure that there'll be other iterations or other changes as we go forward.

The member can bring forward any suggestions she has during that time, but this is a dramatic increase in terms of bringing us into a more modern—

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

Mr. Dougald Lamont (St. Boniface): I'm just wondering about the timeline for implementation. I understand it's going to take a couple of years for it to be—once this passes—for it to come into effect.

Is there some reason why this, you know, this—we've been waiting for a long time; we have a very weak conflict of interest code.

Why isn't this just coming—why doesn't this come into effect on royal assent?

Mr. Deputy Speaker: The honourable minister of legislative and—relations.

Mr. Goertzen: Yes. Thank you, Mr. Deputy Speaker. You can go Government House Leader, if you want. I'll get that, yes.

There are a number of changes within this act that require members to have different disclosures. It might require them to have a different form of holding their assets, or if they're talking about a business, a different form of having that business held, either

within their own personal family or in another way. So that would take some time. So there's a practical element to it.

It is also, I think, good for members who are running for political office to know what their requirements are, because it is important for those who are seeking political office to understand the full breadth and width—

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

Ms. Marcelino: With Bill 21 the government has chosen to allow ministers to have all manner of business dealings, so long as they are held in blind trust. But the commissioner says the problem with blind trusts is that they are often not blind at all. The minister still knows he or she is the beneficial owner and therefore the possibility of a conflict of interest can still arise.

Why didn't the Pallister government listen to the Conflict of Interest Commissioner?

Mr. Goertzen: Well, Mr. Deputy Speaker, I think maybe the question might be why did the NDP never even go to this level of having the requirement for a blind trust?

The member opposite indicates that she doesn't feel that this is going far enough, and yet for 17 years, under the NDP, there was no requirement at all for a blind trust, Mr. Deputy Speaker.

We will see how this new provision operates and how it works. I'm sure there's going to be suggestions. I'm sure there'll be changes as we go along, as we see some things that work well and some things that don't work well. But we're committed to looking at that and making those changes, unlike the NDP, who took the legislation, got elected, put it on the shelf and let—

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

Mr. Lamont: So, just to be clear, the minister said that there—a number of people would have to rearrange their affairs and that's part of the reason why this is—would take time.

Is he saying that if this act were implemented tomorrow that there would be members of the Legislature who would be in violation of it?

* (16:20)

Mr. Goertzen: Madam—sorry, Mr. Deputy Speaker, I think there are different requirements, for example, in

this act, in terms of how you would disclose a registered retirement savings plan. So I believe, now, when members file their conflict forms, that they do not have to disclose individual assets that are under a registered retirement savings plan, different from a tax-free savings account. And so that is a difference, in terms of filing.

So the reason we're bringing in the act is to make it stronger and to ensure that there would actually be a difference to it. But it does take time for members to get those things in order—

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

Ms. Marcelino: Mr. Deputy Speaker, why doesn't the bill enhance declarations for all Treasury Board members, including those that aren't ministers, as the commissioner recommended?

Mr. Goertzen: Well, there are other acts that can deal with members of the civil service and the disclosures that they are required to take. This particular piece of legislation specifically deals with ministers and MLAs who are elected to this Assembly. But again, there are, within government, other pieces of legislation would deal with conflict and disclosure when it comes to executive members of the public service.

Mr. Lamont: Yes, just a question, because it seems to me that, in this case, they were basically asking an opinion of the Conflict of Interest Commissioner, but then the decision as to whether that opinion gets enforced or not is up to the Legislative Assembly.

And I think one of the challenges around conflict of interest is precisely that it lets people mark their own homework. You know, if you have a situation where a majority government—a member of a majority government—has a finding against them, the majority government is in a position to absolve them.

Am I mistaken about that? Or were there any other considerations, other than the Legislature—or, the Legislative Assembly making these decisions?

Mr. Goertzen: Well, I think that there are a number of challenges when it comes to trying to govern the affairs of the Assembly. Some of those become challenges in that the Assembly itself, from a constitutional perspective, governs its own affairs, Mr. Deputy Speaker. And we've seen that in a number of different areas.

We know that when it comes to ethical pieces of legislation and harassment legislation—we've seen that just very recently, Mr. Deputy Speaker—how

challenging it can be when a member is found to be guilty—a sitting member found to be guilty of harassing behaviour, and yet it is difficult to apply a penalty. So it's not a poor point and the member might want to bring this forward to committee—

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

Ms. Marcelino: A member who makes a complaint without reasonable grounds may be subject to sanctions imposed by the Legislative Assembly.

Who determines what grounds are reasonable?

Mr. Goertzen: I think this ties into the question that was asked by the member for St. Boniface.

I mean, making that determination in the Assembly itself—as the Assembly often has to make determinations around its own rules or its own sanctions for certain things that happen—can be difficult. I think that that is why this is the kind of piece of legislation that should be reviewed regularly.

The former government took this piece of legislation and put it on the shelf and didn't dust it off for 17 years. Our government is committed to continuing to review it.

Mr. Lamont: And I—when it comes to making those decisions, I recognize exactly what the minister is saying, that there are areas where the Legislative Assembly should be making the decision.

The one thing I would perhaps suggest as an amendment to consider at committee, is the recognition of degrees of severity, which is a—it's a very useful way of thinking things of—in the law, sort of violations of first, second and third degree of—which is to say that if you're—I'm wondering—I hope that they'll consider making these kind of amendments that if you're talking about kicking—suspending a member entirely, that that would be a vote of the Assembly. But other punishments for findings of wrongdoing that are not as serious or—

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

Mr. Goertzen: I'm not unsympathetic to the member's arguments. And I think that that's a discussion, perhaps, that, you know, can more broadly happen with members of the Assembly.

It is a challenge to sort of define and then land on what is considered to be, you know, levels of severity for actions of members of the Legislature. But I don't think it's an impossible task; I just think it's a difficult

task, but not one I think that isn't worth at least considering on its merit.

Ms. Marcelino: One of the most challenging pieces of a modern civil service is dealing with the potential for a revolving door, as people enter from the private sector into the senior civil service and then back—then out to the private sector.

How does the minister intend to deal with the potential for conflict, especially in sensitive areas such as procurement and telecommunications?

Mr. Goertzen: So, as I've mentioned that there are other pieces of legislation within government that deal with conflict and disclosure.

For those who are within the public service in particular, with this act there is a cooling off period that applies to ministers so that they're not able to interact, in a sort of commercial sense, with government during that period of cooling off—or for those who are receiving a severance pay from the Legislative Assembly, if they've been severed after an election.

Mr. Lamont: I was just wondering: there's a section where I believe the Cabinet can sort of—there are times when Cabinet can grant waivers, essentially. The idea—I believe section 31(1) allows for a waiver or reduction of the specified transition period.

I know—I believe that, at the federal level, the period was up to five years, though I'm more than willing to be corrected.

Is—what is the purpose of having that waiver—the waiver period?

Mr. Goertzen: Well, any waiver period that exists that is, you know, something different than the normal standard is used and applied only when there's an exceptional circumstance. And one could list off, I suppose, a—different exceptional circumstances that might exist within 'governboon', but it is always important, I think, to have some degree of flexibility.

And then, in a transparent way, those who are applying or—applying for the waiver then have to publicly make justification for it.

Ms. Marcelino: Who did you consult with in this development of the bill and what were any concerns that were raised during that consultation period?

Mr. Goertzen: I mean, a lot of the impetus for the change, you know, came forward from Mr. Schnoor

in the role that he currently has. I've had many discussions with him over the years about the weakness of this legislation.

There's been significant public discourse and weighing by academics and others about how poor Manitoba's legislation is compared to other jurisdictions. So there's been significant, both consultation and public discourse regarding conflict of interest laws and how they apply to members and ministers in the provincial government.

Mr. Deputy Speaker: The honourable member for Notre Dame—or was it the honourable member for St. Boniface?

Mr. Lamont: Yes, thank you.

Just to be clear, I understand that the previous act didn't allow for disclosures under—sorry, the required asset disclosures, but limited only to the Province of Manitoba. This is more generally for assets, so it applies to anywhere. It applies to whatever: northwest Ontario, Saskatchewan, North Dakota?

Mr. Goertzen: That is my understanding, Mr. Deputy Speaker.

If the member has sort of—and I think I know what he's trying to do with the question, I'm not going to jump into a political debate with him, although I might like to.

But there—if there are specific scenarios that he wants to bring forward to committee, he can certainly do that, and bring forward a variety of different suggestions and scenarios, if he chooses.

I raised the issue before about—registered retirement savings plans are dealt with differently now than under this act, but there are a lot of other scenarios he may want to raise.

Ms. Marcelino: Mr. Deputy Speaker, those were all the questions that I had.

Mr. Deputy Speaker: Does the honourable member for St. Boniface have another question?

Mr. Lamont: Yes, I just had one.

I did want to say, I think there'd been issues with conflict of interest that applied to the City of Winnipeg, as well, where disclosures of—where all disclosures were contained within the Province of Manitoba, so that was a concern.

So I was just wondering, for the members' disclosure statements: identify the source of any income greater than \$5,000 the family has received. I'm

just wondering, is \$5,000 just a standard number to be selected, or—?

* (16:30)

Mr. Goertzen: Well, I mean, I think we could argue about what the right level is and—but sometimes, you know, levels are so low they don't make sense.

So, for example, I willfully declare on my conflict of interest, that anybody can go and see, that my son makes money mowing lawns every summer. I don't know that he makes more than \$500—or it might be a little bit more than \$500 mowing a lawn. I'm not sure how that would put him in a conflict of interest.

Is that a good standard? Is that a good level? I don't know, but we all have to find sort of the right level and if he has a different idea, he can certainly bring that forward to committee. But it seemed like a reasonable level and I suppose it might be reasonable that I disclose that my son mows lawns in the summer.

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

Debate

Mr. Deputy Speaker: I will now recognize the honourable member for Notre Dame for the debate.

Ms. Malaya Marcelino (Notre Dame): Bill 21 implements many of the 84 recommendations of the current Conflict of Interest Commissioner, Jeffrey Schnoor, but not all of them. We have concerns with what the government chose not to implement for members and one general comment for the civil service.

Madam Speaker in the Chair

First, the commissioner recommended including all members of Treasury Board as ministers for the purpose of conflict of interest, and this bill does not do that. That's a concern to us. Treasury Board members are privy to some of the most sensitive information in government, including government contracts and awards. By ignoring that recommendation, backbench MLAs appointed to Treasury Board are not held to a higher standard of accountability, and that's a mistake.

Secondly, the commissioner recommended, and I quote, a minister who has reasonable grounds to believe that he or she has a conflict of interest in a matter requiring the minister's decisions should ask the Premier (Mr. Pallister) to appoint another minister to perform the minister's duties in the matter for the

purpose of making the decision. End quote. We don't see this provision implemented in the legislation.

Certainly, declarations of conflict and a process of recusal needs to be improved. The current Finance Minister is, in fact, in just such a situation right now. He has an interest in a business which was involved in a serious labour dispute. The Finance Minister is also the labour minister. Only under fire did he finally declare a conflict and says that he has now developed an ad hoc approach he says will avoid conflict.

It's problematic because the Minister of Finance (Mr. Fielding) remains the authority for the department but has deferred the matter to the staff that he leads. It's very difficult for staff to do their job dispassionately when they know their decision directly impacts their boss.

The commissioner, in the recommendations, seems to anticipate these kinds of problems, which is why he suggested handing duties, for conflicts, to another minister. We have suggested in at least this instance, to take it further yet to allow an external investigator to look at anything that comes to the department in this labour dispute, to void any and all possibility of conflict. Unfortunately, the Finance Minister and the Pallister government have not taken us up on our offer.

This bill does not sufficiently take up the report's recommendations on accepting gifts or what constitutes as gifts, and also this bill does not follow the report's recommendations on blind trusts.

Section 12(2) of this bill notes that, in clause (1)(b), does not apply if the business or interest has been entrusted to one or more trustees, and this goes against direct recommendations from the report.

According to Mr. Schnoor, blind trusts will not grant the public the transparency that we deserve. A blind trust is a financial arrangement in which an MLA gives the administration of private business interests to an independent trust in order to prevent conflict of interest. Under the trust, the owner does not know how the assets are managed.

But here's the problem: once that is done, the MLA will no longer need to report that asset in their disclosure statement, so the public will not know about that asset. And Commissioner Schnoor points out that if an MLA has a private business and blind trust, this will not get disclosed in annual statements. If the MLA puts this asset in a blind trust, he will never even have to originally disclose it. The conflict

of interest is still there and this is a very concerning, gaping hole in Bill 21.

The commissioner also recommends that ministers not be allowed to hold securities, stocks, futures or commodities that are not publicly traded, unless those financial holdings are subject to strict scrutiny, including following the commissioner's discretion and only with their explicit written approval. So this means that the commissioner recommended that ministers not own businesses unless those business dealings and holdings are very tightly scrutinized and contained by the Conflict of Interest Commissioner.

The Pallister government has not enacted this clause. And we know that the Premier (Mr. Pallister) holds untraded stock in his own insurance company. Instead, what the government has done is allow for the holding of untraded companies, and in fact allows a minister to carry on active business, so long as the holdings of the company are held in trust.

In his report, the commissioner states that the problem with these arrangements is that the problem with blind trust is that they often are not blind at all. The minister still knows he or she is a beneficial owner and therefore the possibility of a conflict of interest can still arise.

On a new point, as Schnoor's report states on page 39, while the focus of this report has been on conflict of interest legislation from members of the Legislative Assembly, they are not the only individuals within the political process who may be subject to conflicts of interest. For example, some other Canadian jurisdictions also apply their legislation to political staff members, appointed members of agencies, boards and commissions and the senior civil service.

And, just broadly to the senior civil service, while the bill includes some provisions with regard to the post-employment of senior civil servants, monitoring post-employment conflicts is one of the most difficult and thorny challenges in a modern civil service. This will especially be true in sensitive areas, such as procurement, or in areas involving telecommunications.

What we don't want here is a revolving door where those with private sector expertise are parachuted into senior government positions and encouraged to deregulate and privatize and then be rewarded on the back end for anything they made happen for the private sector.

In politics, the revolving door is a movement of personnel between roles as legislators and regulators

on one hand and members of the industries affected by the legislation and regulation on the other.

Here in Manitoba at present, we have an old-fashioned system that relies on everyone having a high level of integrity. The problem is that sometimes they aren't good people like that. Former ministers and civil servants sometimes change jobs, like the rest of us, and will naturally bring to their new employers the experience and insight that they have gained from their previous positions.

But this revolving door has risks. The individuals concerned have been public servants in highly privileged positions with access to information and contacts beyond what others can easily or legitimately acquire. People are rightly concerned that these can be sold to the highest bidder, irrespective of whether that is in the public interest or that the information and context are used in an unethical or unscrupulous way.

Of course, the lack of transparency and monitoring in the current system means that we don't know how often that happens. But there is a very clear risk that it can happen. That's something that the OECD and the United Nations warned governments against, but it is bedeviling to try and capture.

I'm concerned that, while there are some provisions in this legislation, I have serious doubts to their effectiveness and enforceability. The Pallister government could very well right now have senior officials in their government who have spent their entire careers in the private sector and then hired into the civil service at a very senior level where they execute large deals that benefit the private sector. Who knows what they might authorize—multi-million-dollar sole-source contracts or perhaps even telecommunications deals.

In such a situation, Manitobans have every right to ask whose interest do they serve and, as we have seen in other countries far too often, there's financial rewards for those who participate in these activities.

After the financial crisis, a whole literature developed around the so-called revolving door of those who move between the private sector and government and then back out to the private sector again. We hope this minister will provide some clarity on this, and perhaps also commit to strengthen against these types of provisions.

While updating conflict of interest legislation is important, it's tough to trust a bill on increasing accountability from this government when they continue to introduce bill after bill that reduces their own

personal accountability and removes oversight from government.

Bill 35 gives the minister power to increase utility rates until 2024 and then only consulting the public once every five years. Bills 37 and 38 are heavy-handed attacks on the autonomy of municipalities who are already overtasked and undersupported by this government.

Last session's Bill 18, The Summary Budgeting Act, would have given government broad power to interfere with Crown corporations, post-secondary institutions and all government entities. Most egregiously, the Premier (Mr. Pallister) used his omnibus budget 'implementation' act for force-to force through a unilateral 2.9 per cent increase in hydro rates, and they exempted themselves from any sort of legal responsibility moving forward for years of clawing back supports for youth, from the Children's Special Allowances Act. These are not the kinds of things an accountable government does.

* (16:40)

You know, this session's bills 49, 35, 64, 57, 37—these are heavy anti-democratic threads running throughout all these bills that centralize the power in the hands of few and takes away the local voices from the table.

Manitobans deserve better, Madam Speaker.

And with that, I end my comments.

Thank you.

Mr. Dougald Lamont (St. Boniface): Yes. This bill does make some steps, but has a very long way to go. I understand that, under the current agreement, which—or, sorry, the current act, which was enacted I think in 1985, no one has ever been charged because it requires a private prosecution.

So, a—no one has ever leveled a single charge. And the fact is that it allows insider trading; it allows unlimited gifts; it allows people to vote directly to the benefits of the businesses they currently operate. It's clearly not acceptable in its current form; it's mind-boggling that it has stayed in the state that it's been in since 1985.

That being said, this—we still have a very long way to go, in terms of what this bill offers. It—I don't—I really do not see the justification for having it take two years to kick in. This was supposed to be something, I understand, the government originally committed to in its 2016 election. So, at this point, we're

talking about 2023. That's a long time to not have effective conflict-of-interest legislation.

I did mention the issue of jurisdiction about claiming assets simply because—well, there's a number of things, but this is also something that emerged when it came to situations of this—with the audits of the City of Winnipeg, where there were business dealings that were occurring in another country, in the US, which were not considered relevant. They weren't considered relevant to a conflict of interest.

And part of what we have to recognize is in—people talk about living in a global economy; in fact, the Minister of Justice (Mr. Friesen) was talking about this, in terms of—when he was talking—justifying the civil forfeiture act. You know, you have electronic banking; you can move—you can have bank accounts, you know, in another province; you can have property in another province.

And under the current legislation, it would be possible for people to receive a gift of unlimited size or a family member to give—receive a gift of unlimited size, so long as they declared it. The current situation, the current bill we have—sorry, the current law we have is intolerable.

It's absolutely essential to have a system with checks and balances and accountability, which we don't have. We have to have a watchdog with bark and bite, we have—which we don't have, because—I have great respect for Mr. Schnoor, but he's—his hands are tied and he's unable to complete investigations or rule—or deliver effective sanctions. So—and the other is that we can't be marking our own homework.

That is my—one of my greatest concerns about this is that too many of the decisions about enforcement will finally be made by the Legislature, in which case it dooms this process to being a conflict of interest. That—any political party has a vested interest in not seeing its members punished or being held to account.

I recognize that is—that there are very important rules about the ability of the Legislature to govern itself. That should not be taken away. That was a finding of the—when it—that was a decision—that was reflected in the Speaker's ruling on privilege, that there are fundamental rights that we have, but I don't think those rights include conflict of interest. They're a—freedom of speech is the most important right that we as elected officials have, but conflict of interest is not one of those rights that needs to be protected. It doesn't fall under speech, in my opinion.

The one other thing—though we are talking about both, you know, decision makers, policy makers, as well as elected officials and ministers and party leaders—there is one group which really should be included in this, and that's consultants.

An enormous number of decisions are made, around the world, for governments by consultants. They are consultants who work in the—who flip back and forth between the private sector and the public sector. They—the same consultants might advise corporations on how to legally avoid taxes, and then governments find themselves short of tax revenue, they will then turn around and advise governments how to cut budgets. So they manage to make—they manage to profit from both tax—legal tax avoidance, as well as advising governments.

And there's a problem with that. I do think that that's a very serious problem with that, because as elected officials, we are not actually able to hold these—hold consultants to account. They may make very serious, major recommendations—and this is true of any government, this is true of any and every government, not just the government of Manitoba. Whether it's McKinsey, or E and Y, or one of the big four, these are mammoth corporations which are involved in—which have to be held—which ultimately make, and make very serious recommendations on which elected officials act. But if those recommendations don't work out, it's not the consultant that's held to account.

So those issues of conflict of interest really should be broadened. I hope that they're—I hope that the government will be open to amendments; I don't think we can support the bill in its current form, simply because it does not go anywhere near far enough or fast enough in order to be able to ensure that we're—we have a lawful situation. I think, right now, it's the wild west and I don't think that's—clearly, I think everyone in—every single MLA here can agree that the current situation is not acceptable. I just hope that we're willing to do what it takes to make sure that we are—that it is.

Thank you very much.

Madam Speaker: The question before the House is second reading of Bill 21, The Conflict of Interest (Members and Ministers) and Related Amendments Act.

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

**Bill 28—The Water Resources
Administration Amendment Act**

Madam Speaker: I will now call Bill 28, The Water Resources Administration Amendment Act.

Hon. Ron Schuler (Minister of Infrastructure): I move, seconded by the Minister of Legislative and Public Affairs (Mr. Goertzen), that Bill 28, The Water Resources Administration Amendment Act, be now read a second time and 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 Infrastructure, seconded by the honourable Minister of Legislative and Public Affairs (Mr. Goertzen) that Bill 28, The Water Resources Administration Amendment Act, be now read a second time and be referred to a committee of this House.

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

Mr. Schuler: I'm pleased to rise again to speak and provide some comments on Bill 28.

This legislation will strengthen administration and stewardship of provincial water infrastructure, including provincial waterways and provincial water-control works. The bill also provides government increased powers to manage and protect provincial water infrastructure including flood infrastructure and the numerous drains that support agriculture production across our province.

Provincial water infrastructure consists of water control works under the government's control, as well as any lakes, rivers or other water channels that are designated as provincial waterways.

Manitoba Infrastructure is responsible for the construction, operation and stewardship of provincial water control infrastructure. With an estimated asset value of approximately \$7 billion, given the role and the value of these assets, it is critical that the Province takes steps to protect this valuable infrastructure.

Provincial water infrastructure includes more than 4,750 kilometers of provincial waterways, 425 kilometers of linear river dikes, 90 provincial dams, eight diversions, 19 community ring dikes, numerous reservoirs and pumping stations and many through-dike culverts, drain crossings and other water control structures.

* (16:50)

Collectively, this infrastructure is critical to providing flood protection for Manitobans, drainage to support Manitoba's agriculture sector, recreational opportunities and conductivity for smaller rural transportation networks. In the recent past, prohibited and harmful activities have occurred on provincial water infrastructure. Government and taxpayers are paying the cost to repair and remediate this inadvertent or deliberate damage.

There are many examples of prohibited activities occurring on provincial waterways without any consequence because of the act's insufficient enforcement provisions, such as a person excavated a significant amount of soil from a provincial dyke for their own purposes and then sold it as fill. Another person dumped boulders into a provincial waterway, resulting in obstruction and necessary 'removal' by the Province at a cost. Another person established campground sites on a provincial waterway adjacent to a private campground, and charged a fee for site use. And the last example, a person drilled a private well through a dyke, resulting in damage to the integrity of the dyke and necessary repairs at taxpayers' expense.

This bill strengthens enforcement provisions, including the designations of officers, stronger mechanisms to recover costs for damage and repair, and the ability to establish fines to deter harmful activities on provincial waterways. This will reduce stewardship costs for government and increase the quality and longevity of provincial water infrastructure.

The bill also provides clear prohibited-prohibitions for activities on provincial waterways, and specifies the types of activities that can be undertaken with a permit.

Furthermore, the bill allows the minister to prohibit or restrict public access to provincial water infrastructure through a temporarily ministerial order. This will protect public safety whereas—where there is a significant risk, such as during a high-water event or flood.

We believe that Bill 28 has strong support from a wide range of stakeholders who recognize that maintaining the quality and health of provincial water infrastructure supports flood protection, agricultural productivity, a secure water supply and public safety.

As a final comment, I would like to thank all of those who participated in consultations on this bill.

And I look forward to the opportunity to hear from Manitobans when the bill is referred to a committee of the House.

Thank you, Madam Speaker.

Questions

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

Mr. Matt Wiebe (Concordia): Certainly, this is part of a theme that we've seen over and over again by this government, and I'm happy to comment more on that, but it really is the disconnect between local authorities and between this government. And over and over again, it seems like they failed to want to work with local authorities.

So the question is simple: Why is the minister not willing to work with municipalities to come up with a piece of legislation that works with them?

Hon. Ron Schuler (Minister of Infrastructure): I would suggest to the member for Concordia, that's one of the more tone-deaf questions I've heard in my time here.

This is about infrastructure that we need to protect Manitoba towns and villages and communities, and people are going and damaging these control structures. And, Madam Speaker, we need to have some kind of enforcement to stop that behaviour.

I haven't idea where the member is going with this question, but it sounds very tone-deaf.

Mr. Dougald Lamont (St. Boniface): I'm just wondering—like, I recognize these are serious concerns.

I'm just wondering, in terms of consultation, what sort of—who did the minister consult with and were First Nations consulted as well?

Mr. Schuler: Yes, Madam Speaker, there was full consultation done on these structures.

I would point out that, although First Nations were consulted, their flood mitigation infrastructure is the responsibility of the federal government.

Mr. Wiebe: The issue is, Madam Speaker, that municipalities are willing partners. They are willing to be at the table with the minister, but, unfortunately, he's not willing to work with them.

Can the minister explain why removing provisions for how contracts should be established between the Province and municipalities for water control works benefits Manitobans?

Mr. Schuler: I would like to point out to the member, who's been here for some time, that when we get into a major high-water event, that is provincial responsibility and it needs the Province to be the one that's taking care of our waterways and our infrastructure.

Madam Speaker, municipalities are always partners, are willing partners, and we work with them, and we really hold them in high esteem. They do a great job. However, when we get into a high-water event, that is provincial responsibility.

Mr. Lamont: I'm just wondering, would this apply to the Lake St. Martin channel outlet as well? I know that there's—it's joint federal-provincial funding and then there's a bunch of jurisdictions involved.

I'm just wondering if that would apply—if this legislation would apply to future 'control'—between control structures there?

Mr. Schuler: To the member: yes, if someone were to take a Sea-Doo and try to drive down one of our waterways, like the Lake Manitoba outlet, this would apply to those individuals.

In fact, if somebody was there and trying to damage some of the berms that we've had in since this—where individuals tried to harvest mud off of our berms and later on we have to repair those berms, this would apply to all of the flood mitigation infrastructure in the province that Manitobans have paid big dollars for, in the range of between seven and eight billion dollars.

Mr. Wiebe: Well, of course, this piece of legislation isn't only applicable during so-called high-water events, as the minister is trying to convince Manitobans, and, in fact, it's not just about the most extreme example that he can dream up in his mind about ways that Manitobans may not be using the waterways properly.

What this is about is, actually, municipalities who are asking why he can't maintain a positive relationship because he's stripping their authority over water control works rather than working with them.

You know, the minister, the member for Steinbach (Mr. Goertzen), often says, we don't know everything on Broadway; let's listen to the local authorities.

Why don't we do that here?

Mr. Schuler: Madam Speaker, let's be very clear. This legislation covers only provincial infrastructure and not municipal infrastructure. We have no say, on their infrastructure, neither do we want to. We respect their infrastructure.

However, when it is provincial flood mitigation infrastructure, yes, individuals damage that infrastructure when there's no flooding, no danger of flooding, and we have to make sure that, when we do have flooding, that the infrastructure is there and in place and in good shape. We don't wait until there's a flood and then start inspecting our infrastructure. We have to protect it. It's been paid for by Manitoba taxpayers. It deserves to be protected.

Mr. Lamont: I believe the bill briefing on this was quite a long time ago. I—and I'm just—I'm asking a follow-up question, I think, a year later.

I think the minister said that he was hoping that this bill would prevent lawsuits.

Could he just—if I'm correct in my recollections, could he just illuminate me or explain what he meant by that?

Mr. Schuler: Madam Speaker, this is one of those pieces of legislation that should not have been stalled and it should've gone forward.

What this does—also allowed—allows provincial officials to go and inspect our flood-mitigation dikes, which are often on private property. We do want to make sure, when there is no threat of flooding, that we go and we inspect these structures to make sure there's no cracks, that there's no slippage, that they are in good shape, that when we need them, Madam Speaker, they must be there and they must withstand the pressure, as we found out last summer on Lake Wahtopannah with the dam near Rivers, Manitoba. Thank goodness it held.

Mr. Wiebe: Well, it appears the minister's quite upset with the Premier (Mr. Pallister) for proroguing the Legislature and preventing any of these bills to go—from going forward last fall.

But, you know, it just again shows that this minister's not really interested in getting something done that actually works with municipalities, and

instead wants to just sort of get this legislation and move it along without anybody asking any questions.

I do look forward to second reading. We can ask some questions.

But maybe the minister can answer, why does this bill give the authority to the minister to take property from municipalities without consulting them?

Mr. Schuler: I'd like to point out to the member for Concordia that the Winnipeg Floodway is a provincial structure and this would cover off the Floodway. It would cover off the Portage Diversion and other provincial assets.

* (17:00)

This is not about taking anything away from a municipality. We have an opposition that wants to do division politics, and that's shameful. In so far as the municipalities go, they are doing a great job and they're always there as partners, and we engage with them in a very respectful fashion. We don't run around calling them howling coyotes and petulant children like the NDP did, the member for Concordia and his fellow colleagues who 'raoung' and disrespected municipalities.

We won't do that, Madam Speaker.

Mr. Lamont: No more questions, Madam Speaker.

Thank you.

Madam Speaker: Okay. The honourable member for saint—or, for Concordia? No further questions?

Debate

Madam Speaker: If there are no further questions then, we will move to debate and I will recognize the honourable member for Concordia.

Mr. Matt Wiebe (Concordia): You know, as I said, I do very much see a theme here.

We've talked a little bit about themes. You know, as members of the opposition, there's certainly an anti-democratic theme to this government and how they're moving forward. And there's a number of ways that's showing its ugly face in terms of participation from Manitobans.

An Honourable Member: Now you're calling me ugly?

Mr. Wiebe: We—you know, and that's no reflection on any single member in this House. Instead what it is is a comment on the fact that, you know, that we do

believe that there's a significant role for local representation, there's a significant role in this case for municipalities.

You know, again, as I said earlier, that the member for Steinbach (Mr. Goertzen)—when he was in opposition, he went on and on, and he said, well, we don't know everything on Broadway. Don't ask, you know, just us, you know, flying 30,000 feet over. Really, we should be talking to the people at the ground level who are doing the work, who are meeting with their constituents, who are responsive and reactive to the needs of their ratepayers.

And, you know, again, here you have a minister who, you know, brought this bill forward, didn't see—deem it important enough to actually follow through with it in the last session of the Legislature.

There's an opportunity, of course, all members know that, as an opposition, we certainly held up—and I'm very glad that we did—held up some very scary legislation that we're now seeing rear its ugly head here in—the this session.

