

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

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-Second Legislature

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	Woleseley	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

Wednesday, May 19, 2021

The House met at 1:30 p.m.

Clerk (Ms. Patricia Chaychuk): It is my duty to inform the House that the Speaker is unavoidably absent. Therefore, in accordance with the statutes, I would ask the Deputy Speaker to please take the Chair.

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

Please be seated. Good afternoon, everyone.

ROUTINE PROCEEDINGS

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

MEMBERS' STATEMENTS

Willie B. Dueck

Hon. Derek Johnson (Minister of Municipal Relations): I rise before you today to recognize the late Willie B. Dueck, at 97, an individual who selflessly responded whenever he saw a need for assistance.

Willie spent his life in Manitoba and Mexico. In both communities, Willie was known as the go-to guy for everything.

While in Mexico, Willie learned Spanish to listen to the concerns of those around him. When the community needed health care, Willie and his wife Elizabeth, who is a licensed nurse, started a pharmacy and a clinic in their own home. That clinic evolved into a hospital that still operates today.

In 1963, Willie returned to Vidir, Manitoba, to farm. When he heard about a deal on second grade shingles, he purchased and resold them, creating Vidir Lumber.

Later, he hired a mechanic and started Vidir Machine, which was a farm repair shop. He worked

with others to build the first prototype of a carpet storage rack, and Vidir Solutions was born. Vidir Solutions now employs 200 community members.

Somehow, between being a philanthropist, inventor, entrepreneur, farmer and a vested community member, Willie found the time to write the story, Willie and Elizabeth: Their Story. It's a great book and it's a great read.

Because of Willie's generous donations, an assisted-living facility became a reality in Arborg, known as the House of Hope. This facility means elderly couples remain living together, regardless of the different levels of care required.

His good work and great generosity are not only evident in the province of Manitoba, but throughout the world.

Mr. Deputy Speaker, it's my great honour to recognize the late Willie Dueck.

Peaceful Village

Mr. Adrien Sala (St. James): Today, I am honoured to recognize the incredible work of the Peaceful Village program in St. James.

Peaceful Village programs have developed a stellar reputation within Winnipeg for their many years of working to support new Canadian youth and their families. Facilitated by the Manitoba School Improvement Program, the Peaceful Village has created six sites in Winnipeg since 2009, with the site in St. James having been created in 2018.

Our local Peaceful Village program is led by Surafel Kuchem, who joined the Peaceful Village as team leader for the St. James school division in 2018. Surafel has brought his many years of experience working in after-school programming to the role, as well as his own experiences immigrating from Ethiopia to Canada as a youth in 2005. As an experienced educator in math, science and English as additional language, Surafel makes giving back to the community a priority.

The after-school programming delivered through Peaceful Village supports youth academically and emotionally, and is a space for new Canadian youth in St. James to grow individually and collectively. Programming was specifically designed for new

Canadian youth, but is open to all, and includes EAL supports and academic tutoring. Youth are also encouraged to delve into art, music and passion projects.

Thanks to collaboration between the Peaceful Village program and teachers at St. James Collegiate, participants see improved success in school while they develop a sense of belonging in the community. This is a fantastic partnership that creates a foundation for success as youth transition out into post-secondary and the Manitoban workforce.

Like many programs across the province, Peaceful Village program in St. James has been forced to pivot due to the pandemic. The village is now delivering online-based educational programs and games for students and families.

Mr. Deputy Speaker, I am immensely proud to know that the Peaceful Village program is operating in our community. Connection to community and to other youth is clearly at the centre of all their work, and, as a result, the program has given many newer Canadian families a true sense of belonging in St. James.

I ask all members today to join me today in thanking the staff and organizers of the Peaceful Village program in St. James for their excellent work in our community.

Garden City Community Centre Board Volunteers

Mr. Shannon Martin (McPhillips): It's an honour and a pleasure to bring recognition to the board of director volunteers at the Garden City Community Centre.

The board of directors has been and continues to be a hard-working and dedicated group of volunteers, visionaries and leaders in their community providing quality services. They have been some—there have been some long-standing board members, Mr. Speaker, some of whom have served for over 40 years.

The Garden City Community Centre was constructed in the mid-1960s and continues to serve the immediate community as well as patrons from across the city of Winnipeg and beyond.

As visionaries, the board added an indoor soccer complex in 1999, and through an initiative of community parents and board members, the Seven Oaks Arena Project team paved the way for the addition of a two-pad indoor hockey arena which opened in April of 2015.

In 2016, the Winnipeg Soccer Federation indoor complex was added to their footprint. These additions were to better serve the needs of the community, the city and the province. With the ever-changing demographics and diversity, the board continues to provide quality leadership and services with focus on inclusion.

In the words of Warren Bennis, quote, leadership is capacity to translate vision into reality, end quote. The past and current board members of the Garden City Community Centre have been true leaders.

I'd like to make special mention of softball convenor Linda Tomanek, who passed away earlier this year in January after serving on the board for over 40 years.

One more reason, Mr. Deputy Speaker, to visit Garden City Community Centre is that they have recently opened their doors as a COVID-19 vaccination supersite. With hours 6 to 8, I encourage everyone to get vaccinated as soon as possible.

Please join me in thanking the volunteers of the board of directors at the Garden City Community Centre for their continued vision and hard work on behalf of all residents.

And, Mr. Deputy Speaker, I ask for leave to include the names of the boards—board of directors in Hansard.

Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker: Is there leave from the House to put the board of directors in Hansard, on the member for McPhillips'? *[Agreed]*

Garden City Community Centre Board of Directors: Andy Haworth, president; Roger Tuk, vice-president; Lorrie Rogalka, treasurer; Alyssa Vergata, secretary; Kenny Enns, baseball; Ron Quintana, basketball; Miranda Enns, hockey; Alyssa Vergata, mini-soccer

COVID-19 Vaccine Site in St. Vital

Mr. Jamie Moses (St. Vital): As the third wave of the pandemic drags on, I know we are all tired. Fortunately, the vaccine provides us with a little light at the end of the tunnel.

Thank you to the countless health-care professionals and staff at vaccination sites across the province for working tirelessly to help get shots in the arms of Manitobans.

Later today, I will be receiving my first COVID-19 vaccine. Getting the vaccine means

protecting myself, my family and my community. I know that many people throughout St. Vital are looking to get vaccines.

* (13:40)

However, I also know that many people face barriers to getting the vaccine, from parents needing to arrange child care for appointments to those who face language barriers or some who simply can't access transportation or are unable to navigate downtown to visit the supersite.

Community leader and principal at Victor Mager School, Troy Reinhardt, knows the needs of his school community. He supports the idea of a local St. Vital vaccine site because he knows it will be a huge benefit to many people who wouldn't be able to or would have great struggles getting to the vaccination supersite.

That's why, on May 11th, I wrote to the Minister of Health to advocate for a vaccine pop-up-pop-up clinic in St. Vital. A vaccine site in our community would allow the thousands of eligible Manitobans in St. Vital and across southeast Winnipeg who face barriers access to the shot closer to home.

I urge the minister to act now to increase vaccine accessibility and protect St. Vital residents.

I encourage everyone to get the vaccine as soon as possible. The COVID-19 vaccines are safe, they work and they are what we need to protect our neighbourhood, our communities, so that we can come together as community again.

Thank you.

Lorne and Rose-Marie Kyle

Hon. Cameron Friesen (Minister of Justice and Attorney General): Mr. Deputy Speaker, I rise today to celebrate the life and sudden passing of Lorne and Rose-Marie—or Midge—Kyle of Morden.

Lorne first caught Midge's attention at a football game. He a broad-shouldered player with a colourful vocabulary, and she a petite, soft-spoken, French teenager. They would later marry on Thanksgiving weekend in 1958. The next 60 years would be spent together raising their family, farming and giving back to the community they loved.

Lorne joined Morden research station in 1958. He helped establish a variety of crops. As a registered seed grower for over 50 years, Lorne helped establish a wide variety of seeds and crops and was instrumental in establishing of the Manitoba buckwheat association. Lorne was a regular feature each and

every year at Ag Days in Brandon. He was always at the booth to talk about buckwheat or hand out free buckwheat cookies.

Midge was an active volunteer. She spent her time with the local 4-H. She read books to children at the local library. She provided food hampers. She gave of herself unconditionally to the St. Thomas Anglican Church.

And together, they were active members of the Legion and the Royal Purple and Elks service groups, where their laughter and presence was deeply missed by old and new friends.

Lorne and Midge were dedicated to each other, their faith, their community, their family. Lorne was my Little League coach, and years later he was a regular feature at my constituency office, having his say, saying his piece, sharing his views, never staying for too long—well, mostly never staying for too long.

And their daughter Colleen says: Our family and their many friends are living with the love they left behind after 65 years of being together. They will always be in our hearts and by our sides.

Manitobans will remember Lorne and Midge because they tragically passed away together at night on December 24th in a devastating house fire. But that horrific event did not define their lives. Their lives are defined by their years together, their love, their legacy and their countless contributions to the community that they loved. That will be their legacy, Mr. Deputy Speaker.

Mr. Deputy Speaker: Time for oral questions.

ORAL QUESTIONS

Funding for Education During Pandemic Inquiry Into Federal Monies Spent

Mr. Wab Kinew (Leader of the Official Opposition): So, I want to begin by saying go Jets go, because tonight's playoff game is a bit of a bright spot for a lot of families across Manitoba who've been reeling over the past few weeks.

Families in Winnipeg, Brandon, other parts of southern Manitoba have had to adapt to that last-minute switch to remote learning. Now, it's been especially disruptive for kids and the educators who teach them because of the last-minute nature of this disruption.

Now, we know that kids learn better when they're in person and in the classroom. That's what we want when it's safe to do so. So we'd like to know about the

actions that this government is taking to pave the way to that return to class.

We also know that the federal government has sent \$85 million to Manitoba to help protect schools.

So could the Premier (Mr. Pallister) explain how much of the federal funding he's spent to keep schools safe?

Hon. Kelvin Goertzen (Deputy Premier): I will agree with the member opposite: we are all united in cheering for our Jets tonight, Mr. Deputy Speaker. We all wish we could do like we did a few years ago and be out together, downtown Winnipeg, cheering on the Jets in the thousands. Of course, we can't do that because of the pandemic, but we look forward to a day when we can.

But, in the absence, there'll be lit on the Legislature—directly above us—there'll be a giant Jets symbol that'll be lit tonight, and we'll all be united as Manitobans.

Even if we're not together, we'll be united in spirit cheering on our Jets, Mr. Deputy Speaker.

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

Mr. Kinew: You know, after that dodge, I think families will be very frustrated.

Families were not only frustrated by the last-minute nature of the switch to remote learning, but families are going to be very frustrated when they hear this: it turns out this government hasn't spent very much at all of those federal dollars.

I'll table a document that shows the spending to date. They've barely spent a single dollar of those federal monies sent here to protect schools in Manitoba. The feds sent \$85 million; \$80 million of that is unspent. We're in a one-in-a-hundred-year pandemic, and the Premier is simply pocketing millions of dollars in federal funds designed to protect children.

Why has the Premier sat on tens of millions of dollars in federal funding that was supposed to help protect our schools?

Mr. Goertzen: Member opposite is a testament to why we need to reform the math curriculum, Mr. Deputy Speaker.

I would remind the member: \$49 million spent on staffing, \$22 million on technology, \$16 million for health and safety, \$6 million for personal protective

equipment, \$10 million in additional protective equipment. I could go on, Mr. Deputy Speaker.

Public health, this government, this Minister of Education (Mr. Cullen) has made it a priority to keep schools open as much as they could when it was safe to do so because we know that the best place for a student to learn is in the classroom. And that is why Manitoba's been one of the most successful jurisdictions in Canada, in North America, in keeping schools safely open.

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

Mr. Kinew: Well, like with everything else in the pandemic, the Premier is trying to do things on the cheap and then he doesn't want to respond to the questions.

If the minister would read what's written and do the arithmetic of the figures, he would find that \$80 million has been unspent. The feds sent \$85 million to Manitoba to help protect schools.

I'll table the document again so that the minister can read it this time, rather than just resorting to rhetoric.

What we need is the use of those funds to help protect schools. How does the Premier justify withholding \$80 million in federal funds? How does the Cabinet justify that?

Why is the Premier refusing to spend tens of millions of dollars sent here by the federal government to protect schools?

Mr. Goertzen: How does the Leader of the Official Opposition justify just making things up, Mr. Deputy Speaker?

This is a government that has not only put money on the table to ensure that schools could remain open but could do so safely, Mr. Deputy Speaker. Hundreds of millions of dollars have been spent; more has been committed to. It'll all be fully expended as needed, and if there needs to be more, then there will be more.

But you need to look at the track record of this government. This government has prioritized keeping schools open when it's been safe to do so. It has been more successful than almost any other province in Canada than almost any other jurisdiction in North America, because we know that the best place for students to be is in the classroom if it can be done safely.

It has largely been done safely, Mr. Deputy Speaker. That's why the schools have remained open for the benefit of those students. We'll continue on that path.

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

Manitoba Hospitals ICU Capacity Transfer of Patients to Ontario

Mr. Wab Kinew (Leader of the Official Opposition): For months, we have raised the alarm about the situation in Manitoba ICUs. We have said we need to make investments to ensure that there will be beds and staff to care for the sickest of Manitobans during the pandemic.