But, you know, there was many pieces of legislation we said absolutely, let's sit down, let's take a look, let's go through it line by line and let's see, you know, along with our municipal partners, along with, you know, school trustees, school divisions, you know, sort of all local representation and let's see how we can make these pieces of legislation better.

This would have been one of those particular pieces of legislation. I would have loved to have seen this come forward last year to committee and allowed for members of the public to engage and actually come out and tell us, and tell the government what they thought of this legislation.

But, you know, they picked up their ball, Madam Speaker, and they went home, and they stormed off and said no, we're just going to sort of cancel all this legislation. I guess it's not important enough to get to move it through. In fact let's just wait until the next Legislature. So here we are, and I am eager to see this come forward and go through to committee, because I think there's going to be a lot that's going to be expressed at that committee.

You know, it's our position on this side of the House that it's best for Manitobans when all levels of government can co-operate. When governments work together it's not, you know, any one party that is—that benefits, but in fact it's Manitoba families. And Manitoba families are asking us to put partisanship aside to actually get to work and actually come up

with legislation that benefits them. But unfortunately, Madam Speaker, you know, the Pallister government has not gotten that message and they continue to do things. It's my way or the highway, from this Premier (Mr. Pallister) over and over again.

And when it comes to municipal governments, we've heard from municipalities across this province—including in a lot of, you know, well, I don't like to call them blue parts of the province. I believe every constituency, there's always hope and there's always a chance that folks will see the orange light and they'll see, you know, the party that stands up for them. But, you know, those constituencies are the ones who are giving my office a call. My phone's ringing off the hook and they're saying, why aren't our MLAs listening to us, why aren't they working with us, why aren't municipalities part of the conversation?

You know, this bill explicitly gives the minister the ability to cut municipalities out of that decision-making process that they have been elected to undertake, and specifically in this case on water control structures and to authorize work without the municipality's agreement.

Section 6(1) currently requires the Province to enter into an agreement with that local authority, but the minister and the government here are intent on ending that co-operative approach. Minister will also have the authority to decide on who gets the contracts without consulting with the affected municipalities. On top of this, the minister can still force the municipality to pick up part or all of the cost. So the decision relies, again, in the minister's office, behind closed doors, on the minister's desk. It's his decision and his decision only.

Maybe it's the decision of the Cabinet. Maybe it's a decision only at Treasury Board. Maybe it's certain civil servants that want to make those decisions and hide behind their position, but it's ultimately the minister's where the buck stops, and he wants the decision but he still wants municipalities to pick up the cost.

The bill removes section 7 of the current act, which establishes how contracts should be established between the Province and municipalities for fewer control works. These provisions are no longer required, as the government is giving itself the ability to cut municipalities out, to hire the work themselves and the bill—and then bill back part of that work—or all of it, for that matter, Madam Speaker, back to those municipalities.

The bill represents a significant weakening of the role of these rural municipalities and also their ability to encourage local economic development as, normally, municipalities might contract out for that local work.

Bill 28 gives significant power to the minister to take property. Previously, the minister was restricted to the requirements under The Land Acquisition Act, but this bill removes those requirements and it gives the board—sorry, gives broad discretion then to the minister.

This government keeps introducing bill after bill after bill that will legislate significant overreach simply on the minister's desk and cuts out those local voices. And this raises the question: why can't this Pallister government simply work with municipalities, simply come to an agreement on these matters, rather than giving themselves broad, unbridled power?

Madam Speaker, this is a concern of this bill. This is a concern of Bill 37. This is a bill—a concern of Bill 38, as we talked about yesterday. There are many, many times in which this government is continuing to overreach and continuing to pull in as much power as they can and bring it into the minister's hands.

We feel that's wrong. We will stand with Manitobans on the side of democracy and we will stand with those local leaders who are asking simply for a seat at the table or in many cases, simply for this government to just get out of the way. It's not that hard.

And we hope that they will—to get that message. I certainly hope to hear from them directly at committee.

Thank you, Madam Speaker.

Mr. Dougald Lamont (St. Boniface): We do have some concerns about this bill. It seems to need some clarification. That being said, when it comes to emergency measures, it's important for—under those emergency circumstances—for appropriate action to be taken.

The concern around—especially around flooding: look, we live in a flood plain. We have the potential of facing billions of dollars of damage when floods go wrong. And, in fact, you know, in the last 12 or 13 years, we had floods in the Lake St. Martin which were unbelievably damaging for the entire Interlake and which were, in a sense, a flood of choice, that

there—were a deliberate choice to flood out communities of Lake St. Martin and the Interlake.

You know, I've talked to farmers—sorry, ranchers out there whose land was permanently damaged, and of course, there's still people who are homeless from Lake St. Martin First Nation over 11 years later.

So, on the one hand, we need to be able to make sure that these structures are protected so that you don't have unintended flooding, unintended consequences because somebody ends up digging up a berm—I believe that happened at Lake Winnipeg—or people are just being careless.

We need to have—we do have to have effective regulation about it. We do have concerns about overconcentration of power in the minister's office and, certainly, one of our concerns is not just that we need to be able to—there are two things about it that when it comes to justice or effective regulation, that—one is to have a—to, you know, it's a carrot and a stick.

This is a very stick-based legislation in that we're—it's about punishing people for doing the wrong thing when there are many people across Manitoba who've experienced very serious financial setbacks—crushing financial setbacks, sometimes—from flooding, for which they've never been properly compensated. So, that—I mean, that's another issue is it's sort of the flipside of legislation like this that we have to be making sure that people are made whole when, in addition to natural disasters from flood events, that human error or human maliciousness plays a role.

* (17:10)

So, I think we'd like to see this go through to committee and see what Manitobans have to say. I think this requires—it does—measures like this, because will have—be incredibly wide reaching and have a serious impact on communities across Manitoba, we need to make sure that we get it right before it's passed.

Thank you.

Madam Speaker: The question before the House is second reading of Bill 28, The Water Resources Administration Amendment Act.

Is it the pleasure of the House to adopt the motion? Agreed?

Some Honourable Members: Yes.

An Honourable Member: No.

Madam Speaker: I hear a no.

Voice Vote

Madam Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Mr. Matt Wiebe (Concordia): On division, Madam Speaker.

Madam Speaker: The motion is passed, on division.

Bill 29—The Reducing Red Tape and Improving Services Act, 2020

Madam Speaker: I will now call second reading of Bill 29, The Reducing Red Tape and Improving Services Act, 2020.

Hon. Kelvin Goertzen (Minister of Legislative and Public Affairs): I move, seconded by the Minister of Infrastructure (Mr. Schuler), that Bill 29, The Reducing Red Tape and Improving Services Act, 2020, be now read a second time and referred to a committee of this House.

Motion presented.

Mr. Goertzen: I thank the members for that resounding applause.

I am pleased to rise this afternoon—[interjection]—yes, the member for the resounding applause—rise today for the second reading of Bill 29, the reducing red tape and improving services act. The legislation continues our government's commitment to reducing red tape on local governments, businesses, non-profits and its citizens.

This act and 15 statutes are being amended to reduce red tape, and additional five statutes are repealed in its entirety. These changes result in a reduction of 161 regulatory requirements, saving both stakeholders and governments tens of thousands of administrative costs per year.

In this year's bill, we are making meaningful changes across many departments, and these include: streamlining the process to add new pharmaceuticals to the provincial formulary, making newly approved drugs available to Manitobans faster; eliminating duplicate reporting requirements and harmonizing definitions; removing an unconstitutional provision mandated in Manitoba's Court of Appeal to rule on cases within a prescribed period of time; repealing

The New Home Warranty Act to reduce duplication with home insurance products that are already protecting Manitobans; empowering regulated health professionals to recruit more public interest representatives to help with the work of their boards; removing the need for tribunal hearings to appoint and substitute decision makers for vulnerable people when all affected parties agree on that individual and eliminating government agencies and advisory boards such as the heritage Manitoba and design institute, which have not been active since the 1980s.

These are merely a few of the changes we are making to improve services and reduce the burden of red tape for Manitobans. These changes will show that Manitoba is open for business. Though many of these changes are technical, they have a tremendous difference for those who work with them every day. Red tape reduction is about cumulative effect of reducing the burden of red tape to Manitobans.

Under our government, it is recognized that it is important to continue to improve services by reducing red tape. In our first three years of government alone, we reduced the number of regulatory requirements by a total of 83,000, a reduction of 8.6 per cent. That number continued to decrease in the last fiscal year as well. But there is still far more to do. Some would say much accomplished, more to do. And this bill will ensure that that work continues.

In closing, Madam Speaker, I hope that all members will join me in supporting this bill and reducing the burden of red tape on all Manitobans.

Questions

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

Ms. Malaya Marcelino (Notre Dame): Can the minister commit to notifying the public every time a change is made to the formulary?

Hon. Kelvin Goertzen (Minister of Legislative and Public Affairs): Well, I believe that the process for the change to the formulary and how it relates to this bill is right now, unlike most provinces, it requires the minister to sign off on every regulatory change to the

formulary instead of the medical advisory panel that makes those recommendations.

But it is already notified. Every time there's a change to the formulary, there's notification that is made.

Mr. Dougald Lamont (St. Boniface): I was just wondering, the minister, it says the Poverty Reduction Strategy Act—the committee responsible for monitoring the poverty reduction strategy is no longer required to meet four times a year and no long—and the annual report is no longer automatically referred to the Legislative Assembly's standing committee.

Can the minister just explain why that is the case?

Mr. Goertzen: Of course, the Poverty Reduction Committee is an extremely important committee I've had the opportunity to sit on as the minister of Education and, of course in working with the Minister of Families (Ms. Squires). Our government has made great strides when it comes to reducing poverty, Madam Speaker. We know that there is still much more work that needs to be done.

The specific requirement though, in terms of the number of times that a committee needs to meet, isn't indicative of how to make progress. We think that any government that wants to make progress should be—is meeting as many times as possible and that could often be more than what is in the current regulation.

Ms. Marcelino: Will the minister please clarify whether the report from the Financial Administration Act on adult learning centres and adult literacy contain reporting on their activities and outcomes as well as finances?

Mr. Goertzen: I understand, Madam Speaker, that that is a redundant requirement in that the minister responsible for that particular act needs to make an annual report under the Financial Administration Act.

Mr. Lamont: On the question of the Emergency Measures Act, it's suggested the Manitoba Emergency Measures Organization must prepare a provincial emergency management program and a provincial emergency plan.

It's not currently—am I correct in thinking it's not currently required to do that, or is this just a textual change?

Mr. Goertzen: The meaning of emergency management program is being broadened and modernized, so the distinction between an emergency preparedness

program and an emergency management program is being eliminated.

The distinction is an arbitrary distinction.

Ms. Marcelino: Can the minister clarify whether the leased government aircrafts are only to be used within Manitoba, or could they be used to fight a forest fire in Ontario, for example?

Mr. Goertzen: I mean, I think that that is probably a question the member may want to defer into committee when there are officials who will be more adequately able to answer specific technical questions about how aircraft can be used in fighting fires.

Mr. Lamont: I'm wondering about the purpose of this Pesticides and Fertilizers Control Act.

The requirement to obtain a licence to transfer manure or apply manure to a land on a non-commercial basis is removed.

Is the government actually making it easier to fling manure? Or, just some clarity around that?

It's a question I'm going to regret asking; I know that.

Thank you, Madam Speaker—but I hope the minister enjoys answering it.

Mr. Goertzen: I'll take that question as notice, Madam Speaker.

Ms. Marcelino: Can the minister please clarify how repealing the New Home Warranty Act benefits new homeowners and who was consulted before repealing this New Home Warranty Act?

Mr. Goertzen: There's been a number of consultations done with those within the industry—home-building industry, and those on the consumer side, Madam Speaker, and it is believed that the products that currently exist when it comes to insurance products for homes and home ownership are sufficient, and that this would be an unnecessary addition.

* (17:20)

Mr. Lamont: On a more serious note, Madam Speaker, I'm just wondering, why is the Discriminatory Business Practices Act being repealed?

Mr. Goertzen: When it comes to different acts that are repealed, Madam Speaker, often it's found that they are either not utilized at any particular time because they've somehow fallen into disuse, or they

have, over time, been built in—or at least the impact of those legislations—built into other pieces of legislation within government.

Ms. Marcelino: Why does this bill limit inspection powers of government to only the application of manure and not its transport, despite the fact that manure has adverse impacts on Manitoba's waterways, and Lake Winnipeg is one of the most threatened lakes in the world?

Mr. Goertzen: I'll take that question as notice, Madam Speaker.

Mr. Lamont: On a question on the Manitoba Emergency Measures Organization, it says it may establish and maintain a registry containing a copy of every emergency management.

Why not require this, rather than leaving it to be optional?

Mr. Goertzen: Madam Speaker, I believe that that might be covered off in regulation, if it's not already the normal practice, but it's certainly something that can be raised at committee, but I believe it is a practice.

Ms. Marcelino: Along with this inspection limitation, this government has also lifted the hog moratorium and removed provisions that banned the further establishment of facilities without necessary environmental upgrades.

How does this government plan to control the pollution and nutrification of Lake Winnipeg?

Mr. Goertzen: Madam Speaker, with science. Unlike the former government, who brought in a moratorium that had nothing to do with science, that it was everything to do with politics, where we had to have hundreds of not just producers, but Manitobans generally, come to the Legislature, come to committee, sit overnight, implore the government to look at the science, to use science and not try to kill an industry simply because of political reasons—that's what they did. We'll never do that.

Mr. Lamont: Has the Government Air Service Act been repealed just because the government sold all the planes?

Mr. Goertzen: When acts are repealed, Madam Speaker, it's either because they've fallen into some sort of redundancy or they've come into another part of the government legislation.

Ms. Marcelino: Were environmental groups consulted before making these changes?

Mr. Goertzen: Environmental groups are always being consulted by our government, Madam Speaker. We have both a minister who is among the most consultative ministers within the various ministries across Canada that have to do with the environment and climate, so we are always engaged in consultation with all of those who are interested in the environment, specifically or generally.

Mr. Lamont: No more questions, Madam Speaker.

Ms. Marcelino: Given the fact that doctors refuse to board a privately owned Lifeflight aircraft, why has this government gone ahead with privatizing it? Shouldn't we be listening to the doctors?

Mr. Goertzen: Of course we listen to doctors every day, and I'm very proud of the work that the current Health Minister and the previous Health minister have done to ensure that air ambulance and other air medical services continue to be provided, despite—despite the fear mongering of the NDP, who have said many, many times that that service was going to be dismantled. In fact, it's only been enhanced, Madam Speaker, and this would be an opportune time for the member to apologize on behalf of her caucus.

Ms. Marcelino: Those are all the questions.

Thank you very much, Madam Speaker.

Madam Speaker: If there are no further questions, then we will open the floor for debate.

Debate

Madam Speaker: And I would now recognize the honourable member for Notre Dame for debate.

Ms. Malaya Marcelino (Notre Dame): Bill 29 is another omnibus bill that lumps together various bills that, realistically, have nothing to do with each other, in an attempt to avoid individual scrutiny of all the changes that are being made.

This is the fourth red tape omnibus bill released within the past four years.

However, we know, and Manitobans have come to learn, that when this government says red tape or modernization, it is simply a guise for more cuts, more erasures of important regulations that actually protect consumers and our environment and more privatization of important government assets.

The Government Air Service Act is repealed in Bill 29. Lifeflight air ambulances save lives. Lifeflight airlifts ill or injured patients to a nearby hospital. They are active 24 hours a day, seven days a week. Every

year, they answer about 400-500 calls, saving many lives in the process. They provide a critical service for rural and northern Manitobans as they serve areas beyond a 200-kilometre radius of Winnipeg.

The Government Air Service Act ensures that Manitoba's air ambulances continue to be operated by the government and serve Manitobans. This act also keeps Manitobans safe through its forest fighting water bomber program. With the proposal that is Bill 29, the government has officially made it clear that they are moving forward with the privatization of the government's air services, including Lifeflight air ambulance.

The Province previously entered into two private sector contracts to deliver the service, which prompted some medical staff to threaten to quit and some doctors even refused to board the private planes. PC government originally pretended that these contracts were only temporarily awarded, but repealing this act finally makes it clear that they're offloading it instead.

Now, a non-profit organization called the shock trauma air rescue service, or STARS, has been awarded a short contract that expires March 31st, 2021. Make no mistake, this government still intends to hand over this service to a private contractor to squeeze profit out of our health-care system. This short contract was awarded to STARS in the meantime to buy them time to figure out how their private-sector buddies can make money off of our health-care services.

Darlene Jackson, president of the Manitoba Nurses' Union, said that they're worried about the privatization of the air ambulance programs saying, quote, we feel this move proves that, all along, government only wanted to weaken and eventually outsource a service that's of vital importance to rural Manitobans. End quote. And quote: While nurses value the services that STARS provides, no details have been provided about how STARS will be capable of managing the significant expansion in its services while also improving patient care. End quote.

The Pallister government has privatized other aspects of Manitoba's air services such as the general transportation program. Exchange Income Corporation, chaired by former Premier Gary Filmon, now has a five-year contract that he services predominantly with Manitoba Justice.

Also, the fire suppression program—Manitoba now has a 10-year contract in place for fire suppression services, including water bombers, through Babcock Canada. Rather than using the 11 water bombers, including four new planes Manitoban taxpayers paid for in 2010 to fight fires, now the government is instead leasing them out to the private sector.

This could mean that if they pick up a new contract that those planes may not even be in Manitoba when Manitobans need them. That's from a CBC article on July 6th, 2018. MGEU president Michelle Gawronsky said that they could be sitting over in BC or Alberta fighting a fire there and that water bomber services should be based on the needs of Manitobans, not the bottom line of a private airline. That's from the CBC, same article.

Aerial photography: this has also been repealed in this act, also includes the privatization of aerial photography within the province.

This bill repeals The New Home Warranty Act. The NDP believes that everyone has a right to affordable housing, and we also believe that when people buy a house, that this house should be well made. That's why in 2013 the NDP government passed the New Home Warranty Act. This regulation in the act was then approved by Cabinet in January of 2016, and the legislation was supposed to come into effect in January of 2017. However the PCs voted to move its proclamation until down the road and, four years later, now they've decided to do away with the act all together.

The purpose of the act is to strengthen consumer protection for fires of new homes by ensuring that new homes are covered by a warranty. And this was based off of existing legislation in BC and Alberta. The act was going to provide Manitobans who purchase a new home with a mandatory home warranty on items including materials, labour and design for one year; plumbing, heating, electrical, mechanical systems, windows, doors and building envelope for two years; and structural elements for seven years.

The act required developers to purchase home warranties provided by third-party home warranty companies. This act would undeniably benefit homeowners and help protect them from faultily made homes. The president and CEO of the Manitoba Home Builders' Association, Larry [phonetic] McInnes, has said that new home warranties give the customers some reassurance that they know that they're dealing

with a reputable builder and that they can help homeowners avoid being ripped off.

Karen Somerville, an advocate for greater consumer protection through the organization of Canadians for Properly Built Homes, says that while there are good builders in Manitoba, there are also poor and marginal builders and consumers need adequate protection on newly built homes. Homeowners, especially first-time homeowners, don't necessarily know who the good developers are and so they need adequate protection. It's clear that new home warranties help homeowners avoid purchasing the money-pit houses.

* (17:30)

So why repeal this legislation? This government has repealed this legislation because they want to help save their developer buddies money, even though this act would only slightly increase costs for developers. It's clear that this government would rather prioritize the profits of their friends rather than taking action to protect new homeowners.

For The Pesticides and Fertilizers Control Act, the amendments here further weaken protections put in place by the NDP to protect Manitoba's lakes, rivers and streams. Manure from hogs can be detrimental to the health of our waterways as they can contain high levels of nitrates, which can cause algae blooms that Manitobans are all too familiar with.

In the simplest terms, the changes to this act disrupt the ability of government to investigate the full scope of activity in the creation, transportation, sale and spread of manure. These changes will undeniably worsen the pollution of our waterways.

By restricting what government can investigate and what industry is accountable for, it limits accountability on the part of its applicators. The bill changes the definition of a commercial applicator of manure by no longer requiring some of those who are transporting the manure from the need to be licensed.

The bill goes even further, limiting the inspection powers of government to only the application of manure, not its transport. Where before the government could investigate all records concerning the supply, sale, transportation and application of manure on the landscape, now government is limited to only looking at records regarding the application of manure.

Other parts are removed from government accountability. If government can't compel accountability for how much manure is being created, who is

taking the manure and how are they taking it, then the circle of accountability really isn't closed.

Just as important, the bill repeals all sections regarding off-farm manure applicator, a term that encompasses producers and their employees who inject or spread manure into fields but aren't commercial applicators. The NDP had previously required that such applicators and producers be properly trained and licensed in this.

This was done for obvious reasons. Training and accountability is needed to address the nutrification of our waterways and especially Lake Winnipeg. Removing this requirement is a further weakening of accountability and training.

In plain language, our concern here is that unlicensing off-manure applicator could then accompany the transportation company and directly apply the manure themselves and all aspects of this would be without training, regulation, oversight or accountability to government under The Pesticides and Fertilizers Control Act.

The change, paired with the removal of the hog moratorium and removal of provisions that ban the further establishment of facilities without the necessary environmental upgrades means that the nutrification of Lake Winnipeg and our waterways will only accelerate.

Under The Pharmaceutical Act and The Prescription Drugs Cost Assistance Act, our concern with this amendment here is that the changes to the formulary will now be done through policy rather than regulation, meaning that these changes can be done behind closed doors, whereas on the other hand, all the other regulatory changes over time are accessible and can be compared. Manitobans want accountability and they want to know when these changes are being made to Pharmacare.

Under the adult learning centres and adult literacy, this bill repeals the requirements for reporting on adult learning centres and adult literacy. The government claims that reporting requirements are repealed because a report is required under The Financial Administration Act. However, under the FAA, it is unclear whether the reporting of activities and outcomes of the centres are required or if it's just the audited financial statements.

It's clear why this government wants to limit a thorough annual reporting of adult learning and literacy: because outcomes in adult literacy have declined under this government.

Here's some facts from the annual report: (1) Registered adult learners has declined by 2,306 since the baseline year. That's from the Economic Development and Training Annual Report on page 60. (2) The number of ALC courses completed have decreased by 1,833 compared to the baseline year, again on page 61 of the same report. And (3) the number of learners attending adult literacy programs has decreased by 487 compared to the baseline year. That's on the same report on page 62.

So, rather than trying to ameliorate these results, they're now trying to shamefully cover them up by reducing reporting requirements.

Under The Poverty Reduction Strategy Act, these amendments again reduce accountability. With these changes, the committee of ministers established under the act no longer have any accountability for how frequently they meet, if at all. Previously, they were required to meet at least four times a year.

The other amendment reduces the ability to question the committee report. The report of the committee still has to be tabled, but it is no longer referred to a committee of the legislature, meaning that the ministers don't have to face opposition questions in committee.

It's clear why they don't want to face opposition questions, as we raise many important issues during committee such as on the topic of health care, how the definition of what a funded space is has changed to include any space within—

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

Mr. Dougald Lamont (St. Boniface): You know, these are—have often been very problematic bills. There was one previously which managed to mix together getting rid of the Dauphin Boys & Girls Club and allowing environmental industries to run toxic waste disposal.

And one of the reasons why we have regulation is to protect people; it's actually about public protection.

In the last day that the Minister of Finance (Mr. Fielding) brought forward a bill to protect people from aggressive sales. The fact is is that there—as the member for Notre Dame (Ms. Marcelino) said, there are good people out there and there are bad people out there. Part of the reason we have laws and regulations in place is to say that just to—is to protect good people from bad people.

But this is particularly concerning, because there are a number of really serious problems facing Manitoba which are sort of swept under the rug here.

One is the question of the adult learning centres. There are studies that over 200,000 adults in Manitoba cannot function at a literacy level where they can even read the prescription on a—or the—read a prescription or read what's on a pill bottle. So it severely hampers their ability to work, to participate fully in life in any kind of way. So adult literacy should actually be one of the biggest, most important things we're focusing on, and, sadly, the fact that it's being repealed and that we're removing a reporting requirement is really unfortunate.

I know the minister said The Discriminatory Business Practices Act is being repealed. I would like some reassurance that there is actually a—that there is a redundant act that's going to protect people.

When it comes to the—and actually, the Manitoba Emergency Measures Organization is one of the—it sort of passed under the radar, but in legislation, when it comes to a pandemic, actually, and in past plans, the Manitoba Emergency Measures Organization is supposed to be the lead on pandemics, that part of pandemic response is split between a public—the public health response, which is entirely taking care of people and taking care of the health system, which is what doctors and other health-care professionals are experts at.

But there's an entire other aspect of it of logistics, finding buildings, making sure that people who are homeless have a warm place to live, all those other aspects which are equally emergency measures created by a pandemic that are not strictly a public health response, which is why Emergency Measures is supposed to be—is really supposed to be a lead and public health is supposed to be sort of secondary to the entire pandemic response.

So, the fact that, you know, a year later, we're talking about the Manitoba Emergency Measures Organization—me—you know, may—that it may establish and maintain a registry containing a copy of every emergency management program.

There were quite detailed plans from H1N1 about responses for everything from business schools, health care and otherwise; it needed to be adapted and brought up to date to reflect the more serious risk associated with COVID-19 as opposed to H1N1. But it was—but this is something that is urgent. There are other people who've said, look, we could be facing

other—this is not—some people say this isn't even the big pandemic, though I will be optimistic.

But we're—we also live in a world where disasters and emergencies happen because of natural disasters. It's a fact of life. So we need to be—we need to have a strong and effective Emergency Measures Organization.

The Government Air Service Act has essentially been repealed because most of those planes have been sold off.

The—I recognize, though I was making fun of—or making light of The Pesticides and Fertilizers Control Act, it is much more serious, because part of these things is it's not just about—it's—there are matters of regulation, but part of what dismantling or cutting too much red tape can do is that it actually increases risk. It ends up meaning that the person who no longer has to bear the brist or the cost of complying with following the rules, those costs are all of the sudden put onto somebody else.

So—and—that's something that's very clear, you know, when you talk about water management—as an example. You know, if you're not—if, in Manitoba, where we live in a flood plain, one person ends up having to—they don't have to pay as much attention to what they're doing in their yard. Look, that pollution can travel by water, air or however. We all have to be good neighbours, and that's part of this, is about making sure we're protecting people, protecting citizens.

The Poverty Reduction Strategy Act: I know that this government has often said that—or taken a great deal of credit for poverty reduction. I know that there have been some major investments at the federal level. But it's really important to note that the depth of Manitoba's poverty is really severe.

* (17:40)

So it's not just that we have people living in poverty, but that people—there are families with, you know, it could be a single family with—or, a single parent with two children or two parents with two children, they would have to get—they would have to have an increase of \$13,000 a year to reach the poverty line, so that's—and that 50 per cent of the people living in that situation are living in that depth of poverty.

So this is—it is something that is crushing and that, frankly, is unnecessary, in my view. That we have—unfortunately, we have poverty reduction strategies

which tend to confine people to EIA. It tends to be a welfare trap, as opposed to having the goal of lifting people out of poverty, which is different but which is an essential change in the way we approach these things.

So, there are a number of serious concerns about—because these things—there's a transparency reporting, and fundamentally, making—there is such a thing as good regulation and bad regulation. You can have regulatory capture as well, but it's critical that we're still making sure that we're being judicious in what we remove from regulation, and I'm not sure that this bill meets that threshold. So I—we will not be supporting it.

Thank you, Madam Speaker.

Madam Speaker: The question before the House is second reading of Bill 29, The Reducing Red Tape and Improving Services Act, 2020.

Is it the pleasure of the House to adopt the motion? Agreed?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Recorded Vote

Ms. Nahanni Fontaine (Official Opposition House Leader): A recorded vote please, Madam Speaker.

Madam Speaker: A recorded vote having been called, call in the members.

Mr. Dennis Smook, Acting Speaker, in the Chair

The Acting Speaker (Dennis Smook): The question before the House is second reading of Bill 29, The Reducing Red Tape and Improving Services Act, 2020.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pedersen, Piwniuk, Reyes, Schuler, Smith (Lagimodière), Squires, Stefanson, Teitsma, Wharton, Wishart, Wowchuk.

Nays

Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliv, Wiebe.

* (17:50)

Clerk (Ms. Patricia Chaychuk): Yeas 33, Nays 21.

The Acting Speaker (Dennis Smook): The motion is accordingly passed.

Bill 54—The Personal Health Information Amendment Act

The Acting Speaker (Dennis Smook): We will now move to second reading of Bill 54, The Personal Health Information Amendment Act.

Hon. Heather Stefanson (Minister of Health and Seniors Care): I move, seconded by Minister of Mental Health, Wellness and Recovery (Ms. Gordon), that Bill 54, The Personal Health Information Amendment Act; Loi modifiant la Loi sur les renseignements médicaux personnels, 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.

The Acting Speaker (Dennis Smook): It has been moved by the honourable Minister of Health and Seniors Care, seconded by the Minister of Mental Health, Wellness and Recovery, that Bill 54, the personal health information act, be now read a second time and be referred to the committee of this House.

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

Mrs. Stefanson: Just have a few brief words to put on the record with respect to Bill 54, the personal health information act, or PHIA.

Of course, we know that this act was enacted in 1997 to ensure individual access to and privacy of personal health information maintained by health professionals, health-care facilities and public bodies, which includes government departments and agencies, educational bodies, health-care bodies and local public bodies and health services agencies.

PHIA requires that a comprehensive review of the act, which involves public representations, must be undertaken within a specified timeframe. Bill 54 will update PHIA to implement the recommendations that came out of that most recent statutory review of PHIA.

The amendments in this bill will help us continue to ensure that personal health information and its confidentiality is protected in our province so that Manitobans are not afraid to seek health care or to disclose sensitive information to health professionals and other trustees. They will also enable the streamlining of requests for access to personal health information for the purposes of health research and provide trustees of personal health information with additional tools to manage requests for access to personal health information.

Bill 54 will strengthen the authority of the Ombudsman under the act, including the authority of the Ombudsman to audit trustee compliance with the act. Trustees will be required to notify an individual and the Ombudsman, in a timely manner, of a privacy breach related to the individual's personal health information that creates a real risk of significant harm to the individual, such as a—such as physical harm, identity theft or reputational damage. Employees, officers and agents of trustees who report to the Ombudsman contraventions of PHIA by their employer will be protected from adverse employment action for reporting.

Bill 54 clarifies that a trustee cannot use personal health information for employment purposes without the express consent of the employee. Bill 54 will support health research in Manitoba by providing for requests by researchers for access to personal health information for health research to be considered by one consolidated committee rather than multiple committees established by trustees.

Consistent with the Freedom of Information and Protection of Privacy Act and the health information

privacy legislation of other provinces, trustees will be permitted to disregard requests for access to personal health information that are an abuse of the right to request such access because they are unduly repetitive or systemic—or systematic or otherwise made in bad faith or to consider access requests to be abandoned in specific circumstances.