That's why it is shocking, that's why it's outrageous today to hear that some Manitobans from the ICU have been transferred to Thunder Bay for life-saving medical attention.

You want to talk about hallway medicine. You want to talk about highway medicine. It is here, and it is the result of the cuts of this government.

How does the minister justify sending Manitobans to an ICU—*[interjection]*

Mr. Deputy Speaker: Order.

Mr. Kinew: —in Thunder Bay rather than making investments in staff and health care right here in Manitoba?

* (13:50)

Hon. Heather Stefanson (Minister of Health and Seniors Care): We have been making those investments here in Manitoba.

What I will say, Mr. Deputy Speaker, it's my understanding from 'shellertch'—from Shared Health that over the last three days we have had a large number of new patients into our ICUs in a very short period of time with no transfers out of the ICU. And obviously, due to high volume, a clinical decision was made to move patients to northwestern Ontario. This was done in order to open immediate bed space temporarily in the event of further patients requiring ICU level of care.

These decisions are clinical, they are not political, Mr. Deputy Speaker, and are made to ensure that people's health and safety are put first and foremost.

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

Mr. Kinew: Well, what the minister declines to say is that Shared Health sent those Manitoba patients to an ICU in Thunder Bay because there was no capacity to care for them here in the province and—newsflash—that is entirely a result of political decisions.

This Cabinet chose to cut nurses from the health-care system. This Cabinet chose and stood in solidarity behind the decision to eliminate ICU beds across our system. And this Cabinet stood pat on their hands as this Premier (Mr. Pallister) refused to take action to expand ICU capacity through the first wave, the second wave and now the third wave.

Why has this Minister of Health refused to stand up against the madness of this Premier and demand that we immediately invest in ICUs here so we can treat Manitobans in Manitoba?

Mr. Deputy Speaker: I just want to remind members to speak through this Chair and not at—directly at the minister. Okay.

Mrs. Stefanson: We are making investments here in our ICU capacity.

What I will say to the member opposite's comments, we have had a long-standing relationship with northwestern Ontario where many of their patients come here to get access to health-care services. It's a reciprocal arrangement that has been in place for many, many, many years, including under the previous NDP government.

So we'll continue to utilize those relationships in order to ensure the best interests of patient safety and best interests of patient care.

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

Mr. Kinew: Mr. Deputy Speaker, the borders between our provinces are closed. That means the only way a Manitoban can go to Ontario right now is if they go to an ICU in Manitoba and they get transferred to an ICU in Thunder Bay.

How does the Cabinet stand behind the decision-making that lead us to this point? Everyone knew that ICU capacity would be reached during this third wave. *[interjection]*

Mr. Deputy Speaker: Order.

Mr. Kinew: Everyone has raised the alarm bell. *[interjection]*

Mr. Deputy Speaker: Order.

Mr. Kinew: Everyone has demanded that staffing, beds, equipment, investments be made to prepare for the third wave, and yet the Cabinet ignored it.

What does the Cabinet say to the families of Manitobans who had their loved ones shipped from one ICU in the province in which they live to another simply because of political decisions? And what does this Cabinet say to justify the extremely dangerous, medically unnecessary—

Mr. Deputy Speaker: The honourable leader's time is up. *[interjection]* Time is up. *[interjection]*

Order.

Mrs. Stefanson: Certainly, we're in the middle of a worldwide pandemic. There are many provinces across Canada that have been having challenging situations. Each one of us have—has reached out when we're having better times to help those who are in more difficult times. It's just the very nature of who we are as being Canadian, and I'm very proud of that, Mr. Deputy Speaker.

But on the message from the member opposite during his fear-mongering rant of earlier, I will say that he's absolutely wrong. We have been increasing ICU capacity. We've been increasing nursing staff; more than 60 new full-time nursing—*[interjection]*

Mr. Deputy Speaker: Order.

Mrs. Stefanson: —positions to ICUs and—

Some Honourable Members: Oh, oh.

Mr. Deputy Speaker: Order. Order. Order. I'm standing.

Mrs. Stefanson: We have been making more investments in ICU capacity and more investments in nursing staff—more than 60 new full—*[interjection]*

Mr. Deputy Speaker: Order.

The honourable Minister of Health and Seniors Care. *[interjection]*

Order. The clock is ticking.

Mrs. Stefanson: We are investing in nursing staff—more than 60 new full-time nursing positions to our ICUs. We've made improvements to patient flow through our hospital system—

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

Funding for Education During Pandemic Inquiry Into Federal Monies Spent

Mr. Nello Altomare (Transcona): It is evident the Pallister government does everything on the cheap, including, it is now clear, for responding to urgent needs of our students in—*[interjection]*

Mr. Deputy Speaker: Order.

Mr. Altomare: —the pandemic. I'll table that freedom of information—*[interjection]*

Mr. Deputy Speaker: Order. Just want to have the member for Transcona—if he just wants to—we'll start all over again, because we haven't heard anything that he has said.

There should be respect when you have members from—on virtual, so we can all listen too. Because no one has been listening to these members and it's not fair for them to be on virtual and not be heard.

The honourable member for Transcona, on his question.

Mr. Altomare: It is evident the Pallister government does everything on the cheap, including, it is now clear, for responding to urgent needs of our students in a pandemic.

I'll table that freedom of information request again: a \$185-million fund, nearly half of it unspent, and the federal funding is sitting idle rather than being put to work for students and families.

I'll ask the minister: Why did this happen? And why has he left pandemic dollars earmarked for education unspent?

Hon. Cliff Cullen (Minister of Education): Well, Mr. Deputy Speaker, I'm not sure where the member is getting information; it's clearly outdated information. Our government set aside \$185 million in total for the fight and COVID, relative to K to 12.

As of March of this year, we've allocated almost—several hundred million of that money: \$49 million for staffing, \$22 million for learning and technology, \$16 million for health and safety, \$6 million more for personal protective equipment and \$10 million in other expenses. That adds up to a considerable portion and that is just 'til the end of March.

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

Mr. Altomare: The \$49 million the minister claims is new funding for schools are dollars the minister squirreled away by laying off thousands of EAs last spring. It is not new money.

But even with that: a \$185-million fund, nearly half of it unspent. Federal funds are sitting idle.

Other provinces have long flown their funding to schools, yet Manitoba has barely spent half of the federal money; it is languishing.

Why is the minister hiding away funds needed for our classrooms?

Mr. Cullen: Well, Mr. Deputy Speaker, the member is completely wrong. I mean, that's the money that's been allocated to the end of March, which was this year's fiscal year. We expect by the end of this school year—the end of June—we will have allocated and spent \$170 million—upwards of \$170 million of that \$185 million.

Mr. Deputy Speaker, we know we're not done with COVID. That's why we've set aside an additional \$160 million in this year's budget. We are trying to keep kids safe, we're trying to keep educators safe and we're investing this money to keep them all safe.

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

Mr. Altomare: We can all agree that the needs of students this year have been enormous.

* (14:00)

Every Canadian province created education funds to deal with pandemic demands and received tens, even hundreds of millions of dollars in federal assistance. Responsible governments across the country allocated the funds and distributed it, and did so months ago.

Now the school year is nearly over. Of \$185-million fund, nearly half of it is unspent. The federal portion sits idle.

We're in a one-in-100-year pandemic. Half our schoolchildren have gone remote. And schools are doing their utmost to keep running those that remain.

What is the minister waiting for? Why is he hiding away millions of dollars that are needed for schools during this pandemic?

Mr. Cullen: Well, Mr. Deputy Speaker, here we are again: the NDP just making stuff up.

And we've seen a campaign of fear when it comes to bill 84. We've seen a campaign of fear when it comes to our BEST strategy. We're trying to make investments for Manitoba students.

We've committed the \$185 million. We anticipate upward of \$170 million of that will be spent by this—end of this school year. We've allocated in this year's budget \$160 million more money.

We're standing up for students—we're standing up for students. We're trying to keep them safe. I just wish the NDP would just put the facts on the record.

Wildfire Along Highway 6 Support for First Nations

Mr. Tom Lindsey (Flin Flon): The fire situation along No. 6 highway is extremely serious. Homes near Grand Rapids have been lost, 80 households from MCN had to be evacuated.

Unfortunately, there's an added level of stress, as the first variant of concern case has been found where they had no active cases. Other communities have similar concerns for potential evacuation.

We're pleased to see that some people have been able to return to their homes, but how is the minister supporting First Nations during this very challenging fire season?

Hon. Sarah Guillemard (Minister of Conservation and Climate): I appreciate the question on our wildfires.

Mr. Deputy Speaker, our government has been aware that it's been a dry season throughout the last fall, the winter and certainly into the spring, and we are facing right now a number of active fires. And we are thankful to the attack crews on the ground who are addressing those fires, and we are very thankful for the open communication that has been very effective with our RMs, our First Nations communities, in addition to our department fire supports.

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

Mr. Lindsey: The Opasquia Times has published the following statement online: The Peonan Point eastern fire has escaped its perimeter and the five-mile front is burning; 60,000-hectare fire's under way. That's a very large fire, Mr. Deputy 'Speaker.'

It also says, and I quote: Manitoba wildlife service capabilities may be limited for protecting Manitoba Hydro assets along PTH No. 6. Those assets, Mr. Deputy Speaker, include Bipole I and II.

Can the minister tell us what they've done to prepare and protect this critical infrastructure?

Hon. Jeff Wharton (Minister of Crown Services): Certainly, we know we're moving into a very, very risky time, when it comes to the fire season. We know what's going across the province right now. We know that it's continuing to blossom throughout the province. It's not a good time.

Certainly, Manitoba Hydro is well aware of the situations, particularly in Bipole I and II, and working with a whole-of-government approach throughout all departments, Mr. Deputy Speaker.

We'll ensure the communication is right and we'll protect those assets that Manitobans own.

Mr. Deputy Speaker: The honourable member for Flin Flon, on a final supplementary question.

Mr. Lindsey: Well, which minister will be up next, I guess.

Mr. Deputy Speaker, there's a very large fire burning up No. 6. The highway is closed. Communities can't evacuate south by—*[interjection]*

Mr. Deputy Speaker: Order.

Mr. Lindsey: —road; 60,000-hectare fire with a five-mile front has jumped its perimeter.

It's a very serious situation, and the Opasquia Times published a statement online that says Manitoba Wildfire Service may not be able to protect critical infrastructure such as Bipole I and Bipole II. Thankfully, Bipole III runs down the other side of the province.

Some Honourable Members: Oh, oh.

Mr. Lindsey: Can the minister explain what they have done to prepare—*[interjection]*

Mr. Deputy Speaker: Order.

Mr. Lindsey: —and protect people and critical infrastructure? And will he brief members on this serious situation as it evolves?

Mr. Wharton: Well, again, and my first response, Mr. Deputy Speaker, there's excellent communication going on between Manitoba Hydro and other levels of government.

Of course, our front-line firefighters—and a shout-out to all our front-line firefighters—we know that this is just the beginning. We're hoping for rain over the coming days and hopefully for a couple of weeks. We know that rain is much needed to help suppress some

of these issues, and we also know that Manitoba's infrastructure could be put at risk, as long as—private property as well.

We'll ensure that Manitobans are kept as safe as possible during these very difficult times.

Manitoba Hospitals ICU Capacity Transfer of Patients to Ontario

MLA Uzoma Asagwara (Union Station): Mr. Deputy Speaker, I have to say I am astounded. I am astounded to see members opposite defend, in this House, sending Manitobans on the highway, sending ICU patients on the highway to Thunder Bay. They either do not care or they do not understand—and I don't know which one is worse—the risks associated with that.

How can this Minister of Health justify sending Manitoba ICU patients on the highway to Thunder Bay?

Hon. Heather Stefanson (Minister of Health and Seniors Care): Mr. Deputy Speaker, politicians don't make the decisions as to how to best care for patients. Doctors—*[interjection]*

Mr. Deputy Speaker: Order.

Mrs. Stefanson: —make those decisions.

And I want to thank all of those who are working in our hospital system making these very difficult decisions. They make these decisions because it's the best interest of patient safety and patient care, and I thank all of those individuals for making these difficult decisions in order to protect safety and patient care.

Mr. Deputy Speaker: The honourable member for Union Station, on a supplementary question.

MLA Asagwara: Mr. Deputy Speaker, for the minister to use our health-care professionals, who they've mistreated since their first day in office, as a human shield for their poor political decision-making is shameful.

Those health-care workers, those health-care providers, are in this position because of this government's cuts—*[interjection]*

Mr. Deputy Speaker: Order.

MLA Asagwara: —before this pandemic. They have forced them into those positions.

Mr. Deputy Speaker, this government has failed Manitobans throughout this pandemic.

What does the minister have planned to do immediately to address this terrible decision-making as a result of their cuts—sorry, their terrible decision-making that has resulted in these unfortunate decisions having to be made by our health-care heroes to send Manitobans out of province to receive health care?

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

Mrs. Stefanson: Well, once again, Mr. Deputy Speaker, members opposite are incredibly disrespectful towards our doctors who are making these very, very difficult decisions—[*interjection*]

Mr. Deputy Speaker: Order.

Mrs. Stefanson: We have been making some changes and some—adding some nursing staff, in terms of our ICUs. We've added 60 new full-time front-nursing positions to ICUs. We have made improvements to patient flow.