The bill will also extend the limitation period for the prosecution of offences under PHIA.

And with those few words, I'm happy to take any questions from members opposite.

Questions

The Acting Speaker (Dennis Smook): 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.

MLA Uzoma Asagwara (Union Station): Why is the minister given these new powers to disregard requests? What problem exactly is it that the minister was hoping to or looking to solve?

Hon. Heather Stefanson (Minister of Health and Seniors Care): Well I thank the member for the question.

And of course this came about—these changes and amendments came about as a result of significant public consultation. This is a review that is required within the PHIA act every five years. As a result of that, we had the opportunity to go out and seek the advice from many Manitobans, and beyond that we went out to 70 stakeholder organizations including the Manitoba Ombudsman, regional health authorities, health-care facilities, et cetera.

And certainly I know I'll run out of time in this question, but it's important to say that these changes within this legislation—

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

Hon. Jon Gerrard (River Heights): To the minister: this will establish a research approval committee. Will that research approval committee take over all the functions of the institutional review committees, or

only those which relate to access to personal information?

Mrs. Stefanson: So, the research information will be set up by regulation under the act, and research projects, if it's government information that they want currently, they have to go to health—the health privacy committee. Otherwise they will go to the institutional research committee. Now there will only be one committee, so we are streamlining this into one more-comprehensive committee to handle all of those requests.

* (18:00)

MLA Asagwara: So, we did have a briefing on this the other day which was very informative and helpful, but just kind of bouncing off of the question from the member for River Heights, that one committee—who determines the composition of that committee?

If the minister could elaborate, in terms of who—is it by appointment? How many people will be on that committee? Who determines the roles that will be filled on that committee?

Mrs. Stefanson: So, that the answer to that is that those—that will be determined by way of regulation. So that is not a part of this act the way it is right now, and we're certainly open to any suggestions that members opposite or other members of the community have with respect to that.

Mr. Gerrard: Yes, just—the institutional review committee's assessed that—not only access to personal information issues, but they also assessed the quality of the science and they also assessed the ethics, as it related to scientific studies of humans, as might occur with, for example, a COVID-related research.

So will this completely eliminate the institutional review committee and the research approval committee will now take over the review, not just of the personal information issues but also of the scientific quality of the proposal and of the ethics, as it applies to the proposal?

Mrs. Stefanson: So, again, there'll be a combination with respect to—under this legislation, there'll be a combination of those committees.

So, the institutional research committee, as well as the health privacy committee will be combined into one committee when it comes to the way research information specifically is handled.

MLA Asagwara: What time frame does the minister envision for an application to be considered abandoned by the applicant?

Mrs. Stefanson: I believe that is defined within the legislation as 30 days, but I can certainly clarify if that is wrong, but I believe that is in the regulations—or, sorry, in the legislation.

I would refer to—the member to the spreadsheet, the side by side. And it is—the answer to that question would be specific in there. I know we don't have a lot of time in this question period today to get into the fine details, but it should be in that document that was given to the member.

Mr. Gerrard: Yes, this research approval committee is going to be a very important committee, and it's surprising that there's not more details in this act.

You know, one would expect that this would be a committee which would have members who are knowledgeable about science and the scientific quality of research; a member at least who's knowledgeable about access to personal information, an individual who's knowledgeable about ethical issues.

And I would suggest that there would need to be at least an Indigenous representative, in part because there are particular issues with regard to research, as it relates to—

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

Mrs. Stefanson: I thank the member for River Heights (Mr. Gerrard) for that comment.

And certainly, we're open, as I mentioned when I answered one of the questions previously, Mr. Acting Speaker, that this will be handled by way of regulation, and so we welcome any kind of feedback with respect to that regulation and, you know, how that committee will be comprised.

MLA Asagwara: The minister is well aware that many of the applicants are vulnerable people. They fall into categories of disadvantaged, disproportionately impacted communities.

Does the minister intend and how will she ensure that the applications of vulnerable people are not unduly disregarded or considered abandoned?

Mrs. Stefanson: Certainly, we care very deeply about vulnerable Manitobans. We want to ensure that they have the appropriate access to those—to that information that pertains to them. And certainly, there

are mechanisms in place by way of them being able to appeal, if they don't like what has happened, by way of the Ombudsman or the commissioner.

So I think we have the checks and balances in place with respect to that, but again, I would just reiterate that it's certainly not my intention or anyone within our government to unnecessarily prevent that kind of information from flowing to our most vulnerable citizens.

Mr. Gerrard: I ask the minister, has consideration been given as to how people will be appointed to or selected for the research approval committee?

Mrs. Stefanson: Again, Mr. Acting Speaker, those kinds of decisions will be made and will be recorded in the regulations that come after these changes take place within this piece of legislation. And so again, I reach out to the member for River Heights, if he has ideas about how that would—what that would look like. I believe that is very important.

Of course, we want to ensure that, you know, it has the necessary professionals and so on that we need on that committee to ensure that we have—and I know the member has mentioned other individuals, Indigenous individuals and so on, and certainly all of that would be taken into consideration—

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

MLA Asagwara: So, the minister is proposing that reviews be conducted every 10 years from the current schedule of every five. This was talked about in the briefing, and we got a little bit of information as to why that decision was made. But I'm wondering if there were any other recommendations put forward through their consultations that were not consistent with extending, doubling that amount of time for the reviews to be completed.

Were there any other recommendations put forward that were not—that would not have resulted in that amount of time being doubled?

Mrs. Stefanson: So it's important for the member to know that those individuals and organizations that we reached out to for input, we got more than 90 per cent feedback from those individuals and organizations. And all of what they came up with is really reflected in this document. And so this is where the 10 years has come from.

I will also just mention to the member that we take a very comprehensive approach when it comes to these changes and take them very seriously,

Mr. Acting Speaker. And I will say that, given the length of time required to complete a review and develop proposed amendments to the act based on the review, it's proposed that the review be required every 10 years. FIPPA—

The Acting Speaker (Dennis Smook): The minister's time is expired.

Mr. Gerrard: Mr. Deputy Speaker, I would ask the minister: in the case of fees for requests for personal information—medical information in particular—in the past, it has been quite common where there has been a critical incident, a medical error. I'm concerned that the personal information—personal health information—would be provided without fees as an acknowledgment of the sensitivity of the situation.

I wonder if the minister would continue this practice or even formalize it.

Mrs. Stefanson: So, as the act stands right now, reasonable fees can be administered, but what this is doing is actually clarifying that. So it's not saying—it says now that fees don't necessarily have to be charged.

MLA Asagwara: Can the minister just but—maybe even an example, in terms of what would be considered an abuse of the application process? That's something that—you know, I think about the folks who are vulnerable, maybe don't have access to information the same ways as many folks do.

* (18:10)

So what would be considered an abuse of the application process that would result in a request being disregarded?

Mrs. Stefanson: So, sometimes in cases, information is requested and the information is already given and then the information is requested again. So it says in—again, in the side by side that we provided to the member opposite, the request is for information already provided or abuse of the right to make a request because it's unduly repetitive or systematic or otherwise made in bad faith.

What I will say is what—other provinces have gone so far as to say and include frivolous or vexatious in their terms, Mr. Deputy Speaker, and we didn't feel that we needed to go that far. We trust Manitobans. We're just putting this in place to ensure that we don't have, you know, unnecessary—

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

Mr. Gerrard: That completes my questions, Mr. Deputy Speaker. Thank you.

Debate

The Acting Speaker (Dennis Smook): Seeing no questions, we will now move on to debate.

MLA Uzoma Asagwara (Union Station): I'm going to keep my comments short. We did have a briefing on this the other day. The minister and department staff were very generous with providing some clarification around the reason for this bill being brought forward.

So this bill amends—The Personal Health Information Amendment Act amends the act in some key ways. The trustees are required to give an explanation on information they provide as soon as reasonably practicable. Giving copies of information concerning psychological tests or data is not required if doing so could interfere with the use of results or the use of results of those tests. And trustees may require a health professional be present to explain information concerning psychological tests or data where it's made available to an individual.

One of the other key changes that really stood out for me, Mr. Acting Deputy Speaker, is that a trustee may disregard requests for information already provided or requests that amount to an abuse of the right to make a request.

That really stood out to me because, you know, there are many folks in our communities who don't have access to information and resources maybe as readily or as easily as others and that navigating the system and, certainly, putting forward an application is challenging. And so when a decision is made to expand the powers to be able to dismiss an application, it's really, really important that an effort is made to provide the information to the public and to those folks who may be vulnerable to ensure that they have a full appreciation of what those changes mean and what they look like and how it can impact them.

And I can certainly appreciate that this act would benefit from some of these amendments. I—my—again, my concern, on the other side, is for those individuals and those folks who maybe don't have access to the information as readily as others in order to be able to navigate this process in a way that has them feeling empowered, has them feeling respected and has them feeling as though they totally understand the process.

So my encouragement is certainly for efforts to be made to ensure that these changes are presented transparently, that the efforts are made to ensure that folks have all the information they need to their—avail—to understand the process and to not hit roadblocks that may—might dissuade them from following through with something that's very important, making sure that folks have access to, you know, advocacy and providing resource in that regard as well, Mr. Acting Deputy Speaker.

And my last point is—my last couple of points are kind of echoing what the member for River Heights (Mr. Gerrard) was expressing in terms of concern around this change to the institutional research review committees being eliminated. I certainly, during the briefing, got an appreciation for the efforts to streamline that process to ensure that Manitoba is a place that folks want to do research and that folks want to invest in, in terms of putting out really important data that would help serve our communities.

My concern, however, is that if this committee that is established isn't reflective and representative of our communities here in Manitoba, that it will end up actually being a great disservice; that when you centralize an entity like—something so important as the institutional research review committee—inevitably, if you don't have that kind of representation and those efforts aren't made, what we're actually going to see are additional barriers to folks in our communities who are already disadvantaged being represented at a critical stage in terms of research and data and dissemination of information.

And so I take very seriously when the minister says that she invites recommendations and suggestions and would like to hear from, you know, members of other parties in this regard. I'm hoping that invitation is also extended to folks beyond this Chamber and to community organizations and researchers of all communities who can meaningfully be consulted and engaged to make sure that the decision-making around who is represented on this committee does in fact benefit as many communities as possible, and certainly should benefit the communities who are even more impacted by changes like this.

You know, the member for River Heights talked about Indigenous communities and representation. I would also identify communities and folks with disabilities, two-spirit and LGBTQ communities, queer communities, folks of all genders, Black

communities; it's really, really important—again, and I can't stress this enough—that if this decision is going to be made, that we're not perpetuating the already very, very homogeneous nature of these committees as they exist now, that in fact we're doing a better job of ensuring that we have inclusive and dynamic and reflective committees—committee in this case—when it comes to Manitoba.

And, quite frankly, that will serve a great role in being able to recruit and retain those kinds of minds and researchers here in Manitoba. Folks want to go to places where they see themselves at, and so, you know, that's a really great step in making sure that that happens.

And my last point, Mr. Acting Deputy Speaker, is that, you know, I can appreciate that extending the amount of time for the act to be reviewed to 10 years is one way of addressing the issue of things not being addressed in efficient and—in efficient manners in terms of timeliness. However, I would push back a bit against that and suggest that what we should really be looking at doing is not extending that time for review, but actually ensuring there's adequate resources in place so that every five years this review can be completed and action can be taken and implemented as a result of that; that instead of doubling the amount of time that this review gets completed in, we should really be doing our best to find other solutions that don't draw this out even further; that's a disservice to Manitobans.

And I think I'll leave my comments at that, thank you.

Hon. Jon Gerrard (River Heights): Several points.

(1) In my experience helping people get access to their personal information, it is often a process which is a little bit more complicated and harder to find exactly what one has to do. So I think that making sure that the information about how to request personal information is certainly something which should be clearer and more widely disseminated and available on websites, et cetera.

I have some concerns about limiting access to psychological tests. I think, in general, individuals often benefit from being explained the results of psychological tests, and can not only benefit from that understanding about themselves, but use that information to improve what they're doing, their abilities, their knowledge, their capacity to participate in a variety of things.

So this aspect of psychological tests—while I understand the concern, I think that there should still be an effort to share results with individuals who've had psychological tests. And not only that, to provide that in the context of information about what that means, and from somebody who's got some knowledge of that person so that it can be explained helpfully.

*(18:20)

The establishment of a research approval committee is important; this can work well for the whole province. But there are some concerns, if one has one review for the whole province, that people who are not in Winnipeg, who are in Brandon or Thompson or elsewhere, may be somewhat disadvantaged in terms of accessing that committee or having the help to provide material in the right sort of form that it could be looked at well by the committee.

I think the—I've already talked a little bit about the importance of having a committee which has got representation, which is from science and ethics and personal access to information, as well as from—having people with different backgrounds. And I think that's going to be even more important as we move forward and as, I perceive, we will get—is more and more into preventive research, that is, research which may be done more often in the community and not quite as much as we do now in hospitals or intensive-care units. We missed an opportunity, I think, in the COVID pandemic to do some important community-based preventive research, and I think it could have been very valuable.

We've discussed the situation of fees, and I think that the minister has explained that the situation will be that there are not necessarily going to be fees charged. And I suggest from my experience that this is very important where there has been a possible medical error or critical incident, that people have access to their records without cost, because they're very often grieving over somebody who's been harmed significantly—may not be intentionally, maybe accidentally, maybe somebody has died—and it's really important for people to have access to those personal health information records in order to be able to complete the, you know, understanding, mourning process over what has happened.

So, with those few remarks, I look forward to this moving on to committee stage and any representation that may be made at committee.

Thank you.

The Acting Speaker (Dennis Smook): The question before the House is second reading of Bill 54, The Personal Health Information Amendment Act.

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Some Honourable Members: No.

The Acting Speaker (Dennis Smook): Agreed and so ordered.

I will now call—

An Honourable Member: There was a no.

The Acting Speaker (Dennis Smook): Was there a no? [*interjection*]

I hear a no.

Voice Vote

The Acting Speaker (Dennis Smook): All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

The Acting Speaker (Dennis Smook): All those opposed, please say nay.

Some Honourable Members: Nay.

The Acting Speaker (Dennis Smook): In my opinion, the Yeas have it.

I declare the motion carried.

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

The Acting Speaker (Dennis Smook): On division?

Declare it carried, on division.

Bill 56—The Smoking and Vapour Products Control Amendment Act

The Acting Speaker (Dennis Smook): We will now move on to Bill 56, The Smoking and Vapour Products Control Amendment Act.

Hon. Audrey Gordon (Minister of Mental Health, Wellness and Recovery): I move, seconded by the Minister of Health and Seniors Care (Mrs. Stefanson), that Bill 56, The Smoking and Vapour Products Control Amendment Act, be now read a second time and be referred to a committee of this House.

Motion presented.

Ms. Gordon: I'm pleased to table Bill 56, The Smoking and Vapour Products Control Amendment Act, and to put some comments on the record.

Mr. Acting Deputy Speaker, commercial tobacco remains the leading preventable cause of premature death in the world. In 2015, Manitoba health and seniors care commissioned the Manitoba Centre for Health Policy to complete The Cost of Smoking: A Manitoba Study that determined direct smoking-related illnesses cost the province \$244 million annually.

Information has also been emerging on the health impacts of using e-cigarettes, including causing nicotine dependence and potentially encouraging the use of tobacco products, making asthma and other existing lung diseases worse.

In particular, breathing in the harmful chemicals from vaping products can cause irreversible lung damage, lung disease and, in some cases, death. Some chemicals in vaping products can also cause cardiovascular disease and biological changes that are associated with cancer development.

Currently, The Smoking and Vapour Products Control Act provides that it does not apply to a place or premises occupied by a federal work, undertaking or business or on reserves, except for the prohibitions in the act respecting the smoking and vaping of cannabis. This exception is unique to this act and it means that the health protection measures relating to the harmful activities of smoking and using e-cigarettes are not applicable across Manitoba.

Bill 56 will repeal this exception so that the act will apply across Manitoba, subject to legally recognized exceptions. This also means that the restrictions and prohibitions in the act will apply in areas under federal jurisdiction, including on reserves; including the prohibitions respecting smoking tobacco and using e-cigarettes in enclosed public places and indoor workplaces; the restrictions on the display, advertising, and promotion of tobacco and tobacco-related products and e-cigarettes and other vapour products; and the prohibitions on selling or supplying tobacco and tobacco-related products and e-cigarettes and other vapour products to children.

The act includes exceptions from the restrictions and prohibitions for traditional or ceremonial use of tobacco.

This amendment is intended to provide equitable access to healthy, smoke-free and vapour-free enclosed public places and workplaces for all

Manitobans and support the denormalization of smoking and using vapour products for children living on reserve so they are not encouraged to engage in these harmful activities.

The application of the act to areas under federal jurisdiction, including reserves, is subject to—
[interjection]

The Acting Speaker (Dennis Smook): Order.

Ms. Gordon: –legally recognized exceptions related to the doctrine of federal paramountcy, or jurisdiction, and the authority of band councils to pass bylaws that take precedence over provincial laws of general application.

Thank you, Mr. Acting Deputy Speaker, and I will now take questions from the opposition.

Questions

The Acting Speaker (Dennis Smook): 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 member; and no question or answer shall exceed 45 seconds.

Mrs. Bernadette Smith (Point Douglas): Can the minister please tell us who she consulted with?

The Acting Speaker (Dennis Smook): Could you move your headset because we cannot hear you.

Mrs. Smith: Okay, sorry. Here we go. Thank you, Mr. Deputy Speaker.

* (18:30)

Since she doesn't consult with Indigenous communities in developing this bill, can the minister tell us who was consulted in developing this bill?

Hon. Audrey Gordon (Minister of Mental Health, Wellness and Recovery): Thank you for the question.

So, we are at all times consulting with First Nations and Indigenous peoples, Mr. Acting Deputy Speaker. Consultation and communication is not a start-and-stop process. Consultation is always underway.

We have now reached out to all 63 First Nations communities and band councils and health directors to

have a very extensive engagement process underway where we can discuss elements of the changes that will fall under this amendment, and I look forward to those discussions.

Hon. Jon Gerrard (River Heights): I ask: has the minister reached out to leaders in First Nations communities to see if they would, on their own, pass band resolutions to end smoking in indoor, public places in their communities which, if it were done, would render no need for this legislation?

Ms. Gordon: Thank you for the question.

Now, I'm not sure if the member's aware, we did have an opposition briefing on this bill where we shared that there are several First Nations communities that have passed bylaws, and what—our goal is to assist First Nations communities across our province to simply have these regulations and—against smoking in public places apply across their communities without having to pass bylaws.

So a variety of First Nations have already enacted smoking bylaws, several of them, Mr. Acting Deputy—

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

Mrs. Smith: The minister referenced consultation with 63 First Nations.

Can the minister tell us who in those 63 First Nations had she consulted with?

Ms. Gordon: Thank you for the question.

So, our process has just started. We have reached out to all 63 First Nations communities. We are engaging with health directors as well, Mr. Acting Deputy Speaker. And the process is going to continue over several weeks and we look forward to those discussions.

Mr. Gerrard: To the minister: It would seem to me—and yes, I was very well aware that some First Nations already have band resolutions on the books—but it would seem to me that it would be a courtesy, before marching in unilaterally with a bill like this, to ask the First Nations whether they would consider this and providing the information on the health impacts and some discussion and perhaps with some leadership by First Nations communities which had already made the effort.

Why did the minister—

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

Ms. Gordon: Thank you for the question.

Now that the bill has been distributed, it's an opportunity for us to have those discussions, Mr. Acting Deputy Speaker. And we are in discussions, as I mentioned before. Consultation and discussion with Indigenous peoples and First Nations communities is not a start-and-stop process; it's an ongoing process.

Earlier today, I had the pleasure of talking to the Peguis First Nation and the chief there about the work that we will be doing in partnership with our government. And so it is an ongoing process and should not be seen as a one-off or a start-and-stop process that is just unique—

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

Mr. Gerrard: That completes my questions, Mr. Deputy Speaker.

The Acting Speaker (Dennis Smook): Oh, sorry.

Mrs. Smith: So the minister referenced starting consultations with First Nations. Has she actually been the one consulting? Because in the briefing, we heard that it was actually the Minister for Indigenous and Northern Relations (Ms. Clarke).

Does the minister not feel that it's her responsibility to actually be making those connections—not through an email or a phone call, but actually going and sitting down, maybe virtually, with these communities and building a relationship that's, you know, engrained in meaningful consultation, not just, you know, words and saying, oh, yes, I've talked to them, you know, they're on board?

Because we know what meaningful consultation means with this government, and that's basically, I've talked to them and that's it.

Ms. Gordon: We will be engaging in meaningful consultation and discussion, and if that means virtual or—*[interjection]*

The Acting Speaker (Dennis Smook): Order.

Ms. Gordon: —you know, the restrictions are, in terms of—*[interjection]*

The Acting Speaker (Dennis Smook): Order.

Ms. Gordon: —COVID, that we—*[interjection]*

The Acting Speaker (Dennis Smook): Order.

Ms. Gordon: —might not be able to have face-to-face discussions but certainly we—*[interjection]*

The Acting Speaker (Dennis Smook): Order.

Ms. Gordon: Thank you, Mr. Acting Deputy Speaker.

So, we will be having very—*[interjection]*

The Acting Speaker (Dennis Smook): Order.

I've asked once for order and I expect to get order. *[interjection]*

Oh, would the member wish to be named? Please? No? Can't do that? Okay.

Ms. Gordon: Very much looking forward to ongoing discussions. Very early in my mandate I had the pleasure of—

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

Mrs. Smith: Does the minister believe that the provincial government has jurisdictional rights on treaty lands?

Ms. Gordon: Well, we do know that there is federal paramouncy laws under the Indian Act that will allow First Nation communities to establish bylaws that they feel align with their views on smoking. And so what we hope to do is to ensure equitable access across the province, Mr. Acting Deputy Speaker, to smoke-free and vapour-free environments for children and young people. *[interjection]*

I'm surprised that members opposite do not want to protect the health and well-being of children and young people, Mr. Acting Deputy Speaker. This is what this bill aims to do—

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

I would ask the members to please keep it down because I cannot hear what's going on in this House. So please let the speaker who is speaking speak, and you'll get your opportunity later. Thank you.

Mrs. Smith: Does the minister see any constitutional issues that may arise out of the implementation of this bill?

Ms. Gordon: Paramouncy is constitutional law. It allows First Nation communities to pass bylaws that they feel align with their views of smoking and vapour products. And, Mr. Acting Deputy Speaker, it is not our intent to override those laws. What we aim to do is to create equity in smoke-free and vapour-free environments across our province, protect our

children and our young people from vapour and smoking. *[interjection]*

The Acting Speaker (Dennis Smook): Order. Order.

I've asked several times and I'm—I would like to hear what this member has—the minister has to say, and I would appreciate some silence. Thank you.

* (18:40)

Ms. Gordon: I'm actually very pleased to see such passion and outcry on the part of the opposition. I want them to direct that energy to protecting the health and well-being of children and young people across the province, Mr. Acting Deputy Speaker, and to join hands with our government as we aim to create equity for children and young people, in terms of their health; join forces—

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

Mrs. Smith: The minister is concerned about the health and safety of children in this province, but yet, they've brought forward a bill, Bill 40, that will allow corner stores to sell alcohol which—children are going in to buy candy.

Does the minister agree with this bill?

Ms. Gordon: I want to remain focused on this bill and the amendment to section 9.4 that will now create equity across our province.

And I was so pleased earlier this week to launch five new youth hubs, Mr. Acting Deputy Speaker. Two of those youth hubs are Indigenous-led.

And, wonderful conversation this afternoon with the Peguis First Nation talking about how we will be joining forces and working together to help young people from the age of 12 and up, Mr. Acting Deputy Speaker. This is what we hope to do with the other First Nations communities that have not passed bylaws, is to make it possible for them to protect the health and well-being—

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

Before—*[interjection]*—order. Before we carry on, I would ask for a little bit of respect. This is approximately the fourth time I've gotten up. Both sides of the House, I would like to hear what the speakers have to say, so I would appreciate it if everybody would just tone down a little bit. Respect each other.

Thank you.

Mrs. Smith: The reason I was referencing that bill is because the member said that she was concerned about this—the health of children.

Well, children are going to be walking in these stores and seeing this alcohol, open for them to see too—you know, it's advertised right there. So if this member is so concerned about children, then perhaps she should go to her boss and tell her boss to withdraw that bill, like this bill.

This member talked about the eight First Nations that made the bylaw on their own.

Why does this minister not feel that it's a right of communities to be able to put these bylaws in place in their communities themselves, and why are they imposing their will on First Nations when they have no jurisdiction at—

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

Ms. Gordon: I thank the member for that question. It gives me an opportunity to place on the record that repealing this provision, section 9.4 of this bill, will bring the legislation in line with other provincial legislation of general application, which does not include such a provision.

And I also want to state that Manitoba is the only province that does not restrict smoking across the—and vapour products across the entire province, Mr. Acting Deputy Speaker. And so I look forward to the consultation that will occur over the next weeks and months, and the thoughtful and mutually respectful conversations that I will be having—

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

Mrs. Smith: We heard why the minister was calling Peguis First Nation. It had nothing to do with this bill, and yet she said she called them to consult. So, you know, we don't believe anything that comes out of this minister's mouth in terms of consulting because we know what consultation is in terms of these ministers and this Pallister government.

So what I want to say and leave it with this minister is: are they going to next ban our sage, our sweet grass, our cedar-burning, our sacred medicines? Because tobacco is also a sacred medicine. It is not a commercial or a recreational-use medicine in our community—

The Acting Speaker (Dennis Smook): The honourable member's time has expired. *[interjection]*

Order. Order.

Can we be a little bit more respectful in here? *[interjection]*

Order. Order. Order.

The Speaker is speaking. *[interjection]*

Order. Order. Order.

Question period is finished.

Debate

The Acting Speaker (Dennis Smook): We will now move on to debate.

Mrs. Bernadette Smith (Point Douglas): First Nations have a right to self-determination, and this government needs to stop their paternalistic attitude. It's just gross behaviour, and Indigenous people aren't going to stand for it. We'll continue to stand up anywhere. We are here to stay. We're not going anywhere. And if they think that they're going to silence us and tell us through their dictation what to do on our own treaty lands, they're wrong.

This legislation will be brought to the Supreme Court. It'll be constitutionally challenged. And this government has no business sticking their nose in a jurisdiction that is not theirs. This is federal jurisdiction. This isn't provincial jurisdiction. And this minister should be ashamed for standing up for this bill and for touting her boss's agenda and picking fights with First Nations, because that's what this bill is about.

There has been no consultation on Bill 56 with First Nations communities. This minister said she's consulted with 63 of them. Well, let me tell you, Acting Deputy Speaker—

The Acting Speaker (Dennis Smook): I would like to remind the member for Point Douglas that all comments should go through the Speaker and to address people by their title or by their constituency if it's—whichever it is.

Mrs. Smith: Thank you for that reminder, Deputy Speaker.

We will not—we know that we have a relationship with First Nations. I myself am First Nations. I've reached out to First Nations communities, and not one of them have said that they have been consulted about this.

There's eight First Nations that have put this in place themselves. Why is this government trying to

take the autonomy away from First Nations to govern themselves? They have a right to self-determination. This government continues to just try to push down the rights of Indigenous people. Well, Indigenous people aren't going to stand for it.

You know, we have a Premier (Mr. Pallister) in this province who continues to, you know, use racialized language and bring forth bills that are taking away the rights of Indigenous people. We had, you know, in 2013, the PCs were out protesting, but it was okay for them to protest. But when Indigenous people stand up for land rights, it's not okay for them.

When it meets the needs of this government, they'll support it, but when someone speaks up against them, then they'll try silence them.

That's not what government is about. That's not what good democracy is about. And this government has done nothing but take away democracy in this province.

And I can tell you there, Mr. Deputy Speaker, that Manitobans aren't going to forget this. They're going to remember, when it comes time to going to the ballot box, every little thing that this government is doing, whether it's on health, which they've depleted—you know, we had a rollout of a vaccine that—they were sending masks to communities that were expired.

They've, you know—now they're looking at education. Teachers are standing up, families, grandparents, mothers, caregivers, students. This isn't the right to—direction to go, and all of those PC people on the other side should be ashamed of themselves. They—not one of them—

The Acting Speaker (Dennis Smook): The member for Point Douglas (Mrs. Smith)—I'd like to ask her to please bring her conversation to be a little bit more relevant to what the bill is here.

An Honourable Member: On a point of order.

* (18:50)

The Acting Speaker (Dennis Smook): I'll remind the member for St. Johns (Ms. Fontaine) that points of order cannot be asked for during the—the member can raise a point of order on this on the 1:30 of the next sitting day.

Mrs. Smith: Miigwech, Deputy Speaker.

I'm simply trying to spell out that the relationship between First Nations and this government is in

decline and what they're doing is continually depleting that relationship with First Nations when they should be consulting.

This is going to impact the First Nations directly. This is about taking away their rights to be able to decide the bylaws and make laws in their own communities and be self-determining governments, what they—which they already are.

And this government seems to think that their government is the better way to go when we—our people have been governing for thousands of year and we've been just fine. We're still here. We're resilient. We stand up. And we have five members that are of Indigenous descent in this Manitoba Legislature that wasn't created for our people to be in.

It's extremely shameful that Manitoba has a Premier (Mr. Pallister) who continually and unapologetically uses racialized language to speak about Métis people and Indigenous people and refuses to adequately consult with them on important issues that impact them directly. And this bill, no-doubtedly, will directly impact them.

And it's, again, used to pick a fight with Indigenous people in Manitoba, in their own lands. This PC government has a double-standard when it comes to protests and blockades. Under his—Pallister's leadership in 2013, the PCs publicly supported the diversion in—

The Acting Speaker (Dennis Smook): I'd like to remind the member for Point Douglas that she needs to refer to people as—by their title but not by their name.

Mrs. Smith: Thank you. Sorry about that.

The member for Portage la Prairie (Mr. Wishart) said they have every right to protest and they were exercising the right. That same member also organized a rally at the Legislature in 2013 to provide a chance for people to be heard. But when the time came for this government to listen to Manitobans, they have proven time and time again that they're unable and unwilling to do so.

First Nations have not been heard when it comes to Bill 56.

Political leaders should be consistent. In 2020, the Premier and his government criticized peaceful protests. The Premier continues to use racialized language when describing blockades, says he will, and I quote, not stand back while two-tiered justice happens in our province. He also used the blockade

protest as an opportunity to fundraise for his political party, profiting off his racialized language.

He even stated, and I quote: We are never going to restrict free protest, but when it gets over the line into legal activity, that's when an injunction is necessary.

Despite saying those words—never restrict free protest—the Pallister government is now trying to push through a bill, Bill 56, that is going to take away the rights of Indigenous people to decide whether they want smoking and vaping in their communities—which I tell you, Deputy Speaker, is federal jurisdiction, and this provincial government has no authority to be sticking their nose in their communities.