In fact, Mr. Deputy Speaker, we moved, in the last four weeks alone, 278 individuals who were in our hospital situation that didn't need to be in our hospitals, who had better care—out into the community, and so we've moved people out to the community to ensure that we have better patient flow during this time.

These are difficult decisions that need to be made. We thank our doctors for stepping up during these very, very difficult times. We will work with them to ensure that patient safety and access to our health-care system come first.

Mr. Deputy Speaker: The honourable member for Union Station, on a final supplementary question.

MLA Asagwara: Mr. Deputy Speaker, patients—Manitoba ICU patients—being sent on the highway to receive care when they are acutely sick, when their health can change at a moment's notice, all the way to Thunder Bay, is a direct result of this government cutting ICU beds and cutting health care to the bone before this pandemic.

* (14:10)

This Minister of Health knows this. This Cabinet knows this. The only thing they should be standing up and saying right now is how they intend to immediately fix it. [*interjection*]

If the Minister of Health cannot stand in this House today and identify how she's going to fix this

today, immediately, the Minister of Health shouldn't share anything with Manitobans at all. [*interjection*]

Mr. Deputy Speaker: You know, I just don't get it why people will heckle when your own question's being asked by their own member. If—everybody has to have respect for the answers that are given on our side and then—questions that are given on that side. We've all got to—have to have some respect in this—decorum in this Legislature because we can't hear the answers or the questions.

Mrs. Stefanson: Well, Mr. Deputy Speaker, I know that members at Shared Health and members at are our RHAs and our—and those working diligently in our hospitals and those on the front line, as well as incident command, are working day in and day out to ensure that we get the best patient care we can for Manitoba families.

And so that's what we'll continue to do. It's one day at a time, sometimes one hour at a time, Mr. Deputy Speaker.

There are very difficult decisions that need to be made. We're in the middle of a worldwide pandemic. There are some challenges that we are facing, but we will work together with Shared Health, with our RHAs, with our—those working on our front lines, the incident command and all those who are working diligently. And I thank them very much for all the incredible work that they're doing to help patients in Manitoba.

COVID-19 Vaccinations for Youth Request for Pop-up Clinics in Schools

Mr. Jamie Moses (St. Vital): Manitobans over 12 years old can get vaccinated, and although children usually aren't always the ones hardest hit by COVID-19, we know that they can transmit it.

Safely vaccinating younger Manitobans is an important step towards reaching herd immunity and protecting all Manitobans. It's vital that our province has a plan to ensure that vaccines are accessible and that parents and children—that they have the access to information on vaccines to give them the confidence in getting the shot.

Can the minister expedite plans to establishing pop-up clinics and vaccine sites in schools?

Hon. Heather Stefanson (Minister of Health and Seniors Care): What I will say is that almost 65,000 Manitobans aged 12 and up either have a dose—have their first dose of the vaccine or are booked to get their first dose.

So, we're doing many things, the Vaccine Implementation Task Force is doing many things to ensure that we expedite those needles in arms. In fact, we have eight supersites in Winnipeg, Morden, Brandon, Selkirk, Thompson, Dauphin and Steinbach. We have 18 pop-up clinics taking appointments this week alone. We have 122 clinics and doctors offices taking appointments this week. We have five urban Indigenous clinics protecting at-risk and homeless populations through partnerships with urban Indigenous community organizations.

We continue to use our focused—

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

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

Mr. Moses: Setting up pop-up vaccination clinics in schools could be one way to ensure that young Manitobans are able to get vaccinated, and we already have school-based immunization programs that could be modified to work effectively for COVID-19 vaccinations.

Saskatchewan has committed to opening up vaccine clinics in schools in early June, and they are earmarking over 90,000 doses for elementary and high-school students 12 and up.

Will the minister work to establish pop-up vaccination clinics in schools?

Mrs. Stefanson: I know our Vaccine Implementation Task Force has been looking at all different ways to ensure that we expedite the delivery of vaccines to Manitobans to ensure that those Manitobans get the needle in the arm that we want to ensure that all Manitobans get.

And, certainly, we have many pop-up clinics. In fact, this weekend—or, this week alone we have 18 pop-up clinics across the province of Manitoba taking appointments for those individuals within those communities. There are two supersites in the city of Winnipeg where Manitobans have been able to—those 12 and up have been able to book their appointments.

The Vaccine Implementation Task Force is doing a great job to ensure that as many Manitobans get access to the vaccine as possible.

Mr. Deputy Speaker: The honourable member for St. Vital, on a final supplementary question.

Mr. Moses: We need to make sure that vaccinations are as accessible as possible. Students 12 and up are

eligible. In Saskatchewan, tens of thousands of them are getting their vaccinations where they learn this school year. Let's put this pandemic down for good and ensure that a full return to classrooms this fall is possible. We can do that by making the shots accessible and available in a convenient place, like in schools, just like other provinces are doing.

Will this minister do the same?

Mrs. Stefanson: Well, again, Mr. Deputy Speaker, the Vaccine Implementation Task Force is ensuring that they put all measures in place to ensure the accessibility of the vaccine for all Manitobans. I think that's why, as soon as we opened up the age eligibility to 12 and up, we had more than 42,000 Manitobans sign up to get—in one day—to get their vaccine. Many of those were between the ages of 12 and 17, Mr. Deputy Speaker. So clearly the access is there.

Manitobans can also go to their doctor's offices, they can go to their pharmacies, there's many pop-up clinics, there's supersites in all regions of the province, Mr. Deputy Speaker. The access to the vaccines is there and we have one of the most robust access systems within all of the country.

Department of Conservation Fish Quota Buyback Program

Mr. Dougald Lamont (St. Boniface): Recently, we were contacted by the Pioneer Commercial Fishers of Manitoba that the Department of Conservation is giving favourable treatment to an organization that the deputy minister used to run, the Manitoba Wildlife Federation.

The MWF, which doesn't seem to appear anywhere in the registry of Manitoba lobbyists, has been boasting that it has an inside track to this PC government, as the article I table shows, describing officials as influential friends. Influence is one thing, but the policies in place are hurting thousands of commercial fishers and are trampling Indigenous rights.

Now, apparently, the members opposite have the same files I do.

How can this government explain a quota buyback program endorsed by the MWF that appears to favour southern non-Indigenous fishers with \$6 a pound and northern Indigenous fishers with only \$4?

Hon. Kelvin Goertzen (Deputy Premier): Of course, this member's known for lobbing a number of different scurrilous accusations. Almost always, they

turn out to be untrue. In fact, I can't think one that actually turned out to be true, Mr. Deputy Speaker.

We, of course, have a lobbyists registration in Manitoba. It is a robust system where people have to register in order to lobby so that it becomes public and it is transparent.