Pallister's government has failed to adequately consult with Indigenous and northern communities while they continue to tout that they have, but we've spoken directly to First Nation leaders and they have had zero consultation on this bill.

The eight First Nation communities that made the decision to ban smoking and vaping in public spaces, the community decided, not the Pallister government, who seems to continue to take a paternalistic approach when it comes to First Nation communities.

This is not right, and the minister of health, wellness and recovery and the minister of Indigenous, northern affairs are no different. They are doing their boss's bidding instead of letting the First Nations community have autonomy over their own First Nation's treaty lands. They're more than capable of making these decisions on their own rather than the minister of health, wellness and recovery, with the support of Indigenous and northern affairs relations who are pushing this bill on them without consulting.

Why bring this bill forward when they haven't even had any consultation with these First Nations, and this minister even admitted that it has just started? Why not leave it until after you've had the consultations?

This government likes to throw around the word reconciliation. Well, Madam Speaker, let me tell you, the Pallister government could use a lesson on what reconciliation actually is.

And I can tell you that Bill 56, the smoking and vapour products control act, is certainly not a bill that has been negotiated in good faith with First Nations. In fact, it dictates what they can and can't do on their own treaty lands. This has been absolutely no consultation, and the jurisdiction isn't even that of the

provincial government. They seem to like to interfere when it suits them, but what about when it pertains to health care? They don't want anything to do with it. They say, well, that's federal jurisdiction.

The minister of health, wellness and recovery needs to go back to her boss and tell him to scrap this bill and to quit picking fights with Indigenous peoples on their own lands. She needs to stand up for what's right and that she—and that is seeking prior, informed consent from First Nation that requires meaningful consultation and building a meaningful relationship with First Nations and not relying on the Minister of Indigenous and Northern Relations (Ms. Clarke) to do this, as her relationship with First Nations isn't all that good, as well.

This Premier (Mr. Pallister) seems to—likes to consistently pick fights with First Nations and then send his ministers out to go do his bidding. Shameful that this Premier and now his ministers, one by one, continue to damage what little relationship they have left to First Nations.

I urge this government to scrap this bill, go back to First Nations and make meaningful consultations and quit doing—

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

Hon. Jon Gerrard (River Heights): Mr. Deputy Speaker, I believe the minister has made a major mistake, that clearly, in this instance, there should have been discussions with First Nations communities around the province before even bringing this legislation forward.

I would remind the minister I was involved quite a number of years ago—I would think it's probably about 18 or 19 years ago—with a task force which toured the province talking with people about banning smoking in indoor public places. That task force met with people in many communities all over Manitoba, and the result of that was that it was decided that a bill should be brought forward and that there should be a ban on smoking of tobacco in indoor public places in Manitoba under provincial jurisdiction.

That bill, which was brought forward and passed quite a number of years ago, involved extensive consultations before the bill was brought in by the government, and a similar effort should've been made here. In fact, I suspect that with eight First Nations communities already having passed measures to ban indoor public tobacco smoking indoors except for

ceremonial and cultural purposes, that it may have been quite possible to persuade quite a number of other communities to act.

But I'm afraid that what the minister is doing now, trying to impose a law without talking with the people who will be affected first, that this will create a backlash and it will slow rather than speed up the process of improving the health and decreasing unnecessary tobacco smoking in public places and improve the indoor environment for people.

There is a real need to treat First Nations people, First Nations leaders and their jurisdictions with respect, and sadly, the minister is not doing this, has not done this in bringing forward the legislation in the way that she has.

* (19:00)

The lack of effort of the minister to reach out to have discussions with First Nations before bringing this legislation forward means that, oh, it is already seeing backlash from some leaders in First Nations communities. And certainly, we are not, in the Liberal party, ready to support this legislation when the minister has not had anywhere near an adequate effort.

I don't think that this legislation, in any event, is appropriate because the bands and First Nations communities have their own jurisdiction in this regard and that it is important, for a whole variety of reasons, for First Nations to develop their own approach, which is much more likely to be successful, rather than one imposed on them from outside.

So with those few comments, I hope the minister will withdraw this legislation and wait 'til we have discussions and I think she may find that if she does that, that many First Nations communities will decide that it's time to move in this area of health and maybe there could be more co-operation in terms of prevention of mental health and a variety of other problems.

Certainly, the approach that the minister is taking is going to be detrimental to future relations and future partnerships because it's just not the way to do things, particularly now in 2021.

Thank you.

The Acting Speaker (Dennis Smook): The question before the House is second reading of Bill 56, The Smoking and Vapour Products Control Amendment Act.

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Some Honourable Members: No.

The Acting Speaker (Dennis Smook): I hear a no.

Voice Vote

The Acting Speaker (Dennis Smook): All those in favour of the motion, please say ye.

Some Honourable Members: Yea.

The Acting Speaker (Dennis Smook): All those opposed, please say nay.

Some Honourable Members: Nay.

The Acting Speaker (Dennis Smook): In my opinion, the Yeas have it.

Recorded Vote

Ms. Nahanni Fontaine (Official Opposition House Leader): A recorded vote, please.

The Acting Speaker (Dennis Smook): A recorded vote has been called. Call in the members.

Mr. Doyle Pivniuk, Deputy Speaker, in the Chair

Mr. Deputy Speaker: The question before the House is bill—second reading of Bill 56, the smoking and vaping products control amendment act.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Stefanson, Teitsma, Wharton, Wishart, Wowchuk.

Nays

Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliv, Wiebe.

Deputy Clerk (Mr. Rick Yarish): Yeas 34, Nays 21.

Mr. Deputy Speaker: The motion is accordingly passed.

**Bill 52—The Minor Amendments
and Corrections Act, 2021**

Mr. Deputy Speaker: I will now call on Bill 52, the minor amendments and correction act.

Hon. Kelvin Goertzen (Minister of Legislative and Public Affairs): I move, seconded by the Minister of Finance (Mr. Fielding), that Bill 52, The Minor Amendments and Corrections Act, 2021, be now read a second time and referred to a committee of this House.

Motion presented.

Mr. Goertzen: It's a pleasure to speak to this bill this evening. It is primarily concerned with typographical numbering and minor drafting and translation errors.

The bill also contains minor amendments to several statutes. I'd like to bring a few to the attention of members this evening.

It contains amendments to The Public Health Act to give the chief public health officer additional time to submit their report on the health status of Manitobans to the minister.

Of course, the COVID-19 pandemic has prevented the chief public health officer from compiling the report in normal times. He and his many hard-working staff have been incredibly busy over the last year protecting us and giving us advice on the pandemic. And I'm sure that all members understand the reason to now ensure that that report would be due on December 31st of this year, as opposed to having been done earlier, because we want our public health officers doing the work of the pandemic at this point.

The bill also includes amendments to the Crown corporations accountability and governance act, The Manitoba Hydro Act, requires that Assembly's Crown Corporations Committee to—consider the annual report within 120 days of the report being tabled. This will cut in half the time for that report to normally be considered.

And the regulated health professionals act is also amended. These amendments make permanent lessons learned during the COVID-19 pandemic by clarifying that regulated health professionals that operate under professional-specific acts can modify their registration requirements during a public health emergency to enable retired members or members of their profession from other Canadian jurisdictions or the United States to work in Manitoba.

Mr. Deputy Speaker, that concludes my comments and I commend it to the House.

Questions

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

Mr. Jamie Moses (St. Vital): I was reading in the act—I heard that there—it amends The Manitoba Hydro Act, calling for the standing committee to call within 120 days—[interjection]—within 120 days. Is that better? Can you hear me?

An Honourable Member: Yes.

Mr. Moses: Thank you—for the—to be laid before the Assembly.

What accountability does the government actually have to call it?

Hon. Kelvin Goertzen (Minister of Legislative and Public Affairs): Good question, Mr. Deputy Speaker.

I know the many years, far too many years, but maybe not enough for some, that I spent in opposition, I remember as the Opposition House Leader calling, demanding, cajoling, begging the then-NDP government to please call the committees for Crown corporations.

We went one, I think two, maybe even three years sometimes without getting a Crown corporation before the committee. That shouldn't happen. This legislation will put a specific standard that the government needs to follow, Mr. Deputy Speaker, because we don't want to repeat the ways of the NDP where they hid so many things that when a scandal happened, you really couldn't deal with it, as what happened with Manitoba Hydro and Bipole III.

Hon. Jon Gerrard (River Heights): Mr. Speaker, under the emergency 911 and the public safety answering point act, there's this phrase that individuals would be, you know, singled out if they use or permit another person to use a telephone or other communication device to make a false, frivolous or vexatious emergency communication.

You know, if an individual runs up to you and says, I need to make an emergency 911 call, most

people would, you know, let them use their phone, feeling that that's a pure emergency. I just don't want to have a situation where people are punished because they let somebody else use their—

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

Mr. Goertzen: I didn't hear a question, but it was an interesting parable.

Mr. Moses: Since the minister is very, you know, eager, to have the committee meetings being convened for Crown corporations, will the minister and the government be calling the Manitoba Hydro committee immediately?

Mr. Goertzen: Well, we won't be calling it immediately because nobody wants to have a committee at 7:30 at night, Mr. Deputy Speaker. But we will be calling it, of course, very soon because we want to ensure that we can get answers to the scandals that have happened under Manitoba Hydro.

We know that the Brad Wall report scratched the surface. The Brad Wall report scratched the surface of what the NDP did when it came to Keeyask and Bipole III, Mr. Deputy Speaker. But there are many other questions that want to be—that are wanting—*[interjection]*

Mr. Deputy Speaker: Order.

Mr. Goertzen: —answers, Mr. Deputy Speaker, and I applaud the member. I applaud the member because I think even he is starting to be suspicious about the NDP government. He's starting to say, I need to ask questions about this scandal that happened under Greg Selinger, Gary Doer and the current leader of the NDP.

I'm glad he wants to have the committee—

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

Mr. Gerrard: I'll continue my question. *[interjection]*

Mr. Deputy Speaker: Order.

Mr. Gerrard: If somebody runs up and says, I need to use the phone for a 911, and it's—they're being frivolous, but you take it seriously because you believe there's an emergency—I'm just concerned that the government is training entrappers under other circumstances.

* (19:20)

I hope they're not planning to use any trained entrappers to entrap people in this circumstance.

Mr. Goertzen: I want to assure the member that the government is not planning to use trained or untrained entrappers.

Mr. Moses: Now, I wanted to ask the minister, just on a different subject, will, with the mandating of the public—chief public health officer to report, will they be mandating them to report on Manitobans' health status in this bill? Because I understand that's a change as well. Can you explain that?

Mr. Goertzen: I appreciate the clarification for the question because I asked some of that myself, of course, because these pieces of legislation, well, they come under the minor amendment and corrections act. They're brought in from other departments.

So the public health officer is now mandated to, every five years, have a report on public health. And there's criteria that's laid out in terms of what has to be within that report.

It's just because of the pandemic last year, public health officials simply couldn't turn their attention to produce that report in time, so this is giving them that additional time. They will continue to redo the report on the five-year cycle; it's just the unique circumstances of the pandemic prevented them from doing it in this particular cycle.

Mr. Gerrard: I'm actually disappointed that it's every five years. I think that this could be done annually because a lot of the statistics and so on are actually readily available, and with a little bit of more dedication to—and attention to public health, this could be done annually.

I also believe that there needs to be a plan presented at the same time as the report on what's happened. So I hope the minister would consider these sorts of changes, if not now, in the future.

Mr. Goertzen: I thank the member. He'll know I'm no longer the Health Minister—he's probably happy I'm no longer the Health Minister—but I will take his comments and ensure that they're shared with the Health Minister.

He may have referenced a little bit in there about whether or not public health would do a special report or some kind of add-on report related to the pandemic and learnings from it. That's probably not a bad idea. In fact, it's not a bad idea, and I imagine public health

will consider whether to include that in terms of this report or have to have a separate report at some point.

But I do appreciate the question. I think that that's something that can be considered.

Mr. Deputy Speaker: The honourable member for St. Vital—no other further questions?

The honourable member for River Heights (Mr. Gerrard)

Mr. Gerrard: My last question has to do with the meter efficiency program, which will be run by Efficiency Manitoba. Can the minister provide us any details of what this will entail?

Mr. Goertzen: I'll take that question as notice.

Mr. Deputy Speaker: Okay.

Any further questions?

Debate

Mr. Deputy Speaker: Now I will—now the—I will recognize the honourable member for St. Vital for the debate.

Mr. Jamie Moses (St. Vital): It's good to be speaking on this bill. You know, this Bill 52, it—you know, it speaks to minor amendments, corrections, but it really touches on so many acts and bills and pieces of legislation, it's actually almost hard to count them all. There's such a long list of pieces of—you know, Adult Learning Centres Act; you know, Animal Care Act; you know, Cooperatives Act; Family Maintenance Act.

There's so many areas that this bill actually touches. And so, you know, a bill like this, even though it might be minor changes, really, a whole host of consultations should go into place. And I know that many areas of this act are looking at really trying to, you know, change many parts of legislation.

And we know, with every legislative change, people of Manitoba are being affected, including much—many of the marginalized people, including, you know, especially to touch—talk about the adult literacy and learning act that is changed and amended in this bill.

And recently reading the Manitoba Adult Literacy Strategy that was tabled in this Chamber a few days ago, you know, I read that many, many individuals who participate and graduate from those programs are from Indigenous backgrounds. You know, and I know that, as well, in my neighbourhood,

many newcomer families use these programs and they will be affected by this bill, Bill 52.

So it's important to discuss the issues that many marginalized communities face when it comes to changes that the government makes and whether proper consultation is actually going to be done.

Now, when I speak about marginalized communities and I talk about their well-being, it's also in terms of this legislation but it's also in terms of what is the government, as a whole, doing to support marginalized communities and the issues they face, including racism.

And looking at racism, it's important to consider many aspects. You know, I think this has been in a topic for so long but especially highlighted over the course of the past year. The, you know—and it's important for us as legislators to really consider the impacts of every piece of legislation, including Bill 52, and the impacts that it has on the marginalized communities.

Now, this is a week, you know, earlier this week, we had international day of eliminating racism and the mayor declared it as an Anti-Racism Week here in Winnipeg. You know, so for myself, you know, being a Black person in this Chamber, it's important to acknowledge that and in relation to the bill that we're speaking to—with, right now.

So I'll say, you know, that although I'm happy that we're celebrating Anti-Racism Week, really, I'm asking myself: Should I be? You know, I'm at least glad that the issue's being discussed and talked about and the ways to eliminate racism are slowly taking shape in our city. But really, in 2021, I'm not happy that racism still exists.

Like I mentioned, I do commend the mayor for—and the City for holding the Anti-Racism Week to help marginalized communities and these will take steps to help, but it won't eliminate racism and it won't prevent a lot of the racism that we see in our communities, although I do applaud the steps they're taking and I applaud the mayor and city council.

Racism can come in so many forms such as overt racism that we saw first responders and were treating patients based on their race—truly horrifying acts, such as violence that we recently saw in Georgia.

Now, racism can be subtle, like when I walked into a diner recently in my local community a few months ago: an employee looked at me and said—

mistakenly presumed that I was a SkipTheDishes driver there for a pick-up order.

Now, racism, of course, can also be systemic. You know, we've seen that from this Pallister government, that they ought to know systemic racism very well, and this happened through people's action and also their inaction.

You know, for example, we've seen in this government, with Bill 57, trample on the rights of Indigenous people. We've also seen this government choose not to listen to consultation with many marginalized communities and newcomer families on education through the introduction of Bill 64, which is creating new barriers to learning or when this government delays anti-racism education legislation, Bill 212, using excuses like, we were already doing some diversity training as a way to explain away their inaction.

You know, it's a clear signal that this Pallister government and all the MLAs do not prioritize combatting racism.

So I'll continue, like so many other Black people, Indigenous people and people of colour, to stand up every day, look at the barriers that we face and experience, persist with determination, carry on with pride and tackle the challenges one by one, until, one day, Manitobans can truly be happy that we don't need to have an Anti-Racism Week anymore.

Now—[interjection] Now, it's—in terms of relation to Bill 52, all of what I'm saying in terms of the racial components that—and experiences of people in our community must be taken into consideration when you're drafting legislation and consulting on legislation and forming and writing legislation like Bill 52.

And so I'll leave my mark—remarks at that, Mr. Deputy Speaker, and conclude by saying that, you know, proper legislation must be crafted by doing proper consultation first.

Thank you, Mr. Deputy Speaker.

Hon. Jon Gerrard (River Heights): Mr. Deputy Speaker, just a few comments. Most of the changes here are small, typos and other matters which were picked up.

I'm glad to hear from the minister that he will not be using trained or untrained entrappers with regard to the emergency-911 public line.

* (19:30)

I am pleased that The Manitoba Hydro Act will be changed so that there will be better attention to getting a Crown corporation committee sitting and mandated under the law.

With regard to The Public Health Act, I think that the government should actually consider doing an annual report. Much of the statistics are gathered, anyway. If we—you have a five-year report, what happens is that that's always on the next government, instead of on your government. If you have an annual report, it's much easier to hold people to account. We have made all too little progress on the prevention of diabetes and the prevention of lead poisoning, and improving and preventing mental health and addictions. These are all areas where there is major action needed.

And this report should not just be on the health status. It should be on—require some sort of forward-thinking look, planning of what needs to be done. I think if we did this, we could move forward faster when it comes to prevention.

Sadly, this government and the NDP government before did not pay the attention that was needed and is still needed to prevention and public health, and that may be part of the reason why we were a little slow in some areas in being prepared for the second wave. We need to do better in the future.

So, with those few comments, I will pass this on to the vote. We will support this legislation.

Mr. Deputy Speaker: Question before the House is second reading of Bill 52, The Minor Amendment Corrections Act.

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

I declare the motion carried.

Bill 53—The Municipal Statutes Amendment Act (2)

Mr. Deputy Speaker: Now I'll call on Bill 53, The Municipal Statutes Amendment Act.

Hon. Derek Johnson (Minister of Municipal Relations): I move, seconded by the Minister of Crown Services (Mr. Wharton), that Bill 53, The Municipal Statutes Amendment Act, be now read a second time and referred to a committee of this House.

Motion presented.

Mr. Johnson: I'm honoured to present Bill 53 for consideration today.

This bill will amend four acts, to modernize and clarify municipal operations and provide procedural fairness to small councils seeking to sanction a member for violating the Council Code of Conduct.

We recognize that challenges—the challenges that municipalities have faced through the pandemic and we are proud of the changes we are making in response to stakeholder concerns.

Over the last year, the COVID-19 pandemic has fundamentally changed the way our governments operate and interact with their constituents. In response to the challenges that municipalities face during this unprecedented emergency, our government has granted municipalities temporary flexibility to engage residents, using electronic communication technology.

Mr. Deputy Speaker, while these changes were introduced temporarily under the Emergency Measures Act, this bill will build on the lessons learned from the pandemic to make some of these changes permanent.

We recognize municipalities' need for flexibility and fair say in determining the best methods of communicating with their residents. In addition, we know that other organizations such as the Municipal Board and planning districts have required many of the same flexibilities to deal with the operational impacts of the pandemic.

This bill will provide clarity for municipalities seeking to hold council meetings using electronic communication technology, while preserving the public's right to access council meetings. This bill will also modernize the definition of public hearings for municipalities, planning districts and the municipal board.

These changes will allow public hearings to effect feedback and facilitate interaction with the public using electronic communication platforms on a level that is equivalent with being physically present at the meeting. This could occur on platforms such as Teams, Skype, GoToMeeting or teleconferences.

Mr. Deputy Speaker, these changes will enhance the accessibility of decision-making processes and will provide Manitobans with more opportunities to participate in decisions that affect them. Improved access to these processes will help put Manitobans first and deliver our commitment to facilitate

transparent, accessible and efficient decision making in all municipalities.

As a result of the COVID-19 pandemic, municipal governments have also faced challenges with providing notice of public hearings to citizens. While the closure of some local newspapers and many municipal offices we granted temporary—additional temporary flexibility surrounding public notices to facilitate municipalities' distribution of information. Stakeholders have indicated that flexibility for distributing public notices has enhanced efficiency in municipal operations across the province.

In addition, Mr. Deputy Speaker, our government recognizes the way citizens access information has significantly changed and continues to evolve. This bill modernizes the definition of public notice to allow for the continued use of some forms of electronic communication to distribute public notices. The bill will allow municipalities, planning districts and the municipal board to post notices on newspaper websites when available, or in two conspicuous locations within the municipality if a local newspaper or other publication in general circulation is not available.

Mr. Deputy Speaker, this change to the definition of public notices while—will help an increasingly online public access to information about their local decision-making process. These changes will also provide municipalities with increased flexibility to adapt to their local circumstances, which will reduce red tape and help municipalities better connect with their residents.

We also recognize the importance of local newspapers in their communities. That is why this bill continues to allow posting notices in newspapers while providing alternatives for municipalities when required, such as when there is no local newspaper in circulation or a local newspaper has moved entirely online.

This will ensure that public notices remain accessible and local institutions continue to be the trusted source of information. We are committed to the vitality of local media while enhancing access to government for all Manitobans.

In addition, Mr. Deputy Speaker, these provisions respond to positive feedback received from municipalities and key stakeholders, such as the Association of Manitoba Municipalities, about the temporary flexibilities.

Mr. Deputy Speaker, this bill also makes minor changes to procedures for small councils voting to sanction council members for a code of conduct violation. Under The Municipal Act, all municipalities are required to adopt a code of conduct that establishes guidelines on acceptable behaviour for council members in dealing with each other, employees and citizens.

Manitoba's municipal code of conduct legislation is groundbreaking. Manitoba is one of the first jurisdictions in Canada to require all municipal councils to have a code of conduct in place and enabling councils to censor members for violation of the code.

* (19:40)

As part of the code of conduct sanctioning process, a majority plus one of council must approve sanctions of a council member for code of conduct violations. This requirement was put in place to highlight the seriousness of council members violating their code of conduct. No other provision in The Municipal Act requires a majority plus one to affirm a resolution; this clearly signals that councils are not to make decisions regarding violations of their code of conduct lightly.

However, Mr. Deputy Speaker, for councils of five or six members, fairly resolving code of conduct violations is difficult when a majority plus one is required to sanction violators of the code of conduct. On these smaller councils, the majority-plus-one requirement creates barriers to addressing code of conduct complaints. In order to meet this requirement, at least one party to the complaint must participate in the vote to sanction. This could create unnecessary tension or impede objectivity of the deliberations.

Mr. Deputy Speaker, of the 137 municipalities in Manitoba, 53 municipalities currently have a council with six or fewer members. This bill proposes to allow a simple majority of council members to approve sanctions for councils of five or six members. Councils with seven or more members will still be required to meet the majority-plus-one requirement to underscore the seriousness of affirming code of conduct resolutions.

These changes proposed by this bill will allow the interested parties to rescue—recuse themselves on all councils, no matter the size. This will enhance the 'procegenal' fairness of the code of conduct resolution process and strengthen the transparency and accountability of all municipal councils.

Mr. Deputy Speaker, we recognize that everyone deserves both a respectful workplace as well as procedural fairness during the resolution process. This bill will ensure that both principles and paramount—are paramount when municipalities deal with a code of conduct violation.

We would like to thank our stakeholders, such as the Manitoba Status of Women Secretariat and the Association of Manitoba Municipalities, for their important ongoing contributions to the code of conduct framework.

In closing, we are proud to introduce this legislation, which responds directly to feedback from our stakeholders and builds on lessons learned during this pandemic. This bill will modernize municipal operations and enhance the code of conduct resolution process, providing municipalities with increased flexibility and fair say, and enhancing the fairness of the code of conduct framework.

I look forward to debating and moving this important legislation along to committee.

Thank you, Mr. Deputy Speaker.

Questions

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

Mr. Matt Wiebe (Concordia): As the minister will know, we've been—we fought hard for protecting rural newspapers when this government proposed pulling notices from rural newspapers. We certainly appreciate the local voice of those newspapers.

I'm just wondering if the minister can comment on the impact that this bill may have on some of those small local newspapers that so many communities count on.

Hon. Derek Johnson (Minister of Municipal Relations): Thank the member for the question.

Bill 53 proposes allowing additional methods to provide public notices of hearings. These changes would give municipalities flexibility to determine the most appropriate communication options for their circumstances.

Examples of proposed public notification methods include: publishing notices on a newspaper website, publishing the notices in a community newsletter that is delivered to residents of the municipality or in a newspaper that has a province-wide circulation, posting a copy of the notice in a visible area outside the office of the applicable planning district or municipality.

Hon. Jon Gerrard (River Heights): Yes, one of the methods that the—that is being proposed to look at or alert people is to put the notice on the website of a newspaper.

I would ask whether—how often does the average Manitoban check their local municipal website?

Mr. Johnson: That varies across the province. It depends where the person lives is how—and, obviously, the Internet access of how often they check the local website.

Mr. Wiebe: Well, you know, the minister and I did have a good conversation. We had a bill briefing. I appreciated the information he shared at that time. We did have a conversation about, you know, new technology, making sure that the information was available in those formats.

But I think there is some concern here. Is it—I just want to be clear with the minister, is the bill proposing that the municipality can choose one: either the online version or the printed version? And does it give them that option to only go online if that's what they so choose?

Mr. Johnson: Only if a printed newspaper is not available.

Mr. Deputy Speaker: The honourable member for River Heights (Mr. Gerrard).

The honourable member for River Heights, if you can unmute your mic.

Mr. Gerrard: I'm disappointed that there hasn't—the government hasn't done some sort of a survey to check how often the average Manitoban checks their local municipal website for it to be useful. That would be important information to have.

This code of conduct, I presume, would deal with harassment issues. Is that correct?

Mr. Johnson: The code of conduct, it addresses when there are two members of council of a six- or five-member council that have a conflict with one another.

The bill continues to have the majority plus one if there is just one member of council. For example, if it was a council member and a CAO, then it is—it still ensures that there is a majority plus one to ensure that they are taking the code of conduct seriously.

Mr. Wiebe: So, the minister is confirming the conversation that we had at the bill briefing. And so I—what I'm concerned about is, is in reading the bill, there may be a discrepancy between what we had discussed and what I think the minister understood from his officials and what the bill actually says.

So section 420(1), it says, subject to the subsection 1.1, do one of the following, and that's either publish a notice twice in the newspaper—that's a physical newspaper—or post notice prominently on the website or the newspaper.

Am I just understanding that maybe this is just an oversight in the drafting of the bill, that the minister's intent is, in fact, to again protect those local newspapers?

Mr. Johnson: It has to be published in a local newspaper where it's available. If a newspaper ceases to print and continues to go online, then that would be an acceptable means of having your notices put out.

Mr. Gerrard: The minister is aware of the issues and the difficulties of resolving conflicts between members and harassment accusations. We've had one—in fact, two—in the Legislature, which were competing accusations and which resulted in competing decisions.

Wouldn't it be much better to have somebody as an independent mediator to help resolve such conflicts rather than to have a majority plus one?

Mr. Johnson: Bill 53 proposes to change how many votes are required to approve sanctions under a council code of conduct for small councils of five or six members. Currently, a resolution to sanction a council member must be approved by a majority of council plus one.

The amendments propose to change this requirement to a simple majority of council for councils with fewer than seven members.

Mr. Wiebe: I do look forward to this coming forward to committee and look forward to hearing from folks to make sure that the minister, as he's telling me and the way that I'm understanding it—our discussions, that they match up.

* (19:50)

I guess finally just a quick question: Did the minister consult with the Manitoba Community Newspapers Association just to get their feedback on how this might impact their members?

Mr. Johnson: Stakeholders have indicated that flexibility for distributing public notices has enhanced efficiency in municipal operations across the province. Our government recognizes that the way citizens access information has significantly changed and continues to evolve.

Mr. Deputy Speaker, on this side of the House, we value our stakeholders' voice and, unlike members opposite, we listen.

Mr. Gerrard: That completes my questions. Thank you.

Mr. Deputy Speaker: The honourable member for Concordia.

No more other questions? Okay.

Debate

Mr. Deputy Speaker: Now we're—now we'll—I'll now recognize the honourable member for Concordia for debate.

Mr. Matt Wiebe (Concordia): Well, thank you very much, Mr. Deputy Speaker. I will keep my remarks quite brief.

As I said in my questions, you know, we've expressed this certainly as a caucus. The member for St. Johns (Ms. Fontaine) will remember very clearly that we fought tooth and nail as an opposition to stand up for community—local community newspapers.

As I said, I think, once again, there's a theme here, you know: a government that doesn't respect democracy doesn't respect the voice of media and journalists who are doing their job.

And, you know, when it comes to local issues, you know, I find myself often picking up local newspapers, looking through the Carillon or looking through Dauphin newspapers or Flin Flon, and I'm constantly learning new things about different parts of our province. There's a real value to that. I mean, I don't think I need to tell that to the members opposite.

But yet, time and time again, instead of respecting and valuing those voices, again, this government continues to make it harder for them and harder for rural Manitoba in general. So we are concerned about that aspect of it.

Now, I will take the minister at his word that this, as I said, if the way that I'm reading it is incorrect, that's fine. If there's an issue, I do hope that he's willing to consider that there could be amendments at committee—or, at the committee stage here in the Legislature.

You know, I think, again, we're on board with the idea that technology is changing. We support the parts of the bill which support, you know, very much like what we're doing here today, Mr. Deputy Speaker, where we have Zoom participation. There's nothing wrong with that but, at the same time, we want to make sure that the public is aware and it is always accessible.

So we're going to look very closely at those parts of the bill that talk to participation and notice for the public. And again, if there's an issue with the written notice—because as much as we are all moving online, as the minister himself said, you know, connectivity in rural Manitoba, because of the actions of this government, are spotty at best in many places.

And so it's not as simple as saying, well, everyone just move online. There are a lot of situations where it's just not possible. So that's fine if they also want to move online, and I think that's a great option for municipalities and for those notices. But if that's the only way, I think there's a concern.

If there's a local paper that has a good readership that is respected and is something that's a part of the fabric of the community, then they should be part of the way that the public understands what's happening in their municipality.

So we're going to look very closely at that. I do hope the minister is willing to look at this closely because, as I said, it's not something that I picked up in our bill briefing, it's not something, certainly, that he said in their bill briefing, it's not something the officials said. And yet, here, you know, I see it in the bill, and there's a concern. So we're going to look more closely at that.

And I also had the question about the community newspapers. I notice that the minister said he did not consult with them. And that's quite concerning, to be honest with you. *[interjection]*

Well, you know, the member for St. Johns says, surprise, surprise. And you know, maybe she's right. She is often right. I'm more optimistic, but she's often right; I'll just put it that way. And here you go: so, it's the same old, same old from this government.

So, as I said, I'm happy to put this—move this forward to committee but I think we have to be very careful. And I do hope that the minister—again, giving him the benefit of the doubt, that if he's coming to this honestly and does want to make sure that we move forward, you know, that we modernize and that we make things more accessible but, at the same time, we don't just throw the baby out with the bathwater.