I would say that this member's credibility fails when it comes to issues around ethics, when it comes to transparency. He should stick to things that are meaningful and are factual when it comes to this Legislature and to Manitobans in general, Mr. Deputy Speaker.

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

Mr. Lamont: There are other stakeholders whose lives and livelihoods depend on the fishery: thousands of families in many communities across Manitoba.

I table another document showing that in November 2018 the former minister promised that no changes would be made without consultation, but the pioneer fishers and grand chief of AMC can't get a meeting because the minister has literally gone fishing with an organization his staff used to run.

We have texts from department officials threatening fishermen, blog posts railing against commercial fishers telling them to burn their nets. The civil service code of conduct is explicit: an employee must not directly or indirectly place themselves in a situation in any official matter where there is a private or personal interest where they cannot be objective in their actions or decisions.

How can this government justify policies and actions that are this blatantly biased?

Hon. Blaine Pedersen (Minister of Agriculture and Resource Development): Well, it certainly shows the member for St. Boniface has a lack of knowledge in here.

First of all, we did—our department, with myself participating, met with the A-C-R regional reps back in November. However, the pioneer fishers decided to boycott those meetings and did not come forward.

We've had meetings with them in the past. Our door is always open to meetings. We are—continue to work on eco-certification, which is a huge step forward for Lake Winnipeg and with that was data that we're going to collect on the—Lake Winnipeg to make sure that the fishery is sustainable.

* (14:20)

So we'll continue to work with all the fishermen—commercial fishermen—on Lake Winnipeg to make sure that we have a sustainable industry going forward.

Thank you.

Mr. Deputy Speaker: The honourable member for River Heights, on a final supplementary question.

Conversion of Crown Land to Pasture Land Management by Manitoba Wildlife Federation

Hon. Jon Gerrard (River Heights): Mr. Deputy Speaker, I ask the minister to provide details of the government's plan to convert Crown lands designated as wildlife management areas into pasture land so that these lands can become domestic animal management areas.

Is it correct that trees will be bulldozed to put up permanent fencing, and the producers who access these pasture lands will have free rent for five years? This seems odd and unfair, as many producers using Crown lands have seen extraordinary rent increases.

And why is the Manitoba Wildlife Federation to be managing these pasture lands? I thought Manitoba Wildlife Federation members are more interested in hunting wild animals, not domestic ones.

Will the minister table the contract with the Manitoba Wildlife Federation to clarify this situation?

Thank you.

Hon. Blaine Pedersen (Minister of Agriculture and Resource Development): Well, misinformation seems to be the flavour of the day with the Liberals.

First of all, I'm surprised at the member for River Heights with this misinformation he's putting forward there. The wildlife management areas were formed since about 1962, and what's happened is we've seen forest overgrowing the wildlife management areas, which makes for very poor habitat for upland game birds.

With clearing some bush, with brush control in there, pasture management becomes a very important tool for wildlife management, including upland game birds. And this will improve—we're doing some pilot projects in a couple of wildlife management areas, which will improve their capacity for wildlife and, at the same time—

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

Adult Epilepsy-Monitoring Unit Expansion Announcement

Mr. Josh Guenter (Borderland): Mr. Speaker, epilepsy is a chronic neurological condition characterized by recurrent seizures that range in frequency from less than one per year to many per day. There are approximately 23,000 Manitobans who live with epilepsy and/or seizure disorders. As many as one in 10 Manitobans will experience at least one epileptic seizure in their lifetime.

Can the Minister of Health and Seniors Care tell the House today how our government is committed to investing in essential services, such as epileptic care, in order to improve the quality of care for all Manitobans?

Hon. Heather Stefanson (Minister of Health and Seniors Care): I thank the member for Borderland for that question.

I'm very pleased to share with the House today our government's recent announcement in investing \$4 million towards the HSC Winnipeg's adult epilepsy unit. This investment will expand the adult epilepsy-monitoring unit, add four new beds, better monitoring equipment and technology upgrades.

Our government is continuing to broaden the array of speciality services and is committed to continuing to make these important investments in order to provide better health-care services sooner for all Manitobans. So members opposite can stop reading their position—their petitions, Mr. Deputy Speaker, because that job is done.

Manitoba Hospitals ICU Capacity Transfer of Patients to Ontario

Mr. Matt Wiebe (Concordia): Mr. Deputy Speaker, years of cuts by this PC government have had an impact on our health-care system. But now we know that the system is, in fact, overloaded and in crisis. There's no other way to put it.

We're past our capacity, yet this minister blames doctors, blames health-care workers, refuses to take responsibility. At this time, when ICU capacity is over capacity, she seems to say she's fine with it, yet won't tell us how many patients are being transferred to Thunder Bay.

We have information that I'll table, Mr. Deputy Speaker, but I'd like this minister to answer the question: How many patients are being transferred to Thunder Bay today?

Hon. Heather Stefanson (Minister of Health and Seniors Care): Well, Mr. Speaker, the only people in this House who are speaking negatively about the comments of—or, the decisions being made by doctors are members opposite, and they should be ashamed of taking that stance.

We will continue to work with our doctors, our nurses, with Shared Health, with RHAs, to ensure that we have access to the health-care system for Manitobans when they need it.

We are in the middle of a worldwide pandemic. There are difficult and challenging decisions that need to be made each and every day, and we will stand by all of those people who are making these decisions. This is very difficult times, Mr. Deputy Speaker; it takes for, you know, for—many difficult decisions that are going to be made during these difficult times, and I want to thank all of those people for the incredible work that they're doing to make lives for Manitobans that much better.

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

PETITIONS

Lead Water Pipes

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

The background to this petition is as follows:

(1) The US government has identified lead water pipes as a clear and present danger to American public health, and President Biden has announced a 100 per cent replacement of lead water pipes in 10 million US homes and 400,000 schools and child-care centres as part of the America's job plan.

(2) Two thousand seven hundred and fifty five homes in the Elmwood-East Kildonan area have lead water pipes connecting their basements to the City-owned water pipes at their property line. Homes built before 1950 are likely to have lead water pipes running to this connection.

(3) New lead level guidelines issued by Health Canada in 2019 are a response to findings that lead concentrations in drinking water should be kept as low as reasonably achievable, as lead exposures are inherently unsafe and have serious health consequences, especially for children and expectant mothers.

(4) Thirty one per cent of Winnipeg's 23,000 homes with lead water pipes connecting basements to the City-owned water pipes at their

property line were found to have lead levels above the new Health Canada lead level guidelines.

(5) The City of Winnipeg has an inventory of which homes and public buildings, including schools and daycares, that have the lead water pipe connection to the City watermain—will only disclose this information to the homeowner or property owner. The cost of replacing the lead water pipe to individual homeowners is over \$4,000.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to immediately contact all home and property owners in Manitoba with lead water pipes connecting to the City watermain line and provide full financial support to them for lead water pipe replacement so their access to clean water is assured and exposure to lead and its health risks are eliminated.

This petition is signed by many Manitobans.

Mr. Deputy Speaker: Any further petitions? Oh, as the—when we get the—receive a—as the—just bear with me here.

In accordance with rule No. 3–133-6, when petitions are read they are deemed to be received by the House.

Any further petitions? Grievances?

ORDERS OF THE DAY

GOVERNMENT BUSINESS

House Business

Hon. Kelvin Goertzen (Government House Leader): On House business, I'd like to announce that the Standing Committee on Crown Corporations will meet on Thursday, June 10th, 2021, at 9 a.m. to consider the following reports: the Annual Report of the Manitoba Public Insurance Corporation for the fiscal years ending February 28th, 2018, February 28th, 2019, and March 31st, 2021, and the annual financial statement—sorry, March 31st, 2020—and the annual financial statement of the Manitoba Public Insurance Corporation for the fiscal years ending February 28th, 2018, February 28th, 2019, and March 31st, 2020.

Mr. Deputy Speaker: This has been announced by the honourable Government House Leader that it would—the Standing Committee on Crown Services will meet on Thursday—*[interjection]*—oh, Crown Corporations will meet on Thursday, June 10th, 2021, at 9 a.m. to consider the following reports: the Annual

Report of the Manitoba Public Insurance Corporation for the fiscal years ending February 28th, 2018, February 28th, 2019, and March 31st, 2020; the annual fiscal statement of the Manitoba Public Insurance Corporation for the fiscal years ending February 28th, 2018, February 28th, 2019, and March 31st, 2020.

* (14:30)

Mr. Goertzen: On further House business, I'd like to announce that the Standing Committee on Crown Corporations will meet on Monday, June 21st, 2021, at 1 p.m. to consider the following report: the Annual Report of Manitoba Liquor & Lotteries for the fiscal year ending March 31st, 2020.

Mr. Deputy Speaker: It has been announced by the honourable Government House Leader that the Standing Committee on Crown Corporations will meet on Monday, June 21st, 2021 at 1 p.m. to consider the following report: the Annual Report of Manitoba Liquor & Lotteries for the fiscal year ending March 31st, 2020.

Mr. Goertzen: A final committee announcement: I'd like to announce that the Standing Committee on Crown Corporations will meet on Tuesday, June 29th, 2021 at 9 a.m. to consider the following report: the Annual Report of the Manitoba Hydro-Electric Board for the fiscal year ending March 31st, 2020.

Mr. Deputy Speaker: It has been announced by the honourable Government House Leader that the Standing Committee on Crown Corporations will meet on Tuesday, June 29th, 2021, at 9 a.m. to consider the following report: the annual report of Manitoba Hydro electrical board for the fiscal year ending March 31st, 2020.

Mr. Goertzen: Could you please call for third reading bills 47, 10, 54, 13, 18, 26, 27, 28, 29, 49, 12, 48, 56, 62, 63, 33, 41, 45, 37, 38, 46, 51, 58, 60, 61, 3, 8, 11, 21, 5, 6, 30, 32, 17, 15, 53, 20, 23, 22, 25, 34, 36, 52 and 55.

And if we are done that by the end of the day, I'll provide more government business.

Mr. Deputy Speaker: It has been announced by the honourable Government House Leader that concurrence and third reading of Bill 47, Bill 10, Bill 54, Bill 13, Bill 18, Bill 26, Bill 27, Bill 28, Bill 29—

An Honourable Member: Dispense.

Mr. Deputy Speaker: Dispense? [*interjection*] No, I can't.

Bill 49, Bill 12, Bill 48, Bill 56, Bill 62, 63, 33, 41, 45, 37, 38, 46, 51, 58, 60, 61, 3, 8, 11, 21, 5, 6, 30, 32, 17, 15, 53, 20, 23, 22, 25, 34, 36 and 52, and if that—if we still have time then we'll look at other—[*interjection*—and 55.

And if there's a more time, we'll—the honourable Government House Leader (Mr. Goertzen) will give us more business.

CONCURRENCE AND THIRD READINGS— AMENDED BILLS

Bill 47—The Early Learning and Child Care Act

Mr. Deputy Speaker: Okay, we'll first start on the bill—third—concurrence and third reading on Bill 47, The Early Learning and Child Care Act.

Hon. Rochelle Squires (Minister of Families): I move, seconded by the Minister of Health and Seniors Care (Mrs. Stefanson), that The Early Learning and Child Care Act; Loi sur l'apprentissage et la garde des jeunes enfants, reported from the Standing Committee on Legislative Affairs, and subsequently amended, be concurred in and now read for a third time and passed.

Motion presented.

Ms. Squires: It is my pleasure to rise and give third reading to Bill 47, The Early Learning and Child Care Act, an enabling piece of legislation that will allow us to transform the ELCC sector to better meet the diverse needs of Manitoba families.

Through this bill, the definition of early learning as a separate program will be enshrined in legislation for the first time, a step that ensures this programming is recognized as an essential building block for child's future success.

In addition to defining and highlighting this programming for infant and preschool spaces, I was pleased to accept amendments to this bill from my colleague, the MLA for Tyndall Park, including a separate definition for school-aged programming. Thank you once again to that member.

As we move through the end of this pandemic, we know that having a robust ELCC sector will be crucial to our province's economic recovery. Bill 47 will enable modernization and increase flexibility in the sector so that all parents are able to receive high-quality services for their children.

Ms. Danielle Adams (Thompson): I would like to put some words on the record regarding Bill 47.

Bill 47, despite what the minister says, is about privatization. Their goal and focus is to privatize child care in Manitoba. Privatizing child care will have detrimental effects on Manitoba's child-care sector. Privatization is not what Manitobans are wanting. Manitobans are wanting quality, affordable, public child care. We need to ensure child care is public and in the non-profit sector to ensure that we maintain the high-quality standards that in—we have here in Manitoba.

We have many other provinces that look to Manitoba when setting up their child-care sector. Because no matter what this government says, there are many other provinces that are trying to move away from the for-profit model.

The for-profit model is just warehousing children with not—without the emphasis on early learning for children, which Manitoba has done. We have put a focus on early learning child—early learning when it comes to child care. And this government is putting all of that at risk. They are doing this under the guise of choice when in—the reality is that there is choice in this bill—in the current bill in the way that it is currently set up. They just have to make the choice about funding it. And that's what this comes down to, is choice.

This government does not want to prioritize child care. They could have flexibility with part-time spaces if they chose to fund it. There could be overnight spaces if they chose to fund it. There could be evening care if they chose to fund it. There could be casual spaces if they chose to fund it. And the fact of the matter is this government doesn't value child care, which is why they are trying to move it over to the private sector. And with the private sector, that means fees are going to go up, quality and wages are going to go down, making it harder for families to access quality, affordable child care.