And when there's so many people that do rely on community newspapers for their news and their information and to support those community newspapers themselves, because we stand with the local democracy every step of the way.

Thank you, Mr. Deputy Speaker.

Hon. Jon Gerrard (River Heights): We have major concerns with the legislation as it is written. We feel that the approach to code of conduct is just wrong. It's analogous to saying that if there's a problem with somebody who has code of conduct in our Legislature, that the majority plus one is going to decide whether there's an issue. Well, of course, the majority plus one in the government would decide that there was never an issue if it was a government person, but if it was an opposition person, that it would be very quickly decided that there was a problem with their conduct.

That is why, in this Legislature, we have a Conflict of Interest Commissioner who can deal with issues which come up. We have a process for dealing with concerns about harassment. This is not something to be decided by majority; it is something which should be decided by an independent, knowledgeable, capable individual, and that's why in our Legislature we have argued for an independent individual to manage harassment complaints rather than to try and deal with them internally.

So I think, as this is written, it is very bad. It makes it very easy for a majority on a council to go after a minority on a council and to cause a lot of problems for the minority. We have seen this happen in a number of cases in Manitoba. This is just not acceptable legislation or process. In fact, it is bad process.

With regard to the notice in newspapers. I say to the MLA for Concordia, you are correct; the minister is wrong. Subject to subsection 1, do one, not two of the following: either put it twice in a local newspaper or other publication having general circulation in the municipality or post a notice prominently on the website of a newspaper. So what we will have is it's okay just to put it in a website, not to publish it in the

print version. We feel that it's not very likely that most Manitobans will check their local municipal website on a regular basis for notices. You know, I use the Internet a lot. I don't regularly check the City of Winnipeg website for notices; I depend on a lot of other different ways.

In fact, in today's world, I mean, what should be there is the requirement that if an individual would like, if he registers with the municipality, that that individual should be able to receive by email or text or both, notice of any municipal issues or meetings which come up. And that would be far more effective and would complement publishing this in a local newspaper, as it has been done and people are used to receiving notification. Putting it on a website is a poor way of letting people know.

Madam Speaker in the Chair

It is a good way of people finding information on occasion when they are searching, but it is not a good way of notifying people. And this, at least, should be—it's on a website and in a newspaper. But I believe it also needs to be brought into the modern world and allow for and facilitate the use of emails and texts to notify people.

So those are my comments. This is very bad legislation, and we will do everything we can to not only oppose it, but to ensure that it is changed.

Thank you.

* (20:00)

Madam Speaker: The question before the House is second reading of Bill 53, The Municipal Statutes Amendment Act (2).

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Yes.

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Ms. Nahanni Fontaine (Official Opposition House Leader): Madam Speaker, on division, please.

Madam Speaker: The motion is passed, on division.

Bill 6—The Liquor, Gaming and Cannabis Control Amendment Act

Madam Speaker: I will now move on to calling second reading of Bill 6, The Liquor, Gaming and Cannabis Control Amendment Act.

Hon. Cameron Friesen (Minister of Justice and Attorney General): I move, seconded by the Minister of Agriculture and Resource Development (Mr. Pedersen), that Bill 6, The Liquor, Gaming and Cannabis Control Amendment Act, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Friesen: The introduction of Bill 6 is in keeping with our government's commitment to protect Manitobans as the framework and market for legal cannabis continues to evolve in Canada by prohibiting the public consumption of intoxicating cannabis products.

Amendments are proposed to establish a general prohibition on the public consumption of all forms of cannabis, as defined under the Cannabis Act in Canada, and they're intended to complement the current laws prohibiting smoking and vaping.

It's still early days on the legalization of cannabis and that's why we take an approach that says, better to be cautious and keep people's safety front and centre, and make that the first consideration.

We know the market will continue to develop and evolve and it's important to set societal expectations for the use of these products as soon as possible. As other products continue to enter Manitoba's retail network, topicals and other forms of ingestible cannabis products, it's incumbent upon us to realize that these new legal products must be consumed as safely as possible.

And so, as such, I'm—in considering the bill, I'm asking my colleagues to be mindful that cannabis, like other intoxicating substances, creates risks for the users and the public when consumed in the public: health and safety risks, the risks of over-consumption, the risk of consuming in uncontrolled environments, the normalization of cannabis consumption, especially around children and young people, and keep it in mind that the public and consumer safety is at the heart of Bill 6.

Certain exceptions are allowed: two types of cannabis that are not intoxicating and, of course, this does not apply at all to medical cannabis.

So, we're taking the strong legislative stance against public consumption and intoxication, and I look forward to the debate.

Questions

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

Ms. Nahanni Fontaine (St. Johns): How does the minister plan to enforce this act in public spaces?

Hon. Cameron Friesen (Minister of Justice and Attorney General): By enforcement officers.

Hon. Jon Gerrard (River Heights): Yes, they're going to be wandering around all over the province.

I ask the minister, so much is hidden here, in terms of the definition of public spaces, under this act. The—so much can be written into regulations that it is hidden in the act itself.

Would the minister give us a little more detail, in terms of where the exceptions would be for allowing people to smoke cannabis or consume cannabis?

Mr. Friesen: Well, the member knows that when it comes to smoking cannabis, those rules are already established and this is a progression of that, as well.

And, of course, as he says, that there's a general prohibition of cannabis consumption in public places. The bill makes clear that it refers to edibles, extracts and topicals. The exception as to which he speaks have to do also with products that are non-intoxicating cannabis products. So there are some exceptions in that case as well. But clearly, like the smoked cannabis products, in homes and in your private abode.

Ms. Fontaine: While the Justice Minister responds in his typical flippant manner, it is a legitimate question how enforcement officers are going to enforce the act.

How are people—enforcement officers, going to identify that people are in fact eating edibles and not simply just a cookie, or a brownie, or a jelly bean, or a—I don't—whatever edibles come into? How are enforcement officers going to do that? Where are they going to go?

And like the member for River Heights is saying, like, are they just going to be walking around the city? How is that going to work?

Mr. Friesen: Always difficult to receive a question from this member without name-calling attached.

But name-calling aside, Madam Speaker, we have the benefit of having decades and decades and decades of experience when it comes to enforcement with alcohol consumption. And not unlike alcohol consumption, we have people who inspect for the proper use of alcohol. They go into restaurants and bars and hotels and other places. They inspect patios.

And in the same way as that, we can apply those general learnings. The LGCA becomes responsible as the agency for overseeing the enforcement efforts.

So nothing flippant about that response. This is important work, and that's why we have important legislation.

Mr. Gerrard: Yes, I mean in the case of alcohol it's prohibited to be consuming it when you're traveling in a car, for example, and it's very specific places. If you go to a provincial park, for example, generally speaking, although it may be for some weekends, there's not a prohibition against consuming alcohol.

What you're putting forward apparently is a general 'prohibition' so that people can't even use it anywhere in a public park except if they happen to have a cottage perhaps inside.

Is that the approach that the minister's going to take, that park with a lot of outdoor spaces and open spaces that you can't consume cannabis anywhere except for inside a cottage that somebody may have?

Mr. Friesen: It is true that this is a restrictive approach to begin.

As we said, when it comes to cannabis legalization in Canada, this bold societal experiment is less than three years old, and therefore, it is easier over time as we understand how products and new products will enter the marketplace, because there's incredible product development going on all over the world right now.

It's important to start with restrictions, as we have done, and then to loosen those restrictions over time as we better understand the impact on society, on health care, on safety. And so, as the member says, the restriction goes to homes and houses and principal residences, and we believe that's a good place to start.

Ms. Fontaine: Well I'm glad that the minister is putting on the official record for us this evening that his legislation is a restrictive approach to something that is actually legal. And so I'm glad that he's finally admitting that he is using a very restrictive approach, but it still doesn't answer the question in respect of how are enforcement officers going to enforce edibles.

And again, everybody knows I like to bake. How would you know that my brownies don't have some stuff in it? If I'm on—at the park or I'm sitting on a whatever, how do you not know—how would you know, and how are they going to determine? Are they going to taste the brownies? Like, how is that—

Madam Speaker: The member's time has expired.

Mr. Friesen: Kind of a silly statement.

We have alcohol that is legalized and yet it is restricted. If you drink alcohol at a restaurant at a table, that's legal. If you're on a patio, that's legal. If you open that alcohol, go to your car and drive away, that's not legal. That's illegal.

So we have both legalized products but we have appropriate restrictions. Why? Because we're all in this together and we must ensure the health and safety of people. So that's why this approach.

* (20:10)

Mr. Gerrard: Yes, I'm afraid that—I think that the approach that the minister is taking is far too broad. If somebody's in a wilderness park and there's nobody within a kilometre of them, surely there's not going to be too much concern about somebody consuming cannabis.

I think that there needs to be some common sense here and that, hopefully, that we will see some common sense if and when this goes to committee, that the minister will decide there is a way that probably is a little closer to what's done with alcohol, that there are some restrictions but there's not this universal restriction of every public place in the province.

Mr. Friesen: I mean, the member is correct. There will be debate on this issue.

I would suggest to the member we as a society have to start somewhere. It is a long horizon when it comes to cannabis. It is important to start in a place where we can, you know, reasonably ensure safety. So if there is a pendulum that is swung, yes, we would say we have started with the focus on the health and

safety of people, understanding the risks that cannabis can pose to young people, to youth, to children. We don't apologize for that.

And knowing that we will continue to be in this together as a society, there'll be lots of time to decide how to loosen restrictions as time goes on.

Ms. Fontaine: So the minister is putting on the record that we have to start somewhere. So what the minister has opted to do, and like lots of the other cannabis legislation, is start on the most restrictive of the spectrum of—for opportunities or for things to do that we—for cannabis, for consuming cannabis. So they're choosing the most restrictive on that spectrum.

Again, Madam Speaker, we still have not heard how enforcement officers are going to enforce that. I'd like to hear how the minister thinks that's going to be enforced.

Mr. Friesen: Madam Speaker, I know that in this province when alcohol was legalized, I believe that at first you had to go to a pharmacist and you would take a ticket and pass it through a wicket and then your order was filled and put in a paper bag and then passed back through the wicket. That is not the way we buy alcohol in this province anymore. We've had a lot of time to evolve our approach on a legal product that had certain restrictions.

I would suggest that this is much the same. This industry will continue to evolve, the marketplace will continue to evolve, and our government's approach will continue to evolve.

Mr. Gerrard: Yes, that completes my questions, Madam Speaker.

Madam Speaker: Thank you. The honourable member for St. Johns?

No further questions.

Debate

Madam Speaker: Then the floor is open for debate, and I would recognize the honourable member for St. Johns.

Ms. Nahanni Fontaine (St. Johns): Madam Speaker, just in respect to some of the questions and the answers that we just went through on the question-and-answer period, I think it's pretty clear that the minister has confirmed for everybody—it's something that Manitobans have already known, it's that this—the Pallister government has undertaken a very restrictive regime in respect of cannabis consumption.

And, you know, it makes absolutely no sense how the government plans to enforce Bill 6 and the consumption of edibles. The minister had no answer on how enforcement officers are actually to operate. How are they supposed to operate? How are they supposed to do their job? Where are they supposed to do their job? That doesn't make any sense, Madam Speaker, and the member for River Heights talked about common sense and I would agree with the member for River Heights.

How are enforcement officers going to enforce Bill 6? Are they just going to have shifts where they're walking in parks and they demand to see the ingredients of what folks are eating or are they going to ask to try it? Like, I don't understand. I don't think we understand, at this point, how Bill 6 is going to be enforced.

And I think that it is a testament to this government's—the Pallister government's—ideology and ideological approach to alcohol and drugs.

And so I just want to put it out there that, yes, I agree with the minister that we're at the very beginning of this new experience in respect of the legalization of cannabis and edibles. Yes, certainly we're all aware that this is a new experience, and he keeps going back to—referring about how alcohol operated back in, like, the '50s or '60s or whenever he was trying to refer to that. But, again, we're talking about edibles here, and I just don't understand how he's going to enforce Bill 6 on edibles.

So, Madam Speaker, I also just want to point out again, like most of this sweep of legislation that we have before us, this is a bill that's brought forward to the Manitoba Legislature in the midst of a global pandemic.

And so the minister was talking about, you know, for the protection of children and the safety of children we've got to criminalize folks that would have an edible in a park or have an edible on the bus. Like, wherever people eat edibles, this government has sought to criminalize them and ensure that there would be some type of enforcement, however that would look, instead of, in the midst of a pandemic, looking to provide, you know, to provide food for children who are struggling.

That's what this government, in the midst of a pandemic, has sought to prioritize, is the further restriction and restrictive regime and criminalization of people that decide to partake in cannabis edibles.

Madam Speaker, I'm going to keep my comments there because, really, at the end of this day—the day, this bill just doesn't make any sense. There's no—and again, I asked the minister several times how he planned to enforce Bill 6, and there was no answer.

And so I think that that will be my comments for this evening.

Miigwech.

Hon. Jon Gerrard (River Heights): My comments will be brief.

I think the approach that the minister is taking has not got much common sense around it. If somebody's out in the middle of a wilderness park and they're a kilometre from everybody else, there's no sense in restricting their ability to use cannabis.

I also think that there's a fundamental problem here that, you know, this is legal if you've got people, for example, who are renting, who may not, under some circumstances, be able to have, you know, smoke cannabis in their own apartment because of the rules there. They need places outdoors to be able to smoke cannabis or consume cannabis in one way or another.

If you've got people who are travelling—I mean, if somebody wants to go by car from Winnipeg to Thompson, for example, and they want to stop somewhere and every public space along the way is prohibited in terms of consuming cannabis, that this just, I mean, doesn't make common sense and it's not enforceable; it's not realistic.

If the minister actually wanted to protect children, say, under age 19, I mean, you could at least say, you can't smoke or consume cannabis within, you know, four metres of somebody who's under 19. It would be at least, you know, measurable and it would be at least targeted in terms of the people that you're trying to protect.

I'm not saying that that would necessarily be the common-sense way to go either, but I think that, hopefully, at the committee stage, we will have Manitobans with some common-sense suggestions as to how better to approach this, in contrast to what the minister is proposing: a blanket prohibition on all public places in the province.

Thank you.

Madam Speaker: The question before the House is second reading of Bill 6, The Liquor, Gaming and Cannabis Control Amendment Act.

Is it the pleasure of the House to adopt the motion? Agreed?

Some Honourable Members: Agreed.

Some Honourable Members: No.

* (20:20)

Voice Vote

Madam Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Ms. Nahanni Fontaine (Official Opposition House Leader): Madam Speaker, on division, please.

Madam Speaker: The motion is passed, on division.

Bill 17—The Drivers and Vehicles Amendment Act

Madam Speaker: I will now call second reading of Bill 17, The Drivers and Vehicles Amendment Act.

Hon. Ron Schuler (Minister of Infrastructure): I move, seconded by the Minister of Agriculture, that Bill 17, The Drivers and Vehicles Amendment Act, be now read a second time and be referred to a committee of this House.

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

Madam Speaker: It has been moved by the honourable Minister of Infrastructure, seconded by the honourable Minister of Agriculture, that Bill 17, The Drivers and Vehicles Amendment Act, be now read a second time and be referred to a committee of this House.

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

Mr. Schuler: I'm pleased to rise again to speak about Bill 17, Drivers and Vehicles Amendment Act, as part of the Manitoba government's 100-Day Action Plan.

This legislation is required to strengthen consumer protection and compliance mechanisms for mandatory entry-level training for class 1 truck drivers to support an approved standard of delivery service in Manitoba.

Bill 17 will establish regulation-making authorities to require surety bonds for driver training schools to provide some financial compensation to students in the event of a sudden school closure due to permit suspension, cancellation or insolvency; also, authorize administrative penalties for schools and instructors that are non-compliant with legislation and permit conditions up to a maximum of \$5,000 as part of a progressive disciplinary scheme to support school compliance and enforcement; and expand the Licence Suspension Appeal Board's authority to hear appeals related to administrative penalties, permit suspensions and cancellations.

Currently, driver training schools that teach mandatory entry-level training are not subject to consumer protection and compliance mechanisms under The Private Vocational Institutions Act.

Madam Speaker, Bill 17 will provide financial protection for students and address the lack—the current lack of compliance tools by enabling the development of a progressive disciplinary scheme. Administrative penalties will foster education and corrective action, ensure driver training school and instructor permit suspension and cancellation are only used for serious breaches of permit conditions.

In addition, an appeal option will ensure procedural fairness while strengthening the compliance framework.

Bill 17 will come into force on a future date set by the Manitoba government to allow time to develop regulations that will set maximum monetary amounts for administrative penalties and surety bond requirements.

Bill 17 will support consistency for driver training programs delivered by private vocational institutions and other driver training schools in Manitoba and will promote harmonization with other Canadian jurisdictions.

These added safeguards for mandatory entry-level training will reinforce road safety principles identified in Manitoba's road safety plan.

The Manitoba government looks forward to further discussion on Bill 17 and to working in partnership with Manitoba Public Insurance, Crown Services and Advanced Education, Skills and Immigration to promote our shared commitment to driver education and safety on Manitoba roads.

Thank you, Madam Speaker.

Questions

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

Mr. Mintu Sandhu (The Maples): Just one question: How do you come to a \$5,000 penalty? Why not \$10,000, 15 or \$20,000?

Hon. Ron Schuler (Minister of Infrastructure): I'd like to thank the member for that question, and it is a good question. That is an industry standard.

Mr. Dougald Lamont (St. Boniface): Just one question, Madam Speaker.

I'm just wondering why wouldn't this be, say, put into effect on the day of—at royal assent, as opposed to on proclamation or a day fixed by proclamation?

Mr. Schuler: Madam Speaker, because there's going to have to be considerable amount of regulation written for this piece of legislation.

Also, because of the new guidelines that have been set in by our government on consultation, it will have to be on the consultation website 40 days, and then all the feedback has to be taken back again and has to be incorporated in the regulations.

So there's quite a consultative process and we want to make sure that we allow all stakeholders to have a say in the regulative—regulatory process.

Madam Speaker: Does the honourable member for the Maples have a follow-up question? Okay.

The honourable member for St. Boniface, any further questions?

Mr. Lamont: No, I'd just like to thank the minister for his reply. I'm done with questions.

Debate

Madam Speaker: Okay, there being no further questions, then we will move on to debate and I will recognize the honourable member for The Maples.

Mr. Mintu Sandhu (The Maples): I just want to let you know that we will be supporting this bill. I hope

none of the families have to go through what the families of the Humboldt Broncos have gone through.

It is very important that professional instructors are training professional drivers who will be driving on the roads. It is 52-foot trucks that will be on the roads these drivers will be driving, and we want to make sure these professional drivers and those drivers go home, and also the families, whoever's driving on the roads, also go home.

I know this, like, what this section does is, the individual and the corporation to disclose their past conduct on section 99(1). If they do not disclose this section, then 99(2) is: a penalty of \$5,000 can be imposed. This is very important. That's why I asked the question why there was only a \$5,000 penalty.

We want to see MPI to hire more inspectors so regular checks can be done on driving training schools. I remember reading an article in, I think it was in 2000–November 2018, a company named Longview driver training school was suspended by MPI. With—the same month there's another corporation was created by the same individuals, so they were providing the training.

So this is a good bill and we will be supporting this bill.

Thank you, Madam Speaker.

Mr. Dougald Lamont (St. Boniface): Yes, we'll be supporting this bill as well.

We have—this is one of the areas where we've had—we've been approached by the trucking industry to request stricter regulation and, of course, there have been some very serious accidents and tragedies.

We would like to see—we agree with the opposition that we need greater inspections, as well. There's no benefit in having an industry where we're—have lax standards, especially in—when we consider the safety considerations both to drivers and people on the road.

So we will be supporting this. We hope that it can be expedited as quickly as possible.

Thank you, Madam Speaker.

Madam Speaker: The question before the House is second reading of Bill 17, The Drivers and Vehicles Amendment Act.

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

I declare the motion carried.

Bill 18—The Workers Compensation Amendment Act

Madam Speaker: I will now call second reading of Bill 18, The Workers Compensation Amendment Act.

Hon. Scott Fielding (Minister of Finance): I move, seconded by the Minister of Infrastructure (Mr. Schuler), that Bill 18, the workers compensation 'amendum' act, now be read a second time and be referred to the Committee of the Whole.

* (20:30)

Madam Speaker: It has been moved by the honourable Minister of Finance, seconded by the honourable Minister of Infrastructure, that Bill 18, The Workers Compensation Amendment Act, be now read second time and be referred to a committee of this House.

Mr. Fielding: I'm pleased to provide some comments on Bill 18.

The bill makes a variety of amendments to The Workers Compensation Act. Many amendments have been made in response to a statute review—a statutory review of the act conducted in 2016. Others have been made to formalize the government's September 2018th conclusion based on a review that the Workers Compensation Board not form part of the general reporting entity.

Bill 21 also makes technical amendments to numerous provisions. Some of those most significant amendments made in response to the statutory review include reinstating a cap on maximum insurable earnings for workers. This change will bring Manitoba back in line with most Canadian jurisdictions. The relatively high \$150,000 cap will ensure that most insured workers in Manitoba continue to receive benefits equivalent to 90 per cent of their loss of earning capacity, Madam Speaker.

It's creating an employer advisory office. Through the new office, employers will be able to obtain assistance interpreting The Workers Compensation Act, WCB policies and relevant decisions made under the act.

Establishing a schedule for occupational diseases—the schedule of occupational diseases will make it easier for workers who suffer of particular diseases to obtain compensation under the act, Madam Speaker.

Changing provisions for psychological injuries. The amendments will change the provisions of

trauma—or traumatic psychological injuries so that these injuries are adjudicated in the same manner as physical injuries. Unlike in some other provinces, the amendments do not introduce chronic onset psychological stress as a 'compensatable' injury.

Bill 18 also amends the act to formalize the government's September 2018 conclusion based on the review to have the Workers Compensation Board not form part of the business—the GWE, in terms of the aspects.

'Significance'—there is—significant corporate governance and financial amendments include things like eliminating the Lieutenant Governor general's—council's power to disallow regulations made by the Workers Compensation Board directors. This amendment serves to eliminate the obstacle—the obsolete power that has rarely, if ever, been used.

Specified that the Workers Compensation Board is not reporting organization for the purposes of The Financial Administration Act. These changes address comments made by the OAG that will allow it to be removed from its qualification. So that's really important Madam Speaker, following the advice of the OAG, office of Auditor General.

Regarding the exclusion of Workers Compensation Board from the government's consolidated accounts, giving the Workers Compensation board of directors and key workers and employers, stakeholders, more input into the board members' appointments. The WCB board of directors and key Workers Compensation Board stakeholders will have greater control over the selection of the Workers Compensation Board board members, including the chairperson. The WCB will still submit an annual report and a five-year plan, which continues to be tabled right here in the Legislature, Madam Speaker.

Finally, we recognize The Workers Compensation Act is over 100 years old, Madam Speaker, and Bill 18 makes technical amendments to the act designed to modernize the means of various provisions.

So, thank you very much, Madam Speaker, and if there's any questions I'd love to take them.

Questions

Madam Speaker: A question period of up to 15 minutes will be held. Questions may be addressed to the minister by any member in the following sequence: first question by the official opposition critic or designate; subsequent questions asked by

critics or designates from other recognized opposition parties; subsequent questions asked by each independent member; remaining questions asked by any opposition members. And no question or answer shall exceed 45 seconds.

Mr. Tom Lindsey (Flin Flon): Yes, I do have some questions.

The first question I have is in regards to the cap that's placed on the maximum amount that an injured worker can get.

I'm curious as to how the minister believes capping a worker's ability to get the same amount of money they were earning prior to an injury makes any sense. Why are they being penalized simply for getting hurt at work?

Hon. Scott Fielding (Minister of Finance): Yes, this was a cap that was put in place; we believe that is a reasonable amount that's put in place before. Of course, that was something that wasn't there. I think Manitoba and Alberta, of course, were the only ones that don't have it.

Madam Speaker, \$150,000 is a pretty good amount of money that would put you in the 1 per cent level. So, I know there's a—although I respect very much the member from Flin Flon—I do enjoy him quite a bit actually—and with that respect, you know, I'm sure the—you know, he's formed his own caucus of the 1 per cent levels, but the \$150,000 cap we think is appropriate.

Ms. Cindy Lamoureux (Tyndall Park): How is the Workers Compensation Board going to report to the Legislative Assembly?

Mr. Fielding: Thank you very much for the question. To the member: the worker 'compenmay'—the Workers Compensation Board will still submit an annual report and a five-year plan, which continues to be tabled right here at the Legislature.

Mr. Lindsey: Just to touch briefly on the cap again.

You know, there are workers that earn more than \$150,000 a year. A bonus miner can earn substantially more than that. And any worker that earns more than that amount structures their life around the amount of income that they have coming in, whether they've bought a house, different cabin perhaps, whatever.

How is it possible that the minister can think it's fair, that through no fault of their own, they got hurt and now they 'suffe'—suffer the double penalty of pain and suffering, but now their—may lose their house.

Why does the minister insist that workers have to be penalized for getting hurt?

Mr. Fielding: Well, I think, again, when you look at other jurisdictions—we want it pretty similar to other jurisdictions; we're kind of in line with others, and we believe that the 150 cap is an appropriate level.

You know, we think that only Manitoba and Alberta currently have no cap of insurable earnings. I know the member, when he was, you know, in his former life—we had a conversation about this—was one that helped us establish what is currently in legislation.

But we do think it is fair, the process that's in place; \$150,000 is a pretty good sum of money in today's terms. And so we think it does make sense to have that and be consistent, knowing the fact that only Manitoba and Alberta currently have no cap for insurable earnings.

Ms. Lamoureux: At the bill briefing, the minister mentioned there were already mandated committees and then said that they are not in use.

Can the minister explain to us why they are not being used right now?

Mr. Fielding: Can the member expand upon the question? I don't remember our discussion in respect to that.

Madam Speaker: The honourable—oh, I'm going to have to come back.

Mr. Lindsey: I want to talk a little bit about some of the problems with the limits on psychological injuries where it still is held to a single, traumatic event. Yet many workplaces—some that I've worked in—it was a multitude of very traumatic events that eventually led to a worker having to go off work; it wasn't just that single event; it was a multitude of events.

So can the minister explain why they're still backwards in their thinking around traumatic workplace stress?

Mr. Fielding: To the question's point, I think there is some litigation that has happened; other provinces have looked at this. I think even the Legislative Review Committee suggested there's further time and further dialysis that should happen with this, and later on down the line they could take a look at this in a further way. But in terms of any trauma-type event or stressful event, it's really, you know, it's got to be drawn on, at least, from the workplace.

Ms. Lamoureux: I am going to come back to that question, but I just want to make sure I get this third question in first.

If the legislation were to pass—just to ask for clarity—could two people with the same hypothetical injury receive different amounts of compensation dependent specifically on the year that they were injured?

Mr. Fielding: I believe that is the case, Madam Speaker. I'll have to get back to the member, I don't have the exact answer for her right now, but I believe that is the case.

* (20:40)

And to further the one question that was mentioned initially by the member in terms of some of the committees that are there, what we really took advice is, we took advice from the Auditor General in terms of some of the committees. Specifically, what they recommended is the audit committee functions that are there. So we took advice of the Auditor General really was related to whether this should be considered as part of the reporting entity, whether we think it is. Now, we think the money is obviously—it belongs to the workers as well as employers and should be included in summary.

We worked with the Auditor General to come up with some solutions, in terms of the governance of this and these are the recommendations that Auditor General had put forth.

Mr. Lindsey: Just a quick answer to the member from Tyndall Park, seeing as the minister couldn't answer it: yes, it's very dependent on what year you get hurt because it would depend on which version of the compensation law you fall under. So every time there's a change, if it changes how much you get paid, if you get paid—or, hurt before that, you would fall under the old law. If you get hurt after, it falls under the new law, so.

But I want to talk a little bit about recognition of probable future earnings. There's some movement in that regard, but there's some things where a person who's, perhaps, going through to be a nurse, for example, working a part-time job to make ends meet, to try and progress but—

Madam Speaker: The member's time has expired.

Mr. Fielding: I don't think there was a question.

I think it may be related again to the cap item that we had talked about before and so, in respect

to that, again, there were some recommendations that got brought forward. We do think that the \$150,000 marker is an appropriate level, in terms of the compensation at earnable levels. It is consistent with other provinces.

I don't know if that was the exact question but hopefully, that answers any questions that may be brought up.

Ms. Lamoureux: I don't have any more questions. I just want to thank the minister and the member for Flin Flon for answering my questions.

Mr. Lindsey: No, my question wasn't going to be about the cap. It was about future potential earnings.

So, there are some recognition of a tradesmen getting hurt in the last year of their apprenticeship, that there's a potential that they would lose money based on what they could earn once they got their ticket.

But what's missing is, for example, a student nurse who's working a part-time job to pay for her schooling gets hurt and is unable to continue. They would only get compensated at their part-time job rate, not at their future potential rate, even though they were well on their way to having an occupation of a nurse. So—

Madam Speaker: The member's time has expired.

Mr. Fielding: Yes, I'm not still quite sure exactly what the question was, but it sounds like if someone was in training and they were going for maybe a higher-paid profession, yet they were working on a part-time basis for some other roles, the fact that they would be compensated, I guess, at that lower level even though they were moving towards that.

You know, these are recommendations, these are things that are reviewed on a five-year basis. In fact, these recommendations were first established in 2000—I believe that '16 was the initial time when the recommendations came forward. So these things are things that we can look at in future, you know, as there's a statutory requirement to review these every five years.

Mr. Lindsey: I guess that the problem is, you had the opportunity to look at it and address it now. Why wait another five years and leave so many workers hanging, not being able to access the benefit that they would've been entitled to had they finished their training and gone on to, for example, being a nurse?

We know that apprentices do get some recognition for future potential earning in compensation rates, but other employees, workers who get hurt in different job situations do not get that.

So, could the minister explain that inconsistency?

Mr. Fielding: Well, I guess that's something that we would look what other jurisdictions are doing to make sure. I'm not aware of any other jurisdiction that does have those types of requirements that are in place, but if the member does have some information on it, you know, we could review this.

This is something we make changes every—in a five-year basis, so whether you can do everything you want in the first year or the first iteration, I guess, of the changes, then you can do that. But there is an opportunity in future to take a look at these types of items.

Mr. Lindsey: Just a quick comment on claim suppression.

If the minister could suggest or comment on what his government or the compensation board, as it's presently formulated, has done to try and address the issue of 'claim'—claim suppression, where workers are actively encouraged not to report injuries—compensation board has been accused of being potentially partially at fault by making things so convoluted.

So, what has the minister done to try and address those issues?

Mr. Fielding: Well, there is a number of amendments. Again, a part of this—the legislation, to a certain extent, is 100 years old, as I mentioned kind of in my first comments, right, and so in recognizing The Workers Compensation Act is a 100 years old, the bill makes technical amendments as it relates to that. So, as technology and other things come on board, we can take a look and makes those changes.

And, like I say, sometimes you can't fit everything in that's there, but we think this is an appropriate step where you have workers, you have employers that are part of this that's kind of a balancing act. And that's really what we're trying to do here in Manitoba, make sure that there is a balance between employers and employees in terms of the rights, in terms of compensation, making sure it's fair.

Mr. Lindsey: No further questions.

Debate

Madam Speaker: There being no further questions, we will move, then, into debate.

And I would recognize the honourable member for Flin Flon.

Mr. Tom Lindsey (Flin Flon): I'm pleased to talk about some issues with the compensation board, and certainly I know some members from the worker committee, the MFL and such, aren't necessarily opposed to this particular bill because there are some positive steps forward. It's unfortunate that the minister gives to—with one hand and takes away with the other hand type of thing.

Some of the issues we've talked about, the minister says it's all about fairness. The only way it could be possibly fair if employers got hurt as much as employees get hurt. But they don't, obviously.

So, for employees, for workers, it's not fair to them because, off the start, they're penalized by pain and suffering because of an unsafe workplace, unsafe conditions, any number of things. And then the minister thinks it's fair that, first off, their wages should be capped at an arbitrary rate rather than at the rate of what they were actually earning at the time.

Now, keep in mind, workers that get hurt on a certain date, they don't get the raises that their employment contracts may guarantee them. If they have a union and they negotiate raises, those injured workers that are off on compensation don't get those raises. They're held at the rate of whatever it was they were earning at the time they got hurt, with some miniscule cost-of-living raises thrown in every now and again, which leaves those workers further and further and further behind.

There's workers that have been hurt very early in their working lives and they're held at minimum wage rates or they're held at the rate that they were earning back in the '80s. They can't live on those rates. That ties in with some of the things that we know takes place with claim suppression, that, really, there needs to be more done to address that issue because just the very act of how complicated it is to actually collect workers compensation.

To be completely honest, it was a wonderful idea that's not been applied wonderfully since it was incorporated. It's become just another insurance company, managed to run like every other insurance company, which is to maximize profits while not necessarily paying out the benefits people think they're entitled to.

And certainly anybody that gets hurt at work should be entitled to a fair level of compensation that changes as their workplace changes. So if their

workplace gets an increase in pay, they should be entitled to that as well.

And there are some things that they've done in this particular act that certainly workplaces, unions and whatnot aren't necessarily opposed to, such as making sure that there was tighter restrictions on access to workers' health information from employers.

Employers really don't need any information other than that specific to the injury, but what we were seeing once upon a time was they were accessing all kinds of other personal health information that wasn't specific to the injury but, in their minds they like to think it was. So I'm glad to see that there's been some thought put into trying to tighten up on some of that.

* (20:50)

When we talk about occupational diseases, we know that things like asbestos is the leading cause of death from workplace substances now, but there's also any number of other chemicals, dusts, that workers are exposed to every day of their working lives depending on where they're working—fumes. So we really need to focus on making sure the schedule that we haven't seen yet takes in all of those various chemicals that—dusts, fumes—that workers are exposed to to make sure that they can actually get the presumption of their workplace being the cause of some of those injuries.

Now, there may be multiple causes for lung cancer, for example, but if a worker worked underground and was exposed to diesel exhaust and was exposed to silica and possibly asbestos, all three of those are major causes of lung cancer. So the presumption should be that that is the cause of their lung cancer.

So those are things that really careful thought needs to be put into, making sure that the list fully recognizes the hazards that workers are exposed to. It's all well and good to say we're going to have this list, but the devil will be in the details to make sure that that list is adequate and applied properly to make sure that workers get the coverage that they're entitled to.

We talked a little bit about the psychological injuries, and there needs to be a recognition that it's not just a single traumatic event that may cause mental stress. I know of workers, for example, who have seen some traumatic things, were part of accidents that took place.

They didn't miss work at the time. They kept going to work but down the road, another similar

accident happened and another similar accident, and it finally triggered a stress reaction in those workers, but they weren't entitled to compensation because it wasn't that single traumatic event that caused their particular mental health issues.

So I'd encourage the minister to not wait another five years to get that into this particular piece of legislation. That—those are very serious matters that really need to be addressed sooner rather than later.

So again, the claim-suppression thing is a big deal that needs to be properly fleshed out, and I certainly don't have time to go into it all today. There's other people that are much more versed in the subtleties of claim suppression.

I can tell the minister, from my own experience, that I accompanied injured workers to the hospital along with some management safety people who were offering them modified work before they even got to the hospital to see what their injury was, with the subtle, behind-the-scenes message of, don't worry, we'll look after you, just don't bother reporting it, come on back to work.

And workers lost out in the long run, because if things aren't properly reported and investigated at the time of the injury it makes it almost impossible for those injured workers to collect compensation that they're entitled to somewhere down the road. So we really need to be cognizant of some of those issues that have been out there.

You know, I could go on for quite a bit on—and some of the evils of compensation. They're not addressed in this particular piece of legislation. It's a failure, really, on the part of the minister. There were a lot of joint recommendations that were made that would have really made our compensation act something that others would have emulated.

The minister shouldn't be afraid to lead. We did, back in the days when the NDP was in the government, through really strenuous consultation with not just workers, not just unions but employers, doctors and medical professionals. We were well on our way to developing a compensation system that really led, and if you put it in place, others will follow because most compensation boards follow what other compensation boards are doing. Unfortunately, they lately seem to follow the race to the bottom again, rather than the race to the top.

So I'd encourage the minister to really look at some of the things that could be put in regulations that would make this compensation better. Part of the

problem with a compensation board isn't necessarily the act itself. It's the board's set of policies that they develop with their interpretation of what the act says.

Now, it's been my experience that any time the board lost an appeal, they quickly made—

Madam Speaker: The member's time has expired.

Ms. Cindy Lamoureux (Tyndall Park): I do have a few words I would like to put on the record today about the bill.

As we understand it, Cabinet will still appoint members to the Workers Compensation Board as it currently does. However, the three worker and three employer representatives appointed will be selected from nominees specified by workers and employers.

Madam Speaker, we see this as a good thing. Rather than only allowing the Cabinet to make decisions, they're actually branching out a little bit. Even the chair will also be nominated by consensus of the other members of the board. And the reason we see this as a positive step is because workers and employers know better than anyone what their needs are, and this bill appears to give workers and employers a platform to have more say on.

So, Madam Speaker, this bill also makes it so Cabinet no longer has the authority to disallow regulations made by the board. Same sort of idea: branching out the decision-making power is a good call.

I am curious, however, about the potential of a new benefit program that may be established if the minister is consulted and does not require Cabinet approval.

Madam Speaker, why is there a need for the minister to be consulted on regulations? What purpose does this serve? We don't quite understand that, what purpose that it could serve. So we're nervous and we have reason to be nervous based on recent legislation.

Ultimately, we don't quite understand the reason why allowing the minister to be consulted and not need the Cabinet approval could be dangerous. And, you know, Madam Speaker, this bill clarifies that the Workers Compensation Board is not a government agency for the purposes of financial administration and it requires the board to hire an independent auditor for annual—for the annual audit.

With such a requirement, how is this going to be funded and why is there the need to introduce this now? We're curious. It doesn't really make sense,

Madam Speaker. If the government is requiring more work to be done, they should be able to support it.

It's good to see that the definition of accident is being expanded to include occupational diseases, post-traumatic stress disorder and acute reactions to traumatic events. It is encouraging that more health conditions are being not only discussed but applied to legislation, and this further expands itself to reach more people's needs.

Mr. Dennis Smook, Acting Speaker, in the Chair

However, Madam Speaker, this government seems to be putting a price on someone's injury. We read here in the bill that there is a maximum annual earning, a cap, set at \$150,000 and the Workers Compensation Board is provided with more flexibility with compensation payments on behalf of a worker. This would not suit every lifestyle, and people don't choose to get hurt at work, no matter what tax bracket you fall in.

We feel that subsection 46 could be worded better because, where it stands right now, well, it's unclear that, if people are injured after 2021, they may not receive what those who are injured in 2021 receive. And this seems unfair, considering some workplace injuries result in significant and life-changing injuries.

Simply put, two people with the same injury are going to receive different compensation dependent on what year they were injured. And the minister answered this and clarified it for us in the question portion. I don't quite understand how the minister's just okay with this information. It's not fair.

* (21:00)

Subsection 43(5) is another example where it would be nice to have a little bit of clarity just on how this government is defining the word unfair. It's like Bill 11 and the words vexatious and frivolous. This government is throwing words into legislation with no definitions behind them. It's all up for discretion.

The bill reads that the Workers Compensation board of directors would be free to make decisions that could be viewed as unfair. That—Mr. Deputy Speaker, we first need to know what is going to be considered unfair before we can actually debate the legislation.

I'm going to leave my remarks at that and look forward to more debate on the bill.

The Acting Speaker (Dennis Smook): The question before the House is the second reading of Bill 18, The Workers Compensation Amendment Act.

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

An Honourable Member: No.

The Acting Speaker (Dennis Smook): Agreed and so ordered.

An Honourable Member: No.

The Acting Speaker (Dennis Smook): I declare the motion carried.

Bill 20—The Vehicle Technology Testing Act (Various Acts Amended)

The Acting Speaker (Dennis Smook): We will now move to Bill 20, The Vehicle Technology Testing Act (Various Acts Amended).

Hon. Ron Schuler (Minister of Infrastructure): I move, seconded by the Minister of Conservation of Climate (Mrs. Guillemard) that Bill 20, The Vehicle Technology Testing Act (Various Acts Amended), be now read a second time and referred to a committee of this House.

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

The Acting Speaker (Dennis Smook): It has been moved by the honourable Minister of Infrastructure, seconded by the Minister of Conservation and Climate, that Bill 20, The Vehicle Technology Testing Act (Various Acts Amended), 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. Schuler: I'm pleased to rise again to speak and provide some comments on Bill 20, The Vehicle Technology Testing Act (Various Acts Amended), which honours our government's commitment to bring forward legislative amendments to allow the safe testing of automated vehicles on Manitoba roads.

This bill is intended to improve and maintain the safety and efficiency of Manitoba's transportation system in preparation for future deployment of automated vehicles in the next 10 to 20 years, and to bring new economic opportunities to the province of Manitoba.

This legislation amends the Highway Traffic Act to allow government to develop regulations and a permit system for testing vehicle technology and vehicle types, such as automated vehicles, on Manitoba roads.

The bill also amends the Manitoba Public Insurance Corporation Act and the Insurance Act to amend vehicle registration and insurance requirements for vehicle-testing organizations. This bill is the first step to prepare the province for the introduction of automated and connected vehicle technology on roads while ensuring alignment with other jurisdictions, a supporting regulatory framework, including a vehicle technology testing and permitting system for Manitoba's plan for development in 2021, in consultation with the public and stakeholders.

Enabling developers to test emerging vehicle technologies on public roads in Manitoba will support Manitoba's large agriculture, trucking, heavy-vehicle and bus manufacturing and technology-development sectors.

We know many vehicle technologies are in development and ready for testing. Allowing testing in Manitoba will advance opportunities for Manitoba-based businesses. Vehicles subject to a technology-testing permit will not be registered and will not be eligible for insurance under Manitoba Public Insurance universal automobile insurance.

Testing organizations will be required to seek private, third-party liability insurance to ensure vehicles against injury, loss or damage. If a testing vehicle is responsible for a collision that causes injuries or property damage, permit holders will be responsible for reimbursing Manitoba Public Insurance for injury and property damage costs to the extent that the testing vehicle is responsible for the collision. This ensures that both Manitoba Public Insurance and Manitobans are protected from any financial risk posed by testing vehicle technology on Manitoba roads.

I would like to thank all of those who participated in consultations on this bill, and I look forward to the opportunity here for Manitobans when this bill is referred to a committee of the House.

However, Mr. Speaker, I would like to send a small warning to this Legislature. This legislation is an attempt to pull Manitoba into a new, dynamic and powerful economic force in the world economy. The ill-considered stalling of this legislation sets us back even further.

The green new economy of electric and autonomous vehicles changes almost weekly, not yearly. There was once a time when change was marked in hundreds of years, then by 10-year increments, then by years. With change, at the pace that it's coming, major change can sometimes now be measured weekly, at times. We must keep pace or fall behind by miles. I suggest we all get behind this new green economy and how it affects electric and autonomous vehicles.

This legislation has been around and stalled now for years. I suggest to this Legislature we pass this legislation. Allow Manitoba to engage in the fast-evolving green economy of electric and autonomous vehicles.

Thank you, Mr. Speaker.

Questions

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

Mr. Matt Wiebe (Concordia): I appreciate the opportunity to put some words on the record, ask some questions with regards to this bill.

The minister mentioned, you know, that there's a whole bunch of new technology out there. What we note in this bill is there's a lot that's left up to regulation. What I'd like to ask the minister, if he can give us a little bit more of a clear idea of some of the—over the last year—some of the things that they've identified that will be determined under the regulation that's provided in this bill.

Hon. Ron Schuler (Minister of Infrastructure): I'd like to thank the member for Concordia for that question because it is very important that we try to make as much of this in regulation because the technology is moving so terribly quickly.

And one of the things that we want to be very clear about is how the vehicles would then be tethered. So we are not too sure how the tethering process will work. We weren't too sure when this legislation would pass. We want to make sure that we capture the latest tethering that takes place with an autonomous vehicle

and its vehicle that goes in front of it and behind it, Mr. Speaker.

Mr. Dougald Lamont (St. Boniface): This is sort of a technical IT question, but it is related to the bill.

Was the Manitoba government in any way affected by the SolarWinds? It's a company that was—that downloads or provides bulk downloads of software that would hack—the minister may not know, but I was wondering if the minister—if the Manitoba government was affected by the SolarWinds hack.

Mr. Schuler: Although that is probably a very good question, and it's very timely, I do not think it is relevant to this legislation.

* (21:10)

I would like to point out that all the technology and all the programming would be brought into the province. We believe that we have a road system which would be very good to be used for testing of autonomous vehicles. Again, vehicles must be tethered. There will be, through regulation put into place, how we would protect Manitobans, especially if we're going to be testing large vehicles. And we know that New Flyer Industries is very excited to see this legislation proceed.

Mr. Wiebe: Well, I think the minister's point that Manitoba roads, under his government, have gotten so bad that if an autonomous vehicle could drive on the Manitoba highways, they should be able to drive absolutely anywhere, Mr. Deputy Speaker, maybe even on the moon.

I would say, specifically, though, the minister—I'd like to get just a little bit more detail, if he could.

As I said, that, you know, we understand the need for this, but exactly which parts of the highway traffic law requirements won't apply to a vehicle with technology—with a technology testing permit?

Can he tell us any of the specific laws that need to be altered or not adhered to, as per this 'piece' of legislation?

Mr. Schuler: Well, Mr. Speaker, I'd like to thank the member for Concordia (Mr. Wiebe) for that question because our government certainly inherited some terribly poorly maintained highways. Since then, our government has spent \$100 million in upgrading No. 1 Highway. We have spent \$50 million upgrading Highway 75. We have just recently announced a new measure where we're going to turn the Perimeter

Highway into a limited access freeway, and the list goes on and on and on.

The legislation, Mr. Speaker, that is before us, is more legislation of enabling and will allow that it would be put into regulation the things that are necessary to use for regulating autonomous vehicle testing.

Mr. Lamont: No more questions for me. Thank you very much.

Mr. Wiebe: So, I mean, this is a serious new field of contemplation that we need to look at with regard to liability, with regard to insurance.

And, as I said, I mean, we're not against this legislation. We understand there's a need to start looking at some of this but, you know, one of the quotes that stuck out to me was from the minister himself in 2018, quote: If a driverless vehicle injures somebody or somebody dies in an accident where there's an autonomous vehicle, who's responsible in that vehicle? End quote. And so, I mean, that's the kind of question we want to know the answer to.

He's now had a year or two to try to answer that. Can he give us an idea of where he lands on that question?

Mr. Schuler: While—I would suggest to the member for Concordia that when the minister was speaking, he should've spent less time fraternizing with his colleagues on the backbench and should've listened to what was spoken.

All liability will now be held by 'prient' insurers that the company must first be able to produce before they'll be allowed to test vehicles on our highways.

Mr. Wiebe: Did the minister consult with MPI?

You know, I know, again, you know, one situation when this bill was first brought, you know, we—again, the world has turned. As the minister says, time's marching on and every week things are changing.

I know MPI is certainly looking at this as the future. Did he consult with MPI before bringing this current piece of legislation before the Legislature?

Mr. Schuler: Extensively.

Mr. Wiebe: Okay, so if the minister can give us an idea of why exactly this bill does not use MPI.

Again, this must be an area that they're looking into, something that certainly they're going to want to make sure that their insurance that they're providing is

adequate to provide for sort of this new reality that may be coming in terms of autonomous vehicles.

Why did they stick with this private option rather than going with MPI?

Mr. Schuler: Manitoba Infrastructure doesn't have product to insure this kind of a vehicle. The feeling was that we should not be using basic ratepayers' fund to be subsidizing this kind of an enterprise, that it should be probably a higher risk insurance company, but it would have to be up to the standards of MPI, and they would have to pay MPI for any damages, physical or to a vehicle.

The Acting Speaker (Dennis Smook): The honourable member for Concordia? No further questions?

Debate

The Acting Speaker (Dennis Smook): We will move to debate.

Mr. Matt Wiebe (Concordia): I will try to be brief here today because I do think this is a bill that we are generally in support of.

And, you know, again, this is one of these bills that, you know, the government had on the Order Paper last spring at a time when, you know, this Legislature, we said, you know, let's sit down, let's work through these bills, let's figure out what are the bills that Manitobans are clearly telling them, don't try and push through, don't try and jam through, especially during a pandemic. Maybe just—you should just look at the bills that you have and figure out what's a priority.

Now, would this have been a priority? I think I hear members opposite saying, well, yes, this is a priority, right; this is something that we see that the future is coming. Every week things change, the minister says. And yet what does the Premier (Mr. Pallister) do? He prorogues the Legislature. He takes his ball, he picks it up and he walks right out the door. He doesn't want good pieces of legislation like this to come forward.

So I take the minister at his word. He wants to invite companies to come. You know, I'm sure if there was a company that was trying to get into Manitoba, to try to use this—their technology on our roads—and, you know, I'm so glad that the minister is finally getting on board with the idea that New Flyer, a company here in Winnipeg, a company in Transcona, employing good, hard-working people, making a world-class product, something this government

should be supporting—and instead, do they try and prioritize this bill? Do they try and move it forward and actually get it through the Legislature? No, Mr. Deputy Speaker, they prorogued the Legislature and they took their ball and they pick it up and they walk right out the door.

Now, you know, it may be that the minister disagrees with the Premier on how he did that, on how he performed in that way. Maybe, you know, maybe it was the minister was offside with the Premier, but he certainly doesn't express that. He doesn't express that here in the House. He doesn't go in the public and say, look, I actually think this bill is important, and despite what the Premier says, I want to work with the opposition. I want to work with industry and I want to get something actually moving forward.

He didn't do that. In fact, he just took this and threw it in the trash can and then came back the next week and said, oh, it's a brand new bill and it's Bill 20.

Well, the reality is it's not new, Mr. Deputy Speaker. It's not new. You know, we sat down—well, I mean, it feels like, you know, as the minister said, time marches on so quickly now—it feels like forever ago that we sat down and we talked about this bill. And I do—again, I thought we had a good conversation. The minister brought forward, you know, their vision, and there was at that time no reason to sort of question any of it. We said, yes, absolutely, let's figure out what's the best way to bring this forward.

And I said, you know, but there is a lot that's left to regulation. There's a lot that's left on the minister's desk. Now, normally, that, you know, it's understandable, there's an evolving technology. There's a reason why maybe that needs to happen.

But we're now—again, we're over a year later, Mr. Deputy Speaker. This was 2018 that the minister was talking about this. This bill has been around, this bill has been out there, and we've said, let's move it forward, and yet the government and the minister cannot come to this Legislature—he cannot actually tell us what those regulations are going to be.

Now, am I asking him to, you know, detail—I think the member for St. Boniface (Mr. Lamont), you know, was looking for maybe a level of, you know, technical knowledge that the minister does not possess, and I'm not saying I do. I'm not—you know, I'm not somebody who's up on every piece of technology that's related to these autonomous vehicles.

What I do know, though, is, is that the minister must have some idea. Or maybe he doesn't. Maybe he

doesn't. He says, I don't write regulations. He doesn't, I guess, talk to his officials. He doesn't have any sense of what the technology that's coming forward and how that's going to apply for The Highway Traffic Act.

That's concerning, Mr. Deputy Speaker. So I do hope, at committee, that we'll actually get some of these answers.

The member for St. Vital (Mr. Moses) reminded us during debate—[*interjection*—you know, he may be heckling maybe a little bit, but that's okay. I'll give him a pass on that one, Mr. Deputy Speaker, because he made a good point about rural connectivity here in Manitoba.

We have a government that's walked away from rural Manitoba, that's invested in nothing in rural connectivity. And now they're saying, well, okay, we're going to have these autonomous vehicles in rural Manitoba, driving on our highways. Well, why is this government not investing in the future of 5G, the future of connectivity and making sure that every Manitoban is connected?

* (21:20)

So I just wanted to put that on the record and thank the member for St. Vital, because he certainly understands that challenge. He's going to keep fighting for it while the minister continues to simply just heckle and not work with us to actually move forward these pieces of legislation.

So I look forward to committee. I do hope there'll be more information that the minister will continue to give us because I think this is a—this is, quite frankly, this is an area that members on this side of the House are very interested in. The autonomous vehicle is certainly an issue that we are interested in and we want to learn more about the technology and the applications.

But the reality is, Mr. Deputy Speaker, that green vehicles, electric vehicles, this is where we understand this is Manitoba's advantage. While the Premier (Mr. Pallister) goes out and he sues the federal government, you know, in a losing battle—he's suing the federal government to say climate change isn't real—the minister here sits with his federal leader and denies climate change, says Erin O'Toole is the leader and he has got it right.

Well, you know, Mr. Deputy Speaker, on this side of the House, we understand the reality that these are the technologies that are going to deliver Manitoba a strong economy and a green future.

Thank you, Mr. Deputy Speaker.

Mr. Dougald Lamont (St. Boniface): Yes, the reason I didn't—bring up the issue of the SolarWinds hack—people may not think they've heard about it but they have. What happened was that there's one company that provides all the software updates to the US Department of Defense, the Pentagon, the US government, some of the biggest companies in the world.

And what it does is it provides automatic software updates of Microsoft products, and it was hacked. And as a result, all the information from people typing in their keyboards in the US government was sent to whoever hacked it. It was an absolutely colossal hack. It happened around the time of the US election last year.

And part of this thing is that—part of my point is just to illustrate my concern, anyway, about the fact that what should be some of the most secure electronic systems in the world were actually incredibly insecure.

And though I think, basically, this bill is positive, I do tend to be more skeptical. Although I enthusiastically embrace innovation, I'm skeptical about driverless-car technology simply because it's been five years away since the mid 1980s. There are serious challenges around it.

There are certainly serious questions of liability. I think I may answer on behalf of the minister that the reason why MPI wouldn't want to insure this process is because if a driverless semi-truck or a driverless bus plows into a crowd and kills a bunch of people, MPI doesn't want to be on the hook for it—which is not out of question. There have been people injured and killed by driverless cars.

And while there have been extraordinary advances and continue to be extraordinary advances in everything from vaccines to information technology, there are still degrees of complexity that are involved with interactions that information technology's not that good at still. It's not fast enough, or it depends on having a supercomputer and very steady link about all the information and things like—and having lots of access to high-speed Wi-Fi or high-speed Internet, which does not exist in huge parts of Manitoba.

So our—my objections to this are probably more about an engineering and my concern about over-optimism. That being said, I do think that this is something we should be moving forward with. I just—

I'm always concerned that we might be setting our expectations a little bit high, just given the track record of this technology.

And the one other thing is that with any innovation—and this has certainly been the case with people working out of Silicon Valley—is that people come up with a new idea and they fail to ask themselves the question, well, how can this be weaponized? We know that this can be used for something great. Is there some unfortunate or dangerous purpose this could be used for?

And when you consider what you might put a driverless car or a driverless truck to use for when you can guarantee that you want to—can send a payload from one place to another without endangering a human—a driver, there are some real, really serious and genuine security concerns around driverless technology, which is one of the reasons why there's always, in every single driverless car, there are no fully autonomous cars. You always have to have a person there who's able to step in at the last moment.

So I just wanted to get those remarks on the record. I do hope it all works out great. I hope that this is a fantastic project for manufacturing and for innovation in Manitoba. I—but I do think that it will be an incredible challenge to regulate, to make it safe and to ensure that we have the level of security that we need to actually make this work.

Thank you very much.

The Acting Speaker (Dennis Smook): The question before the House is second reading of Bill 20, The Vehicle Technology Testing Act (Various Acts Amended).

It is the pleasure of the House to adopt the motion? *[Agreed]*

**Bill 22—The Credit Unions and
Caisses Populaires Amendment Act**

The Acting Speaker (Dennis Smook): We will now move to Bill 22, The Credit Unions and Caisses Populaires Amendment Act.

Hon. Scott Fielding (Minister of Finance): I move, second by the Minister of Municipal Relations (Mr. Johnson), that Bill 22, The Credit Unions and Caisses Populaires Amendment Act, now be read a second time and be referred to the committee of this House.

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

The Acting Speaker (Dennis Smook): It has been moved by the honourable Minister of Finance, seconded by the Minister of Municipal Relations, that Bill 22, The Credit Unions and Caisses Populaires Amendment Act, be now read a second time and be referred to a committee of this House.

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

Mr. Fielding: I am pleased to present Bill 22, the credit unions caisse populaires amendment act, which will strengthen the regulatory framework of Credit Union Central of Manitoba as well as change the oversight and governance framework for Manitoba credit union's systems.

Manitoba credit union system consists of three elements: the credit unions and caisse populaires which are also provincially regulated financial institutions; Credit Union Central which acts as the clearing agent for Manitoba's credit unions and caisses and manage their liquidity pools; and the Deposit Guarantee Corporation of Manitoba which guarantees deposits in Manitoba credit unions and caisses and acts as their primary regulator.

These legislative changes that are being proposed will fill a gap that was created when the federal government withdrew its oversight services of provincial credit union centrals, leaving the provincial government with sole responsibility.

Changes proposed will create a framework where the guarantee corporation becomes the primary regulator of Credit Union Central, in addition to its current role as primary regulator of Manitoba credit unions and caisses, which means giving the—a—significant expanded oversight powers over the credit unions, the caisses populaires and Credit Union Central.

In turn the regulated—the registrar who is the superintendent of financial institutions of the financial institution branch—regulatory branch, which is the division of the Manitoba Financial Service Agency, will oversee the guarantee corporation to ensure it fulfills its regulatory role and maintains responsibilities for the system itself. As a result of—the registrars is given significant expanded oversight powers over the guarantee corporation, and the Manitoba government continues to be responsible for the registrar.

* (21:30)

The new framework will establish an effective practical system of oversight to oversee Credit Union Central and ensure that Manitobans can continue to be confident that their savings are safe in our credit unions and caisses populaires.

As a result of the guarantee corporation's new oversight role changes are being made to the board of directors to avoid any real or perceived conflicts of interest, Mr. Deputy Speaker.

Currently under the act, the Credit Union Central and the caisses populaires can each choose a representative on the guarantee corporation's board. However the Credit Union Central and the caisses populaires now being regulated in all ways by the guarantee corporation is an—important that the guarantee corporation is seen as completely separate from the Credit Union Central and the caisses populaires.

As such, moving forward, the board of the guarantee corporation will be comprised of five to seven individuals appointed by the Lieutenant Governor of—in council on the minister's recommendations after—in consultation with the credit unions and caisse.

The Deputy Minister of Finance or his designate—his or her designate—will also serve as a non-voting member on the board. Additionally, provisions are included that will subject the registrar's approval, allowing the guarantee corporation to make binding standards of sound business practices that will really apply to Manitoba's credit unions and caisses populaires and prudential standards that will apply to the Credit Union Central.

The standards, Mr. Deputy Speaker, will address financial matters such as ensuring these institutions maintain appropriate capital and liquidity, and they also address governance and other issues.

The rule-making authority, which will replace the regulations adopted by Cabinet, will provide Manitoba regulators with the ability to really—to readily adapt and respond to changing as circumstances go. As we know, technologies, as we found out from the last bill, come and go and make substantial changes as we move forward.

Moreover, the guarantee corporation may issue directives and compliance orders to the credit unions, caisses populaires, or Credit Union Central, as well as subject any of them to special audits or place them under supervision if circumstances warrant such

actions. In addition, the registrar may issue compliance orders to the guarantee corporation and temporary act in its place, if necessary.

Manitoba's credit union sector is a very important sector to the provincial economy. As of December 31st, 2020, there was 23 credit unions and one caisse in Manitoba with 197 branches and present in 124 different communities, really across the province. The sector's assets were approximately \$37.6 billion at the end of December and roughly half of Manitoba's population are members of a credit union or caisses.

The financial service sector in Manitoba, Canada and across the world really is dependent upon the public having trust and confidence in the sector, which in turn is dependent upon having a strong regulatory oversight and accountability framework.

These legislative changes will ensure that Manitoba's regulatory framework meets the national and international standards for effective oversight of deposit-taking institutions. This includes, amongst other things, monitoring solvency liquidity and safety and soundness.

Credit unions, the caisses as well as Credit Union Central, will now have the ability to appoint independent directors up to one quarter of the board members, which will enable greater diversity and help to ensure boards have the necessity—or necessary skills and expertise. Changes were also made to directors' eligibility requirements, which includes adding a one-year cooling off period, Mr. Deputy Speaker.

Additionally, the removal of the concept of charter bylaws, which applies only to the Credit Union Central, will mean that the registrar no longer needs to approve the Credit Union Central bylaws.

Furthermore, provisions are added to facilitate remote participation by members of credit unions and the caisse in meeting and to vote electronically at them. Rate regulations will be adopted under the act, will provide further guidance as to how much participation and voting must take place. Other amendments will give authority to enact regulations to ensure or to enhance consumer protection and the management of consumer complaints.

Finally, Bill 22 includes a number of house-keeping amendments such as changes to reflect that are as a result of mergers that took place several ago. There is now only one Credit Union Central and one guarantee corporation. The Department of Finance developed these proposal legislative changes after

reviewing Bell legislation and best practices in other jurisdictions and consulted with Credit Union Central.

The new framework resembles the SaskCentral model, ensuring there is consistency with jurisdictions, Mr. Deputy Speaker.

Mr. Deputy Speaker, I'm pleased to present the bill for consideration.

Thank you.

Questions

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

Mr. Mark Wasyliv (Fort Garry): We don't have any questions on this bill.

Mr. Dougald Lamont (St. Boniface): Just one quick question.

So this—the guarantee corporation sets capital liquidity requirements and it also guarantees deposits. So, essentially, if there were to be a bank run, heaven forbid, that Manitobans' assets or—and Manitobans' deposits in credit unions are protected by the guarantee corporation? And the—we're all very confident about the liquidity and capacity of the guarantee corporation to cover that?

Hon. Scott Fielding (Minister of Finance): Yes, two points. Thank you for the question.

The Deposit Guarantee Corporation of Manitoba becomes the primary regulator of the central union, the—sorry—Credit Union Central of Manitoba, in addition to its current role right now for primary regulator of Manitoba's credit unions and caisses populaires.

To answer the point directly to the member about the 100 per cent guarantee, there'll be no change to the guarantee fund. The Deposit Guarantee Corporation will continue to provide 100 per cent guarantee of deposits held in Manitoba credit unions.

Mr. Lamont: Yes. I just—I—how much does the guarantee corporation—I mean, it's guaranteeing 100 per cent, but it doesn't have liquidity issues.

Where does the—it has—it's basically the caisses and the credit unions buy—or pay a fee in order to be able to guarantee this fund. Who's—where does the—just—I'm ignorant about this—where does the money come from for the guarantee—that covers the guarantee, is what I'm asking.

Mr. Fielding: That's through—the central has a pool of money. I think it's upwards of, I think we said \$37 billion, and the credit union guarantees that.

Mr. Lamont: Yes. I just—that's my last question is just—so, when the credit unions say they have \$37.6 billion in assets—again, the minister may not know—but are those—do those assets include mortgages?

Mr. Fielding: Well, I guess, you know—maybe I'll just quickly, you know, with this. So basically, the federal off—see—which is kind of the federal organization that had a role in this in terms of the oversight, stepped back from that a few years ago. So all the provinces have been responsible for this, so our registrar was responsible for this.

We looked at different models and Saskatchewan had their deposit guarantee corporation that's already kind of in that business. They are doing the role, kind of the oversight of the actual individual credit unions. So, really, what this does is it expands their route for the central, right? And that's where they got the pool of money, the guarantee that's in place.

The guarantee is held through the credit—through the Deposit Guarantee Corporation. There's a pool of assets, about \$37 billion, and that takes into consideration any financial lendings or anything else that the credit unions have out there.

Mr. Lamont: Okay. Thank you very much.

Debate

The Acting Speaker (Dennis Smook): Seeing as no more questions, we will move to debate.

Mr. Mark Wasyliv (Fort Garry): I just have a few comments to put on the record.

My understanding is that the federal government, at one time, had the governance and oversight responsibilities for credit unions, and they basically got out of the oversight business starting in 2017, and that sparked the Finance Department to fill that, sort of, regulatory and legislative void.

Credit unions are critical to Manitoba. They make up about 33 per cent of our market share. That's the highest in the country. It's a key part of our economy.

It's a key part of rural Manitoba. Oftentimes credit unions are the only financial, you know, institution that's accessible in rural Manitoba.

* (21:40)

And we know that this government is very hostile to rural Manitoba and many of their policies certainly are gutting rural economies and they're doing, it seems, everything they can to, you know, make our rural towns wither and die. And these credit unions basically are the last, you know, bulwark to this sort of—I wouldn't even say it's benign neglect. It's almost malicious at this point, the Pallister's government—really, sort of, hostility towards the rural economy.

And so it's critical that we support Manitoba businesses. That's, again, very unusual for this government. This is the type of government that is always looking for opportunities to sell out Manitoba small businesses, and for them to support credit unions like this, it's important.

It certainly doesn't jive with the rest of the co-operative sector in Manitoba. They've certainly taken a sledgehammer to our co-operative community and have taken their supports away, but at least they're trying to level the playing field here and we certainly can get behind that.

And so I can advise that we will be supporting this bill.

So thank you very much.

Mr. Dougald Lamont (St. Boniface): I'll be brief.

We do support this bill. I just want to repeat for the record, this is actually—I—this is something I mentioned to the Minister of Finance (Mr. Fielding) is our brief—in our prebudget brief, which we appreciated the opportunity to deliver. It's more about macro-conditions of the market that might actually be outside of our—outside of the control of the Finance Minister, outside of the control of anyone who works in this building.

That being said, just—we did express our concern. We are very concerned about ongoing market volatility, especially in the Canadian housing market. There have been some indicators and predictions of a potential decline in housing prices, or that the housing market is overheating in a way that's quite risky. I know that the housing market has been very positive, so people are able to make lots of money in it, as a result part of very low interest rates and extremely large mortgages.

So I—we are concerned that we've reached a stage—a risky stage of debt-driven speculation, especially in real estate. We are concerned about the number of real estate investors who are buying rental properties, you know, evicting people and increasing rents, not just because of the immediate harm to the families and tenants—and, you know, there aren't very many economic benefits to that kind of real estate speculation—but because it's a symptom of a larger problem.

It's the kind of boom that can result in very serious economic damage, because if the speculators drive their tenants out and their tenants can't afford their rent, it means that people can't pay the rent and then they can't pay their landlords and the landlords can't pay their mortgages.

So there is—we are concerned about that, that we're seeing a debt-driven—a lot of debt-driven speculation, like I said, in the market as well as in real estate. And that—it's one thing when that's banks, if it's the big five or if—the big five banks which have a history of being bailed out very substantially, but it also could—carries really serious risks to credit unions.

So, again, I'm just—this is not—this is really just something to put on our radar, rather than being something that could be addressed in this bill. But it is something to be very wary of, if credit unions and caisses find themselves overextended or that they've overloaned to people who can't pay their debts back.

So, thank you very much, though.

The Acting Speaker (Dennis Smook): The question before the House is second reading of Bill 22, The Credit Unions and Caisses Populaires Amendment Act.

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

I declare the motion carried.

**Bill 23—The Highway Traffic Amendment Act
(Control of Traffic by Flag Persons)**

The Acting Speaker (Dennis Smook): We will now move to Bill 23, The Highway Traffic Amendment Act (Control of Traffic by Flag Persons).

Hon. Ron Schuler (Minister of Infrastructure): I move, seconded by the Minister of Mental Health, Wellness and Recovery (Ms. Gordon), that Bill 23, The Highway Traffic Amendment Act (Control of Traffic by Flag Persons), be now read a second time and referred to a committee of this House.

Motion presented.

Mr. Schuler: I'm pleased to rise again to speak and provide some comments on Bill 23. As part of the Manitoba government's commitment to enhance film and television industry production in the province, this legislation will assist the industry with acquiring traffic control services when a production requires the use of a roadway in our province.

The bill will allow a traffic authority, either the Manitoba government for provincial roads and highways, or a city, town or municipality for municipal roads, to authorize a company to use qualified flag persons to control traffic. This will be done by means of a permit from the traffic authority.

Currently, under The Highway Traffic Act, traffic controls is limited to local police, RCMP, firefighters in case of emergency, railway companies and companies performing road maintenance and construction. These legislative changes expand the scope of who can control traffic.

The bill provides more options and flexibility to other organizations, such as film production companies that want to film their movie in Manitoba but require traffic control in order to do so. We have experienced tremendous growth and interest in film production across the province. Before the COVID-19 pandemic, the film and video industry in Manitoba generated over \$260 million in 2019-2020.

We know there've been times in the recent past where a company interested in filming in our province was unable to secure traffic control services because law enforcement officers were not available. This will no longer be the case with this amended legislation. It will also lessen the demand on law enforcement to provide traffic control services, in those cases where there is minimal safety risk to the public.

Flag persons will need to hold a valid flag person certificate from an accredited training provider. The Province's Workplace Safety and Health branch approves all flag person training providers in the province and will continue to do so.

We believe that Bill 23 has strong support from a wide range of stakeholders, including the film and video production industry. Stakeholders have told us that empowering a traffic authority to allow flag persons to control traffic on roads will both support the film industry and potentially generate cost savings for productions, while lowering the demand on law enforcement so they can focus on core public safety areas.

Demand in interest from film production is expected in this province as we emerge from the COVID-19 pandemic. Without these legislative changes, companies may decide to forgo Manitoba as a production location if they face challenges in securing traffic control services. This would have a negative effect on Manitoba's ability to increase economic development in the film and video sector.

These legislative amendments continue to ensure traffic safety by authorizing the traffic authority to permit the use of flag persons on a case-by-case basis. The changes will be particularly helpful in alleviating demand on law enforcement in rural Manitoba, where providing traffic control services to the film industry is not a core service. This supports Manitoba's Policing and Public Safety Strategy, which includes the priorities improving traffic safety and alleviating demands on police to perform non-core duties.

As a final comment, I would like to thank all of those who provided input and support for this bill, and I look forward to the opportunity to hear from Manitobans when this bill is referred to a committee of the House.

* (21:50)

I thank you, Mr. Speaker.

Questions

The Acting Speaker (Dennis Smook): 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 member—members. And no question or answer shall exceed 45 seconds.

Mr. Matt Wiebe (Concordia): Just very short questions, and hopefully, we get to debate and move this forward.

A question I have is with regards to, the minister had mentioned, training for flag persons. I just wanted to ask a question about equipment provided to flag persons, just wondering if that's specified in the bill. Just trying to understand, you know, how an organization or in a movie production, how would, you know, how are they designating their flag persons—making sure they have the proper equipment to do the job?

Hon. Ron Schuler (Minister of Infrastructure): I'd like to thank the member from Concordia for that question. It's an important question.

And to be very clear, a traffic authority will only authorize a company to use certified flag persons by permitting when it's safe to do so. They must provide all the equipment according to the standards that have been set by the Province of Manitoba.

Mr. Dougald Lamont (St. Boniface): I was going to ask the same question about training, it—I if the minister might consider that it could be formalized during regulation. But other than that, that's it for my questions.

Mr. Schuler: I thank the member for that question, and like all regulation, as soon as it is completed, it must go out for public consultation for 40 days, and even members in the opposition will be allowed to reflect on it. It then comes back with all those reflections and they are then implemented into the final regulation.

The Acting Speaker (Dennis Smook): The member for St. Boniface, does he have any questions?

Mr. Lamont: No, I'm done my questions, Mr. Acting Speaker.

Debate

The Acting Speaker (Dennis Smook): We will now move to debate.

Mr. Matt Wiebe (Concordia): As I said, I do hope to keep my remarks fairly brief. I think there is general support for this bill. However, there is a whole number of bills that are—maybe don't have quite the same unanimous support in moving forward, and I know a lot of my colleagues are looking forward to getting back to some voting. So I'll keep this brief and then we can get to the fun stuff.

Now, I don't want diminish this bill in any way because I do think there is—there's to—value to this. As I said, you know, I understand, you know, being a long-time volunteer at the Winnipeg Folk Festival—never on the traffic crew, mind you, Mr. Deputy Speaker—but I, certainly as one of the fellow volunteers would see those folks out there in the hot sun, making sure that people were safe as pedestrians walking from the campground into the park, making sure that everybody stays safe, and appreciate the work that they do.

I know that the Winnipeg Folk Festival, for instance, does a lot of great work to make sure that

people—that the volunteers they have are trained properly, and if this enhances their ability to do that, I think that's great.

I do have a concern, as was raised during the question period, just in terms of making sure that the proper equipment is provided. I think that's an issue that, again, maybe not so much for the Winnipeg Folk Festival or other, you know, Fringe Festival, other large festivals—but maybe for smaller festivals which would be seeking this kind of authorization as well, it can be difficult for them to manage and to provide their folks with the proper training and gear. So I'm encouraged to hear that that is a consideration and something that will be in the final regulations that will be as part of this bill.

Very briefly, Mr. Deputy Speaker, on the film industry, you know, I know that the film industry grew leaps and bounds under the previous NDP government. It was an industry that we put a lot of effort into building and growing. And I won't diminish the work of the members opposite. I can see them just wanting to heckle me right now. I will give them their kudos. They are also putting the attention that the film industry needs, working with them. Bills like this help move those productions forward, help make Manitoba an attractive place for those kinds of productions. So I think there's a lot of value to that.

The only criticism I guess I would have, Mr. Deputy Speaker, is the fact that, you know, this government seems to, you know, want to go, you know, absolutely overboard when it comes to an industry like the movie industry, to work with them, to make sure that they're—they have what they need to make their productions successful. And yet, other industries in this province are begging, especially during COVID, when there's been a requirement that many industries have had to operate differently. And, you know, I've talked to many businesspeople. I've talked to many folks in different industries who've said, look, we can do this, we can do this safely; we can operate in a way that adheres to public health. And, you know, and they just get stonewalled by this government.

So, you know, I hope that it's not just a one-industry focus; it's not just the movie industry who's getting the attention from this government but, in fact, that they would sit down with all of our business leaders and say, how can we work with you? How can we enhance your business and work with you? There's a lot of value to that, you know.

But again, this is another bill. This is another bill that could have passed this Legislature and yet the Premier (Mr. Pallister) picked up his ball in a huff. The member for St. Johns (Ms. Fontaine) saw it. He picked that ball up; he was upset that we had held up his terrible legislation, and he took all this good legislation and he took it right out the door with him, and he walked down Broadway, never to be seen until the next session of the Legislature. That is a frustration, Mr. Deputy Speaker.

The minister says we're in—we're just champing at the bit to get this legislation passed, and yet here we are; well, I got to check the date on this. Oh, well, right, this is the new legislation. I don't have the old bill; it's collecting dust in my desk here somewhere. But I can tell you this is one that we said let's get moving on, and it was, in fact, the Premier (Mr. Pallister) maybe not listening to his minister, but it was the Premier leading his caucus and all of them standing with him as he prorogued, as he walked away from legislation.

Let's get it done, let's move forward, and let's get it right, Mr. Deputy Speaker.

Mr. Dougald Lamont (St. Boniface): I do feel like I'm giving a lot of warnings tonight. This is a good bill, I think. The minister was very convincing in his arguments for—in its favour. I do just want to register the necessity, which we will emphasize throughout the process, of safety.

The film industry—I have friends who work in the film industry. It does sometimes have a reputation for very long hours. There are people in Los Angeles who had worked successive 16-hour days, day after day after day. And a fairly high profile crew member died when they were—they just fell asleep at the wheel.

There are productions sometimes that cut corners. There was an incident where a director ordered a crew to set up on a railroad track against the wishes of the crew and insurance, and a camera operator was killed. And these are—this is working on a highway so that there are going to be people moving at speed. It is—it does require knowledge of Manitoba's traffic laws, and we have to keep everybody safe.

So it is important that adequate training for our individuals is included, not just equipment but training as well, in order to keep them and everybody else safe. And that's it. Other than that, we will support this bill.

Thank you very much, Mr. Acting Deputy Speaker.

The Acting Speaker (Dennis Smook): The question before the House is second reading of Bill 23, The Highway Traffic Amendment Act (Control of Traffic by Flag Persons).

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

Bill 25—The Municipal Statutes Amendment Act

The Acting Speaker (Dennis Smook): We will now move to Bill 25, The Municipal Statutes Amendment Act.

Hon. Derek Johnson (Minister of Municipal Relations): I move, seconded by the Minister of Advanced Education, Skills and Immigration (Mr. Ewasko), Bill 25, The Municipal Statutes Amendment Act, be now read a second time and referred to a committee of this House.

Motion presented.

* (22:00)

The Acting Speaker (Dennis Smook): The honourable member—the honourable Minister of Municipal Relations.

Some Honourable Members: Oh, oh.

Mr. Johnson: Unprecedented support from my colleagues, thank you for that.

Bill 25 will amend eight acts to increase clarity and create a level playing field in municipal elections. The bill also provides five key improvements that will impact Manitoba's municipalities.

The first enhancement is to streamline the way in which excess taxes are refunded. The bill also ensures regional public libraries are taxed in the same manner as local libraries. It reduces administrative burden from municipalities by reducing provincial oversight for minor borrowing decisions for routine capital leases. It also provides consistency and provides Brandon, Thompson, Portage la Prairie and Flin Flon the same ability as other municipalities to determine the size of their council. Finally, the bill makes the tax sale process more consistent across the province, protecting residents from unscrupulous lenders.

Mr. Doyle Pivniuk, Deputy Speaker, in the Chair

Mr. Deputy Speaker, votes—voters in municipal elections should have the same assurances as those in provincial and federal elections, that elected officials are using their position as incumbents fairly and not using taxpayers' resources to influence voters. This bill will increase transparency, create a level playing

field and provide fair say for local decision making for municipal elections putting in place the strongest legislation in Canada 'governing' municipal election communications.

Before the next municipal election, each municipality will be required by bylaw to put into place a municipal election policy that must outline the municipality's restrictions on candidates' use of municipal resources during an election campaign. The policy will also be required to set advertising restrictions against any communications that might reasonably be seen as providing an 'electorial' advantage to a registered candidate.

This bill also removes the requirement for municipalities to update voter lists annually and replaces it with the requirement to do so instead in the year of a general municipal election, resulting in a less repetitive process.

Furthermore, this bill creates a level playing field in municipal elections by ensuring an incumbent does not use their title in election communications.

In response to requests from several municipalities, CAOs and election officials that have provided feedback, our government is also making changes to the municipal election process more efficient and reducing red tape.

These election process changes will improve the legislation and meet or exceed the public's expectations for fair, transparent, streamlined and consistent municipal elections.

On municipal taxation matters, this bill modernizes, balances and streamlines how all municipalities are required to refund excess taxes. This has been seen—this has been a request from the City of Winnipeg and other municipalities. Currently, municipalities must pay interest on excess taxes to their property owners if the property assessment decreases after an appeal. Conversely, property owners are not required to pay interest when an assessment increases.

The requirement for municipalities to pay interest and the specified interest rate has not been reviewed in over 20 years. This has led to an issue where the interest being paid is above market rates and results in a distinct—disincentive, sorry, to resolve these matters expeditiously. We have heard from the City of Winnipeg and other municipalities that these outdated provisions are created—have created imbalances and are not in the line with current economic conditions. The administrative burden associated with processing

interest payments has also been an unnecessary burden. The change will further enable the Municipal Board to streamline processes and result in short timelines in their overall operations.

Going forward, municipalities will simply refund excess property taxes directly to ratepayers, and balances will be restored to the appeal process.

Unlike other municipalities, the City of Winnipeg's tax sale process currently permits residents to be taken advantage of by unscrupulous lenders. This bill protects Winnipeg residents by repealing the requirements for the City of Winnipeg to assign a tax sale certificate to anyone with an interest on the property. Our government is aware that this assignment provision has been used by unscrupulous lenders against citizens, and we are taking action.

Other proposed changes in our legislation include exempting regional public libraries from municipal taxation to make them consistent with local libraries. Public libraries have been encouraged to develop regional partnerships, and most municipal public libraries are now part of a regional library.

This amendment modernizes the legislation to reflect current operating restructure—structures and ensure public libraries remain exempt from municipal taxation.

Mr. Deputy Speaker, we are also taking action to reduce the red tape for municipalities. This legislation eliminates the need for municipalities to seek provincial approval to enter into a lease for durable goods, like photocopiers, mail sorting and fax machines, graders and pickup trucks. These leases will no longer require Municipal Board approval.

The proposed amendment, Madam Speaker, meets a key government priority to reduce red tape and improve regulatory accountability to lower the costs of complying with requirements on stakeholders.

Finally, I would like to thank our stakeholders. Our government has had ongoing consultations with the Association of Manitoba Municipalities and directly with its members and many of these changes are the result of municipal requests.

Changes to election communications and transparency are expected to take effect in advance of the 2022 municipal general election.

I look forward to debate and moving this important legislation along to a committee.

Thank you, Mr. Deputy Speaker.

Questions

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

Mr. Matt Wiebe (Concordia): Just wanted to ask about consultation. The minister mentioned AMM and individual members.

Specifically, I'd like to ask about the City of Winnipeg, and if the minister could just be, hopefully, fairly clear on this ahead of committee. Has the minister consulted with the City of Winnipeg recently with regards to Bill 25?

Hon. Derek Johnson (Minister of Municipal Relations): Thank you for that question. Yes, in my meetings that I've had with the mayor, this bill has not come up as a concern. A lot of these issues in the bill that are being resolved have been brought forward by the City of Winnipeg.

Hon. Jon Gerrard (River Heights): Yes, to the minister, just to get clarity, did the Association of Manitoba Municipalities ask for this bill and the components of it, and is AMM supportive of this?

Mr. Johnson: As I mentioned, the majority of this bill is brought forward by our stakeholders, whether it's AMM, the City of Winnipeg or the mentioned cities. Our mayors and reeves and councils have asked for the majority of this.

Mr. Wiebe: So, again, if the minister has spoken with the City of Winnipeg recently, I guess my question is, if there are additional amendments that would come forward, either from the City of Winnipeg or other municipalities or stakeholders, is that something the minister's open to considering either at the committee or report stage?

* (22:10)

Mr. Johnson: I would think the member opposite knows that the government on this side is all about consultations, and we are open to all sorts of input. And we've taken input while producing this bill, and our government will continue to take input on all of our bills.

Mr. Gerrard: Has M-M offered its formal support of the contents of the bill?

Mr. Johnson: That's a good point. I will ask the AMM for a letter of support for this bill. And all of the things that they have brought forward for us to put into this bill, I'm pretty sure they support, considering they brought it forward—and their members.

So I will ask for a letter of support from AMM for this bill.

Mr. Deputy Speaker: No other questions.

The honourable member for River Heights, any more questions?

Mr. Gerrard: No, that completes my questions and thank you.

Mr. Deputy Speaker: Okay.

Debate

Mr. Deputy Speaker: Since no other further questions, I'll now recognize the honourable member for Concordia on the debate—for the debate.

Mr. Matt Wiebe (Concordia): You know, again, I—you know, I—as I said, I'm an optimistic guy. I like to look at the, you know, the glass as half full, not half empty. And, you know—and, again, I take the minister at his word that he is open to amendments to looking at this.

Again, you know, I mean, maybe I should've taken the opportunity during question period. Maybe we can have a conversation offline, but, you know, I think, you know, this bill, to me, anyway, looks very similar to the legislation that was again brought forward before. And so I—you know, I want to know within that year now that we've had for everybody to go back and, you know, I mean—you know, in one sense, I'll say, you know, as the municipal affairs critic, you know, I was looking forward to getting out across the province and speaking, you know, going to these rural municipalities and seeing with my own eyes some of the work that they're doing out there.

I didn't have that opportunity, but, of course, what I did have was I had Zoom, and we're all so thankful that we can continue to do our jobs that way. And, you know, I got to say, Mr. Deputy Speaker, you learn a lot, even if you're not there in person, but you can at least talk to those municipal leaders on the ground.

And so, hopefully, the minister was doing that as well. And, again, you know, I mean this is—we do have a hard target in terms of when this legislation would

need to come into effect, give municipalities time to meet their upcoming municipal election requirements. But I think there was an opportunity within this year to make this legislation better. I don't know that the minister did that, but I hope that he did. And I hope that if there are pieces that have been missed—and these are, you know, issues that we can just really quickly come together and work on—that would be great.

My sense, though, as I said, again, many times—I've got a bit of a theme here going on, Mr. Deputy Speaker—and that is that, it's in fact, this government has not been listening to those municipalities. So, while they've got some of that captured in here, if there's missing pieces, I just ask that they actually respect those local elected leaders, that they respect municipalities and that we actually get this legislation right.

Otherwise, though, Mr. Deputy Speaker, I am in support. And I do, I mean, you know, again, this is a great opportunity we have in the province of Manitoba, that we actually invite folks to come down. Again, it might be virtual this year, but we do hope that we're going to get some feedback, and I look forward to that constructive feedback coming from municipalities and from concerned citizens across the province.

Thank you, Mr. Deputy Speaker.

Hon. Jon Gerrard (River Heights): I've reviewed the legislation. I await the committee stage to, hopefully, have a representative from AMM attending the committee. It, at this point, seems reasonable. And we look forward to further discussion.

I will note that there's a rather striking contrast between how this bill was handled and Bill 56; that in this case, the ideas came from the municipalities, but on Bill 56, where the government was working with First Nations communities, the government decided it was going to bring in legislation without actually talking with them first.

So the government approaches people differently depending on who they are. I'm glad that the government appears to have been talking with the municipalities on this, and I await that confirmation from AMM that they're satisfied with that at the committee stage.

Thank you.

Mr. Deputy Speaker: The question before the House is second reading of Bill 25, The Municipal Statutes Amendment Act.

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

I declare the motion carried.

**Bill 36—The Public Health Amendment Act
(Food Safety and Other Amendments)**

Mr. Deputy Speaker: Now I will call on Bill 36, The Public Health Amendment Act (Food Safety and Other Amendments).

Hon. Blaine Pedersen (Minister of Agriculture and Resource Development): I move, seconded by the Minister of Crown Services (Mr. Wharton), that Bill 36, The Public Health Amendment Act (Food Safety and Other Amendments), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Pedersen: This bill clarifies that food safety is a public health issue. Food safety has long been regulated under The Public Health Act and will continue to be. The bill enhances public health by making it clear that no one can sell or distribute food that is unfit for human consumption, updating and clarifying inspection powers, expanding the ability to seize unsafe food.

The bill, by updating regulation-making powers, will enable regulatory changes to be made to provide a modernized approach to food safety, allowing food entrepreneurs to innovate, while ensuring appropriate health protection measures are in place for all food products.

The Food Safety Act and related amendments replaces a bill that was passed in 2009 but was never proclaimed, and this bill—oh sorry, I'll start—yes, and then this bill replaces The Food Safety Act that was—and The Food Safety Act ensures that food safety will continue—it's past my bedtime, Mr. Deputy Speaker, and I'm having trouble—will continue to be dealt under one framework, The Public Health Act.

And this bill also aligns with the—Canada's food safety legislation, the safe food act—for Canadians act. This will be done through regulations.

We will be launching consultations and engaging with food processors, restaurants, direct farm marketers, retailers, consumers and the public, as we move to modernize and improve food safety regulations under The Public Health Act.

I look forward to debate and the Q & A period of this bill.

Thank you, Mr. Deputy Speaker.

Questions

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

Mr. Diljeet Brar (Burrows): May I ask the minister who was consulted in developing this bill?

Hon. Blaine Pedersen (Minister of Agriculture and Resource Development): We have already consulted with the Food & Beverage Manitoba, the Manitoba Restaurant and Foodservices Association, direct farm marketing and the public at large, and then we will continue to consult with these groups once this bill gets passed through committee and as the regulations are developed.

Hon. Jon Gerrard (River Heights): Yes, Mr. Deputy Speaker, I have a question for the minister.

A number of years ago, there were major problems when changes to food safety were made and which created a lot of problems for those who were marketing directly from the farm. And there wasn't adequate training and support for farmers who were selling food directly to be able to continue to do so with the changes in the regulations.

So I'm asking, this time, whether the minister has—you know, is ready with the support for—

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

Mr. Pedersen: I thank the member for River Heights. That's a really good question, because that's what we were doing by consulting with Direct Farm Manitoba with the Farmers' Markets Association.

* (22:20)

The food marketing has changed a lot in the last number of years with direct sales and, especially in the past year, there's been an increased interest in direct purchases.

So this is to streamline those regulations and to make sure that there's clarity in the regulations. And

we'll continue to consult with the industry to make sure that everyone knows the rules and we're allowing for safe food to be sold direct.

Mr. Brar: May I ask, have the relevant stakeholders raised any concerns about this bill?

Mr. Pedersen: No, they actually—they haven't raised questions about this bill. What they have raised is just what the member for River Heights was talking about. It was the lack of clarity.

So this will streamline it, this will reduce the red tape involved and make sure that everyone knows what—the rules and regulations. And then that's why we're seeking more input from the Direct Farm group and the market 'gardenson', and groups like that, and from the Restaurant Association too, because everyone wants to know what the rules are.

And we're looking for—everyone is looking for clarity and we're certainly working towards that with this bill.

Mr. Gerrard: I ask the minister whether he will be engaging in a significant program of awareness of the new rules and of training for people who need that in order to adjust to the new rules?

Mr. Pedersen: That's part of the consultation period that we have been doing and that we will continue to do to make sure that as—everyone is aware of what the regulations are and there's clarity in that, both from the side of our regulators and also from those who are selling food products to make sure that everyone knows what the rules are and safe food is properly sold and distributed.

Mr. Brar: May I ask, how is this government working to address food insecurity in Manitoba, in particular in First Nations communities in the North?

Mr. Pedersen: Well, that part is not really under this bill, although when—there is programs out there to grow food in communities. There's a number of successful projects that are underway. I know my colleague from Indigenous, Northern Relations has had—has the—much more knowledge about that than I will.

But, again, it's about making sure that food is safe to consume and that everyone knows what the rules are. So this does apply and will actually enhance local food production on those remote First Nations communities.

Mr. Gerrard: That completes my questions, Mr. Deputy Speaker.

Mr. Deputy Speaker: The honourable member for Burrows, do you have any more questions?

Mr. Brar: Yes, I do. Thank you, Mr. Deputy Speaker.

In continuation to my previous question regarding northern communities, there is a program which is jointly run under two departments: the Minister of Agriculture and the Minister of Indigenous and Northern Relations (Ms. Clarke). It's called Northern Healthy Foods Initiative.

And under that, when I was working with Manitoba Agriculture, I used to see there were a few extensions specialists working for northern families educating them how to raise food locally.

Does the minister know how many extension specialists are working right now in that project?

Mr. Pedersen: I can't give you a specific number, but we continue to work with both our department and the department of Indigenous northern relations. That work continues.

Mr. Brar: What is this government doing to help people who are dealing with adverse effects of food insecurity, such as diabetes, heart problems, mental illness and more?

Mr. Pedersen: Well, this bill doesn't deal with that.

This is about safe food and making sure that there is safe food. It's not about the quantities of food, it's not about where the food is purchased or—it's about where the food is purchased, it's not about the quantities of food or the price of food. It's to make sure that any food that is for sale is safe for human consumption.

Mr. Brar: I have one last question. Just wanted to ask—because this bill talks about food safety, I would like to ask how is this government helping hog farmers mitigate and deal with a PEDv outbreak—PED virus?

Mr. Pedersen: That would be under the protocols, bio-security protocols and also with the food inspection that's coming in to the plants. But I would mention, though, that PED is actually a disease that hits baby pigs; it doesn't necessarily get into the—it is not contracted by humans, and it affects baby pigs and not into-market animals.

Mr. Deputy Speaker: If there's no further questions, we'll go on to—the question before the House is second—*[interjection]* Oh, the debate, yes.

Debate

Mr. Diljeet Brar (Burrows): I will keep my comments brief about this bill. And as the members might have—as the members remember that in my previous debate for another bill earlier this week, we were talking about the ranchers, how the ranchers portray this government and this minister based upon how they have dealt with them. And I remember that people say that looks like this is a man with a stick. And today it feels like this is a man with a bottle of hand sanitizer because we're talking about public health.

So it feels good today; it's a pleasant, pleasant discussion today. It's—when we talk about public health, we get serious about it because it impacts all of us, and public health food safety is way above than the party lines. So we should be talking about it together, we should be working towards the goal to keep our families safe, to keep our kids safe and educate our communities about food, food safety and public health.

And this is the time in our lives when we have learned, to the maximum, about the importance of food security due to this pandemic. In general, what I have felt that there is a great disconnect, or there is a great gap between where the food is produced and where we consume it. We need to work on that gap.

And, again, when we talk about food security and regulating things, again, there are two ways: one is to enforce, another is to educate. So I'm repeating that for a purpose because this bill, it talks about the stick again.

This bill talks about enforcement powers, which is good; that would also make our food production facilities, kitchen, food stations safe. But the education part; that is also important. I don't know why I keep emphasizing this; maybe because I have done my master's in extension education, in agriculture, and when I came to Canada I was expecting to study further, go for a Ph.D. in extension education, and to my surprise, there is not a single university in this country which is offering a Ph.D. or even a master's in extension education.

* (22:30)

I just want to spend a few moments on the importance of outreach programs, extending the knowledge, bridging the gap between the knowledge generators and knowledge seekers. That also impacts how we handle food safety. That's also impact how we follow public health guidelines, because we have a

great, great sea of knowledge available in our libraries but the end-users of that knowledge, they are not connected to that. We need those bridging programs.

We need some projects like community shared agriculture, and I want to emphasize and appreciate the program in Manitoba which is called Ag in the Classroom program. I have been part of that program while working with Manitoba Agriculture.

There are breakfast programs in many schools, but to my surprise, there are so many schools in Winnipeg, they do not even know about that. So when we talk about public health, when we talk about food security, when we talk about safe handling of food, we must focus—outreach programs.

Sometimes we call it technology transfer. Sometimes we call it knowledge dissemination. But what's important is to change the knowledge of the people we are dealing with, to change the skills of the people we are dealing with, and that leads to change their behaviour. This is how educational programs are important. We need to involve more schools in such programs.

Extension education is all about creating awareness among the communities through and out of school. Educational program, which is also called non-formal education because everybody does not get a chance to sit in a class before the professors and learn about a particular subject. So there is research. There is teaching. There is extension. So people who go to educational institutions as regular students, they have a chance to learn through teaching, but not everyone.

So extension education is that important. We need to emphasize, we need to put some resources, we need to connect our next generation that perceive that milk comes from the superstore. We need to educate them. We need to bring in such programs that connect, and I'm sure, Mr. Deputy Speaker, if we educate people more than ever, we would need less inspectors. We would need less enforcement programs than what we need today.

So, while I appreciate that this minister has come forward with this bill, which is called the public health amendment act, Bill 36, I still see there is a lot more that could be done to improve our public health, to improve our food security, to improve the ways we handle our food organizations, food businesses and so on.

So I would conclude here and, once again, thank you so much for this opportunity to speak on this topic. It's my pleasure to share some ideas about it.

Thank you so much, Mr. Deputy Speaker.

Hon. Jon Gerrard (River Heights): Just briefly, food safety is critical to all of us and it is something we can never take for granted.

As time passes, we learn more about potential hazards and, in particular, the concerns that sometimes arise for food coming from outside of Canada and the safety or the contaminant that it may have. And so, we're pleased that the minister is paying some attention to food produced here in Manitoba and how it is sold and the care that is taken to make sure that our food here is safe.

I look forward to further discussion at committee stage and for this—the regulations to be coming in due course, hopefully with good discussions and good input from people. And then I hope that the minister will make sure that there is adequate awareness processes and training processes for people who are involved in the food industry, at such time as the decisions have been made as to what the new regulations will be.

Thank you.

Mr. Deputy Speaker: The question before the House is second reading of Bill 36, The Public Health Amendment Act (Food Safety and Other Amendments).

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

I declare the motion carried.

DEBATE ON SECOND READINGS

(*Continued*)

Bill 5—The Liquor, Gaming and Cannabis Control Amendment Act (Cannabis Social Responsibility Fee)

Mr. Deputy Speaker: Now we'll go on to debate of second reading of Bill 5, The Liquor, Gaming and Cannabis Control Amendment Act.

Questions

Mr. Deputy Speaker: And we have three minutes remaining on the question period.

The honourable member for St. Johns (Ms. Fontaine), do you have any questions?

Does the member from—for—of River Heights have any questions?

Hon. Jon Gerrard (River Heights): No more. Thank you, Mr. Deputy Speaker.

Debate

Mr. Deputy Speaker: Okay. So then, we'll—since there's no questions, it's time for debate.

Ms. Nahanni Fontaine (St. Johns): I'm just going to put a couple of words on the record in respect of Bill 5.

As I've said at Bill 6, cannabis is legal in Manitoba since December of 2019, and we know—I think that what's really important in respect of the cannabis social responsibility fee is that the Pallister government is going to be getting additional dollars from the retail of cannabis.

And yet, we still don't know how much there has been in respect of a net income on the sale of cannabis for Manitoba. We still don't know what any of those dollars are. And we know that in the States, there's been millions of dollars that have been garnered from the revenues of cannabis, but we don't know what the government of Manitoba has done in respect of their revenues from cannabis.

And so, as I've shared before, I think that the problem with the cannabis social responsibility fee is that there's no guarantee that the dollars that are garnered from this tax will actually go to any of the social programming that the minister has put on the record that it is for. There's nothing in the legislation that would ensure that that money goes to community programming or social programming or addiction programming. So we have no guarantee on that and we also have no knowledge on what the dollars that we're actually talking about.

So, you know, Bill 5, if the government had wanted to tax those that sell—or, cannabis revenues, it would've been nice to have had something definitive, where we knew where those dollars were going to. And so, all of this in—so, more dollars coming into the government coffers, we don't know where they go. There's no recording of it. There's no guarantee that it's going to go to any of the programming that the government is espousing.

And, at the same time, we know that—and the minister confirmed it this evening—that they're taking a very restrictive approach in the consumption of cannabis. And in that restrictive approach come fines. And so, we know that in that restrictive regime, that

Manitobans are paying more fines for, you know, the—consuming cannabis. And we know with Bill 6 that there's going to be even more fines, once the minister figures out how the enforcement officers are going to work because, again, we don't really know how that's going to work.

And so there's dollars that are flowing from, you know, the totality of cannabis, and yet we don't know where any of those dollars are going.

* (22:40)

And so, you know, my hope is that the minister will look at where those dollars are going and in his role as the Minister of Justice (Mr. Friesen), ensure that those dollars go to where he says they're supposed to go and not back into whatever his boss thinks that those dollars should go to. As we know, when dollars come into Manitoba and come into the government coffers they—and they're earmarked for certain things—we know that they don't necessarily make their way for those activities or projects.

So that's my couple little words on Bill 5.

Miigwech.

Hon. Jon Gerrard (River Heights): Mr. Deputy Speaker, I was very disappointed in the minister during the question period that we had, that he was not able to provide a plan for how the monies from the social responsibility fee would be spent, that there was no indication that that money was going to be re-spent responsibly on some evidence-based approach.

The minister did not indicate that he was going to do any research onto the net benefits and the net costs of the cannabis.

We know that there are significant savings, significant benefits in certain areas. The—clearly, police don't have to be running around and giving out our charges on people who have got cannabis in their possession anymore, and so there are some savings in that area. There are clearly some definite health benefits.

There are also some net, you know, harms. But we don't know what the balance is, and the minister is not, from anything that he told us, providing a convincing story that he's actually going to measure those.

So when we look at this, we see and have come to the conclusion that this is not a social responsibility; this is just a straight tax. And we oppose this tax. We don't think a tax is the appropriate approach here, and so we will vote against it.

Thank you.

Mr. Deputy Speaker: The question before the House is second reading of Bill 5, the liquor and gaming and cannabis control amendment act, cannabis social responsibility fee.

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Mr. Deputy Speaker: I hear a no.

Voice Vote

Mr. Deputy Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Mr. Deputy Speaker: All those opposed to the motion, please say nay.

Some Honourable Members: Nay.

Mr. Deputy Speaker: In my opinion, the Yeas have it.

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

Mr. Deputy Speaker: On division.

I declare the motion carried, on division.

Bill 8—The Pension Benefits Amendment Act

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

Again, we are on the debate, and it's The Pension Benefits Amendment Act, and we have the member for St. Boniface on—who wants to speak to it.

Mr. Dougald Lamont (St. Boniface): I'll be fairly brief about this.

We did have concerns about this. I understand that there are some important elements here in people being able to unlock portions of their pension or—for—under a situation of distress. I think when we originally met with the Finance Minister about this, it was pre-pandemic. Even at that time, I was concerned that people might feel forced to dip into savings or dip into pensions in the event of an emergency, and we've had an entire year of an emergency.

So we do have concerns about this, simply—which have been amplified—which is that if people feel that

they are obliged to open up their retirement savings at the age of 55 or access them to a far greater degree at the age of 65 because they're experiencing financial duress at a time when governments are not always stepping up enough, either with income supports or business supports, we really don't want people burning through their pensions at the age of 55 or at the age of 65, because they—because that's the expectation of—because they feel they have no other choice, that—or that they're—they're using it to—they're essentially burning the furniture to stay warm. That's our concern about it.

It does have important elements in an emergency, but we are—do have reservations. But I do think that we will support this bill.

Thank you very much, Mr. Deputy Speaker.

Mr. Deputy Speaker: The question before the House is second reading of Bill 8, The Pension Benefits Amendment Act.

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Mr. Deputy Speaker: Agreed? Agreed and so ordered. I declare the motion carried.

Some Honourable Members: No.

Mr. Deputy Speaker: Sorry? Oh, I hear a no.

Voice Vote

Mr. Deputy Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Mr. Deputy Speaker: All those opposed to the motion, please say nay.

Some Honourable Members: Nay.

Mr. Deputy Speaker: Order. I just—order.

I'm not being able to hear the actual people who said no to the bill. So if everybody could be quiet so that we can go forward and on this bill. Thank you.

All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Mr. Deputy Speaker: All those opposed to the motion, please say nay.

Some Honourable Members: Nay.

Mr. Deputy Speaker: In my opinion, the Yeas have it.

I declare the motion carried.

**Bill 12—The Crown Land Dispositions Act
(Various Acts Amended)**

Mr. Deputy Speaker: So now we'll go onto Bill 12, The Crown Land Dispositions Act (Various Acts Amended).

Is there any speakers on this debate?

If there's no speakers, the question before the House is second reading of Bill 12, the Crown and lands dispositions act, various acts amended.

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Mr. Deputy Speaker: No? I hear a no.

Voice Vote

Mr. Deputy Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Mr. Deputy Speaker: All those opposed to the motion, please say nay.

Some Honourable Members: Nay.

Mr. Deputy Speaker: In my opinion, the Yeas have it.

Recorded Vote

Ms. Nahanni Fontaine (Official Opposition House Leader): A recorded vote.

Mr. Deputy Speaker: A recorded vote has been declared. Call in the members.

* (22:50)

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Stefanson, Teitsma, Wharton, Wishart, Wowchuk.

Nays

Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sandhu, Smith (Point Douglas), Wasyliw, Wiebe.

Deputy Clerk (Mr. Rick Yarish): Yeas 34, Nays 20.

Mr. Deputy Speaker: The motion is accordingly passed.

Bill 26—The Human Rights Code Amendment Act

Mr. Deputy Speaker: So now we'll go on to Bill 26, The Human Rights Code Amendment Act.

The debate is on.

We've finished question period. So we'll go to—the speaker would be the honourable member for River Heights.

Hon. Jon Gerrard (River Heights): Okay, Mr. Deputy Speaker, I'll be quite brief.

While this bill has some measures which are quite reasonable, we are opposed to the cap of the awards to—at \$25,000. And we just feel that this is wrong, particularly in the case of what may be large companies.

Madam Speaker in the Chair

And that cap should be reflective of the injury and the impact on the individual, and that human rights are very important, very valuable rights and we should not be putting a \$25,000 cap on those rights, and on the potential impact of those rights not being carried out satisfactorily.

* (23:00)

So, human rights are really important. They're worth more than \$25,000.

Madam Speaker: The question before the House is bill—the question before the House is second reading of Bill 26, The Human Rights Code Amendment Act.

Is it the pleasure of the House to adopt the motion? Agreed?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Madam Speaker: I hear a no.

Voice Vote

Madam Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Recorded Vote

Ms. Nahanni Fontaine (Official Opposition House Leader): A recorded vote, please, Madam Speaker.

Madam Speaker: A recorded vote having been called, call in the members.

The question before the House is Bill 26, The Human Rights Code Amendment Act.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Pivniuk, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Stefanson, Teitsma, Wharton, Wishart, Wowchuk.

Nays

Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sandhu, Smith (Point Douglas), Wasyliw, Wiebe.

Deputy Clerk (Mr. Rick Yarish): Yeas 35, Nays 20.

Madam Speaker: The motion is accordingly passed.

* (23:10)

Bill 32—The Election Financing Amendment and Elections Amendment Act (Government Advertising)

Madam Speaker: I will now call debate on Bill 32, The Election Financing Amendment and Elections Amendment Act (Government Advertising).

Was the honourable member for St. Boniface wanting to speak in debate?

Mr. Dougald Lamont (St. Boniface): Yes, please, Madam Speaker. I'll keep my remarks fairly brief. I believe that this is based on a report that actually emerged after the by-election which I ran in in St. Boniface, because a report on lead contamination in St. Boniface was withheld until 9 o'clock the day of the election.

So, clearly, there had been problems with releasing information. There need to be common-sense regulations about this. However, there's some rules in here that don't make sense. I've never understood why it's appropriate for a government to advertise that it's having a budget or that it's advertised that it's having a Throne Speech, especially when we won't advertise other things that are worthwhile and very much in the public interest.

I—the other concern about it is simply that the—when it comes to the time limit on fixed-date elections, the fact is that I'm—I think, essentially, I'm not sure that we have fixed-date elections in this province anymore despite having a law.

I'm surprised it wasn't put in the red tape reduction act because there are very good reasons to have fixed-date elections. It helps everybody prepare. It helps create a more level playing field. It takes away certain advantages that are—that were exploited often, as I recall, by the NDP in 2003 and 2007.

When you talk about people having major announcements close to election call, I recall Premier Gary Doer standing with Stephen Harper making an announcement about the Canadian Museum for Human Rights and then announcing that there was going to be an election about two hours later. I didn't think it could possibly happen because I didn't think it would be ethical, but it happened.

The fact is is that we have to have rules for a democracy to function, and those rules have to apply

equally to everybody. There are numerous advantages that come with having control over the public purse, the control of the ability to call an election.

If we were really serious about this, we would have a rule that would basically say that we are really only going to have, you know, sudden elections away from the fixed election date under exceptional circumstances, which is not the case. We should really have an option like that. That'd be a much better option in order to actually ensure greater democracy and greater participation, greater voter turnout, all the things that are positive in terms of voter engagement and what we're all trying to do here, which is represent as many people as possible.

So, no, we will not be supporting this bill, but I thank you, Madam Speaker, for the opportunity to speak.

Madam Speaker: The question before the House is second reading of Bill 32, The Election Financing Amendment and Elections Amendment Act (Government Advertising).

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Recorded Vote

Mr. Matt Wiebe (Concordia): A recorded vote, Madam Speaker.

Madam Speaker: A recorded vote having been called, call in the members.

Order, please, and as a courtesy to our young page, I would ask for everybody's co-operation, please, that there be silence while she's working hard to do her job.

The question before the House is second reading of Bill 32, The Election Financing Amendment and Elections Amendment Act (Government Advertising).

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Piwniuk, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Stefanson, Teitsma, Wharton, Wishart, Wowchuk.

Nays

Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Kinew, Gerrard, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sandhu, Smith (Point Douglas), Wasyliw, Wiebe.

Deputy Clerk (Mr. Rick Yarish): Yeas 35, Nays 20.

Madam Speaker: The motion is accordingly passed.

* (23:20)

Bill 33—The Advanced Education Administration Amendment Act

Madam Speaker: I will now call debate on Bill 33, The Advanced Education Administration Amendment Act.

Is there an independent Liberal that is wishing to speak to this?

Mr. Dougald Lamont (St. Boniface): This is a bill that is really completely unnecessary. This is another example of a bill that's, frankly, undemocratic. We have a situation where adult students are making decisions about how to run things at a university. They make incredible contributions to student life, and it's a lot more than politics.

There are extremely important services that are provided by the student unions that did not—that were never provided 20 or 30 years ago, including food banks, child care, health insurance, dental insurance. These are all things that have to be in place and make

the difference between whether a student can attend university or not.

At the University of Winnipeg, there's a large number of students who are mothers. They've got children. They cannot attend school unless they have child care, and that is something that is provided by student unions that did not—that was never provided by student unions in the past.

And it's because student unions have had to step up into this breach—step into the breach and address gaps that the government refuses to cover; it has made a difference between whether people could attend school or not and whether people could eat or not and whether people lose their teeth or not or that they can get mental-health care or not.

The fact is that this bill is completely unnecessary. As far as I can tell, it's largely targeted at the idea that CFS, the Canadian Federation of Students, is some kind of NDP front group and that it—or a farm team for the NDP—and that if you just manage to defund them, then you'll have to—you won't have to worry about the NDP quite so much anymore. It's a colossally unfair decision. It's paternalistic. It takes a ridiculous amount of control into the hands of the minister and lets people decide whether they're going to pay their fees or not.

And frankly, that's not the way—essentially, student unions are democratic institutions and one of the things that they are, like a democracy—I think I've heard members opposite say that taxes are voluntary—they're not. Taxes are not voluntary. They're something that we all pay for the price—and to make sure that we're all chipping in and contributing to the greater good.

And this bill fundamentally undermines that ability. It basically lets people say, well, I'm going to opt out. And if we believe in the maxim that taxes are the price we pay to live in a civilized society where people care for one another, then this is a way of saying, well, I want to opt out of society, and that's not acceptable.

It's a terrible bill and we will be opposing it.

Madam Speaker: The question before the House is second reading of Bill 33, The Advanced Education Administration Amendment Act.

Is it the pleasure of the House to adopt the motion? Agreed?

Some Honourable Members: Agreed.

An Honourable Member: No.

Madam Speaker: I hear a no.

Voice Vote

Madam Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Recorded Vote

Ms. Nahanni Fontaine (Official Opposition House Leader): A recorded vote, Madam Speaker.

Madam Speaker: A recorded vote having been called, call in the members.

The question before the House is second reading of Bill 33, The Advanced Education Administration Amendment Act.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Piwniuk, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Stefanson, Teitsma, Wharton, Wishart, Wowchuk.

Nays

Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Kinew, Gerrard, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliw, Wiebe.

Deputy Clerk (Mr. Rick Yarish): Yeas 35, Nays 21.

Madam Speaker: The motion is accordingly passed.

* (23:30)

**Bill 37—The Planning Amendment and
City of Winnipeg Charter Amendment Act**

Madam Speaker: I will now call debate on second reading for Bill 37, The Planning Amendment and City of Winnipeg Charter Amendment Act, standing in the name of the honourable member for St. Boniface, who has nine minutes remaining.

Mr. Dougald Lamont (St. Boniface): This is another terrible bill that is—basically does to planning City of Winnipeg and municipalities what the education bill does to our education system: it completely overrides local democracy, hands a whole bunch of decisions to people who aren't elected, takes—eliminates democratic accountability and it eliminates the ability to appeal to the courts.

I don't know why any of this is supposed to be good. The math in the original Treasury Board report was atrocious. Just to put it into context, as one constituent of mine wrote, one of the most ridiculous claims of the report is that the City is losing, or so it appears to be, \$17 million of GDP losses per day, which implies annual losses of \$300 million. That implies the development value would increase by 17 per cent per year.

That would—means that Winnipeg would double in physical size in five years. That's not going to happen. That's ridiculous. Or that the city would have a population of 1.4 million in 2021, which better illustrates the nonsense of the statement being said. These are completely unrealistic claims.

Part of the reason why permits are delayed and denied is because they're—because the projects are terrible. One of the developers quoted in the Treasury Board report was somebody who was audited during the scandal at City Hall.

But it completely cuts out—or, virtually completely removes the input of citizens as well as elected officials. And the thing about citizens, citizens are not just—it's not just that they're voters; they also have a stake in their communities, not just in how they want them to grow; they have a financial stake as well.

So you're going to—here, you have a situation where you might have a developer who wants to put in an infill development. Maybe it's a wonderful infill development, it's a \$10-million building that's going to be going up in the middle of St. Boniface.

Well, the people who own the buildings around that, people all own those—all the homes around that, might together have assets of half a billion dollars. So

people with assets, cumulative assets, a half a billion dollars, aren't going to have—aren't going to be able to have a say in what goes up in their community. It doesn't make any sense.

This seems to me that there are a bunch of developers who are frustrated with not being able to get their way at the City of the 'winnithepeg' so they ask to see the manager, and the Premier (Mr. Pallister) said, well, I'll let you go and I'll let you do whatever you want.

And the fact is, there are great developments and there are terrible developments and we—and there's a reason why we have accountability over these things. And the fact is that, again, you can have developments that are beneficial and that grow and help the community around prosper and thrive, and then you can have developments that really hurt communities.

You can have a situation like a quarry that's being approved in an RM that was steamrolled over the will of the community of people who'd been opposing it for years because they said all their businesses were going to go under, and they did and people have left.

It's—this is a completely undemocratic bill. It's an absolute outrage.

And I'll just add one other thing about it. When you actually look—go back to the Treasury Board report and we'd said about 50 people—we're going to be stripping away the democratic rights and input of the citizens of the city of Winnipeg and the surrounding municipalities and their elected officials on the basis of talking to 50 people, none of whom actually were part of the city of Winnipeg.

It did include cottagers. I don't know why cottagers were—had an input. I don't know of the cottage developments that actually exist in Winnipeg. Maybe I'm wrong.

But if you look at the word count, he said there were 134 references to development, 75 to construction, 52 residential, 26 developers, 25 to business. The word residence was used once in reference to Saskatoon. The word citizen was used once in reference to Regina. Councillors was seven, three for communities in Winnipeg, taxpayers was used once and voters was zero—zero—and I think tells everything about the priorities of this government.

The fact is is that some—they—I've—the Premier himself has said, some things don't cost, they pay and the other is that some things don't pay, they cost. This is going to cost a lot.

There's a reason why the City of Winnipeg opposes this and there's a reason why AMM opposes it. It's because it's going to make a huge mess. It's going to make a huge mess and it's going to jam everything up and make things worse for development, not better.

It's a bad bill. We will not be supporting it.

Madam Speaker: The question before the House is second reading of Bill 37, The Planning Amendment and City of Winnipeg Charter Amendment Act.

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Recorded Vote

Ms. Nahanni Fontaine (Official Opposition House Leader): A recorded vote, Madam Speaker.

Madam Speaker: A recorded vote having been called, call in the members.

The question before the House is second reading of Bill 37, The Planning Amendment and City of Winnipeg Charter Amendment Act.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Piwniuk, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Stefanson, Teitsma, Wharton, Wishart, Wowchuk.

Nays

Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliw, Wiebe.

Deputy Clerk (Mr. Rick Yarish): Yeas 35, Nays 21.

Madam Speaker: The motion is accordingly passed.

* (23:40)

Bill 41—The Fair Registration Practices in Regulated Professions Amendment Act

Madam Speaker: I will now call debate on second reading of Bill 41, The Fair Registration Practices in Regulated Professions Amendment Act.

Is there an independent Liberal wishing to speak to this?

Mr. Dougald Lamont (St. Boniface): Yes, Madam Speaker.

Madam Speaker: Oh. Sorry, the honourable member for St. Boniface has already spoken to this.

Some Honourable Members: Oh, oh.

Madam Speaker: Okay. Apparently, mister—or, the honourable member for St. Boniface can speak. There was misinformation available to us. So the honourable member for St. Boniface has not spoken yet, so he can speak in debate if he wishes.

Mr. Lamont: Yes, it's a real pleasure to have people take such a joy in me being silenced. It's really great. It's such a—it's a really wonderful celebration. Yes, thanks.

Yes, but frankly, I'll keep it—I'll be brief. This is a bill which is basically sound, but it forces people to pay for something they shouldn't have to pay for.

That's it.

Madam Speaker: The question before the House is second reading of Bill 41, The Fair Registration Practices in Regulated Professions Amendment Act.

Is it the pleasure of the House to adopt the motion? Agreed?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Madam Speaker: I heard a no.

Voice Vote

Madam Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

I declare the motion carried.

Bill 45—The Public Schools Amendment and Manitoba Teachers' Society Amendment Act

Madam Speaker: I will now call debate on second reading of Bill 45, The Public Schools Amendment and Manitoba Teachers' Society Amendment Act, standing in the name of the honourable member for St. Boniface, who has six minutes remaining.

Mr. Dougald Lamont (St. Boniface): This is principally a bill that is supported by the Manitoba Teachers' Society. The fact is that central bargaining seems to be an idea that they are in favour of.

However, it has a poisoned pill in it which should be removed, I would hope, because it basically has a get-out-of-jail-free card which allows the government to say that whether they respect the outcome of negotiations depends on whether it's—in the opinion of the government—it's that the Province's fiscal and economic situation has to be taken into consideration.

Now, that is a matter of opinion. It is not a matter of anything objective. Whether the Premier (Mr. Pallister) decides that—or the Cabinet decide that they think that something is fiscally unsustainable is a matter of opinion. It is not a matter of any objective statement and that has no business being in this bill at all.

It is just another attempt to completely undermine and torpedo the very principles of this bill, which are fundamental rights to bargain the value of your labour. It basically nullifies this bill and tries to—and provide a get-out-of-jail-free card. So it's not appropriate and it needs to come out.

Madam Speaker: The question before the House is second reading of Bill 45, The Public Schools Amendment and Manitoba Teachers' Society Amendment Act.

Is it the pleasure of the House to adopt the motion? Agreed?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Recorded Vote

Ms. Nahanni Fontaine (Official Opposition House Leader): A recorded vote, please.

Madam Speaker: A recorded vote having been called, call in the members.

The question before the House is second reading of Bill 45, The Public Schools Amendment and Manitoba Teachers' Society Amendment Act.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Gerrard, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Lamont, Lamoureux, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Pivniuk, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Stefanson, Teitsma, Wharton, Wishart, Wowchuk.

Nays

Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Kinew, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliw, Wiebe.

* (23:50)

Deputy Clerk (Mr. Rick Yarish): Yeas 38, Nays 18.

Madam Speaker: The motion is accordingly passed.

Bill 47—The Early Learning and Child Care Act

Madam Speaker: I will now call debate on second reading of Bill 47, The Early Learning and Child Care Act.

Is the honourable member for St. Boniface wishing to debate on this issue?

Mr. Dougald Lamont (St. Boniface): No, thank you, Madam Speaker.

Madam Speaker: The question, then, before the House is second reading of Bill 47, The Early Learning and Child Care Act.

Is it the pleasure of the House to adopt the motion? Agreed?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Recorded Vote

Ms. Nahanni Fontaine (Official Opposition House Leader): A recorded vote, please, Madam Speaker.

Madam Speaker: A recorded vote having been called, call in the members.

The question before the House is second reading of Bill 47, The Early Learning and Child Care Act.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Piwniuk, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Stefanson, Teitsma, Wharton, Wowchuk.

Nays

Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliw, Wiebe.

Deputy Clerk (Mr. Rick Yarish): Yeas 34, Nays 21.

Madam Speaker: The motion is accordingly passed.

* * *

Madam Speaker: And the hour being midnight, in accordance with the provisions of the Sessional Order, no further debate is permitted.

I will now call each remaining bill in turn and put the question on the motion.

If a recorded vote is requested, the bells can only ring for one minute.

Bill 49—The Freedom of Information and Protection of Privacy Amendment Act

Madam Speaker: Bill 49, The Freedom of Information and Protection of Privacy Amendment Act.

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Recorded Vote

Ms. Nahanni Fontaine (Official Opposition House Leader): A recorded vote, Madam Speaker.

Madam Speaker: A recorded vote having been called, call in the members.

The question before the House is second reading of Bill 49, The Freedom of Information and Protection of Privacy Amendment Act.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Piwniuk, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Stefanson, Teitsma, Wharton, Wowchuk.

Nays

Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliw, Wiebe.

Deputy Clerk (Mr. Rick Yarish): Yeas 34, Nays 21.

Madam Speaker: The motion is accordingly passed.

Bill 61—The Apprenticeship and Certification Amendment Act

Madam Speaker: The question now before the House is second reading of Bill 61, The Apprenticeship and Certification Amendment Act.

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Recorded Vote

Ms. Nahanni Fontaine (Official Opposition House Leader): A recorded vote, Madam Speaker.

Madam Speaker: A recorded vote having been called, call in the members.

The question before the House is second reading of Bill 61, The The Apprenticeship and Certification Amendment Act.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Piwniuk, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Stefanson, Teitsma, Wharton, Wowchuk.

Nays

Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliw, Wiebe.

Deputy Clerk (Mr. Rick Yarish): Yeas 34, Nays 21.

Madam Speaker: The motion is accordingly passed.

* (00:10)

Bill 62—The Animal Diseases Amendment Act

Madam Speaker: I will now call the question before the House being second reading of Bill 62, The Animal Diseases Amendment Act.

Is it the pleasure of the House to adopt the motion? Agreed?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Recorded Vote

Ms. Nahanni Fontaine (Official Opposition House Leader): A recorded vote, Madam Speaker.

Madam Speaker: A recorded vote having been called, call in the members.

The question before the House is second reading of Bill 62, The Animal Diseases Amendment Act.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Gerrard, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Piwniuk, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Stefanson, Teitsma, Wharton, Wowchuk.

Nays

Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliv, Wiebe.

Deputy Clerk (Mr. Rick Yarish): Yeas 35, Nays 20.

Madam Speaker: The motion is accordingly passed.

Bill 63—The Petty Trespasses Amendment and Occupiers' Liability Amendment Act

Madam Speaker: The last question before the House is second reading of Bill 63, The Petty Trespasses Amendment and Occupiers' Liability Amendment Act.

Is it the pleasure of the House to adopt the motion? Agreed?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Recorded Vote

Ms. Nahanni Fontaine (Official Opposition House Leader): Madam Speaker, a recorded vote, please.

Madam Speaker: A recorded vote having been called, call in the members.

The question before the House is second reading of Bill 63, The Petty Trespasses Amendment and Occupiers' Liability Amendment Act.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Clarke, Cox, Cullen, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Piwniuk, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Stefanson, Teitsma, Wharton, Wowchuk.

Nays

Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliv, Wiebe.

Deputy Clerk (Mr. Rick Yarish): Yeas 34, Nays 21.

Madam Speaker: The motion is accordingly passed.

* (00:20)

Madam Speaker: And the hour being past 5 p.m., this House is adjourned and stands adjourned until Tuesday, April 6th—

Some Honourable Members: Oh, oh.

Madam Speaker: So the House is adjourned until Tuesday, April 6th at 10 a.m.

Happy Easter, everybody, and stay safe.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, March 25, 2021

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<http://www.manitoba.ca/legislature/hansard/hansard.html>