With the grant—look at what they've done with the grants for child care. They've kept them frozen to 2016 levels. Bill 47 doesn't address grant funding in—doesn't address the grant funding. It doesn't say how child care is going to be funded. All they have said is that it's going to be easier and families are going to be given the money. And that doesn't work for child-care centres.

If you have talked to any director, they'll tell you one of the things they hate most is chasing families for

their child-care fees. And they're putting the family—they're putting child care at risk. Other provinces are moving away from this model because it just doesn't work. And we have seen that. So I don't know why this minister will not learn from what other provinces failed—what provinces have done when it doesn't work.

They gave KPMG \$600,000 to do a child-care review. And you know what, Mr. Deputy Speaker? They could have kept their money, because I could have told you that all they were going to do was privatize. We have warned—the NDP has warned for years that this government is going to be privatizing child care. And they set the framework for that with the KPMG review.

Their lack of child-care recovery plan post-COVID is just telling. They have not said how they are going to prioritize child care post-COVID. And prioritizing child care is needed, so that way we can ensure families are able to go back to work or school. We need to know that child care is going to be a priority, and this government has not done that.

We are losing ECEs all the time. We have heard that the child-care sector is in crisis and they are not—and there's not enough ECEs. This minister and her government could build all the child-care spaces they want. It is not the field of dreams. If they build it, they will not come. They need to be treated with respect. They need to be receiving a living wage. And that is not happening under this government. They have kept funding levels frozen and parent fees frozen, and this has meant wages have stagnated. Wages are lower. Many ECEs can make more money working in a grocery store than they can being an ECE. And ECEs go through two years of training. These are trained professionals, Mr. Deputy Speaker, and the minister does not seem to have respect for that. They're watering down ECEs.

* (14:40)

We—they have—they're trying to create ECE level 1, and, Mr. Deputy Speaker, there is already ECE-in-training after somebody has received their first year of training. I'm very concerned that, by creating ECE level 1, that they're just going to now count that as a trained ECE and put them into the ratio for trained staff, and they're not a fully trained staff.

When it comes to regulation, they're just moving the goalpost. They're touting that they've created 5,000 new spaces. That's just not the case. They've just moved the goalpost and are counting spaces that

weren't being counted before because they weren't licensed spaces.

This—Bill 47 doesn't address the needs for what families are wanting. Families are needing quality, affordable, accessible child care, and this bill does not do that. This bill is actually putting quality, affordable child care at risk, and Manitobans need to know that child care is going to be there for them.

We have seen, in other countries, that when child care is prioritized there is better outcomes for children, better outcomes for families. Child—quality child care is an equalizer. Ensuring families have access to quality child care when they need it and where they need it, you have families that are going—you have more people participating in the workforce, and that's just better for all of us.

Look at the nursery school grant program that they've cut. The nursery school program was a targeted program. They cut it under the guise of levelling the playing field. Well, Mr. Deputy Speaker, it wasn't a level playing field, which is why the NDP created the nursery school grant program. It was a targeted program for kids with exceptional needs, new income—new immigrant families, families that are with a stay-at-home parent or for families in low-income areas.

This program was designed to give kids a leg-up going into kindergarten so they weren't so shocked and for kids with special needs that the programming that they need was already in place when they started kindergarten. And this government just threw this out and whipped it up like it was confetti. And that's not what families need.

We heard at committee that what this government has been doing with child care isn't working, and this minister doesn't seem to be listening or doesn't seem to care because child care's not a priority for this government.

Child care is so important for families. We need—they need to know that their children are well cared for. They need—and ECEs need to know that this government will have their back, and this government hasn't.

Look at what they've done during COVID. They said that centres were going to be closed. Then they said, oh, no, centres are going to be open. Then they accused—then they said that there was—the NDP was spreading misinformation, which wasn't the case. I had countless ECEs telling me that the directors, that the child-care co-ordinators were calling them,

saying if they didn't open they weren't going to see the funding, their grant funding.

That's not acceptable. And the former minister never apologized, and I've not heard if the current minister will apologize to ECEs on how they were treated during the pandemic, because it has been one catastrophe from another on how this government has treated ECEs. And that is why ECEs are leaving the sector.

Look at the \$18 million that they gave the Chambers of Commerce to implement with child care during the pandemic. That has been a failed program. It's failed. It has not worked. It did not do what they were wanting it to do and they've doubled down on it, and they've said it's a success. Well, spending less than 1 per cent is not a success. They need to stop, reinvest that \$18 million into child care.

We have been asking—the NDP has been asking, members of the public have been asking, and at committee we were hearing from stakeholders about they want answers to when is the grant funding going to be raised, how are they going to be getting grant funding, what is this government going to do for child care? And there's been no answer. All this government says is they're not taking ideological approach.

Well, Mr. Deputy Speaker, this government is taking an ideological approach because it's privatizing. That is all this government seems to care about is when they don't want to do something they just hand it off to the private sector. And that is not what Manitobans want.

Look at what happened with long-term care. We saw the impacts of having for-profit in the care sector because the for-profit's goal is to make money. And the care sector is not—you're not supposed to be making money off the backs of our children. Who wants to make money off the backs of our children? That is absolutely shameful, and this minister needs to repeal Bill 47 and actually listen to what members of the child-care sector want, what Manitobans want and actually make true, meaningful investments into child care today.

Thank you, Mr. Deputy Speaker.

Mr. Matt Wiebe (Concordia): I appreciate the opportunity to just put a few words on the record here this afternoon, to ensure members opposite have an opportunity to do the work that they need to do before we move on here to further bills.

I did want to rise because this is an issue that's very important to me and it's an issue that's very important to my constituents. As a matter of fact, you know, during the public hearings on this bill, I was—we were lucky enough to have several of the executive directors and early childhood educators from my constituency to join with those from across the province, to come to this Legislature—virtually—to tell this government very clearly what they thought of their child-care plan.

And where they came from and where they started with was the fact that this government, since taking office, has instituted a freeze on the operating grants given to their child-care centres.

Now, this was an issue that was brought to my attention immediately after this government was elected. It was something that was identified as a major, you know, issue in that first year of funding. There's an expectation, of course, that as daycares take on more, that as things become more expensive—inflation, of course—that there has to be some kind of matching ability from the Province to ensure that child care doesn't suffer.

But it was in that first year that they learned that this government would be making that kind of freeze. And that was shameful, Mr. Deputy Speaker, as a starting point for this new government.

But, of course, we know it didn't end there. It was difficult in that first year, but when the second year came around, centres were starting to panic. And when they third year came around, the fourth and the fifth, centres realized that they were going to have to make some really difficult decisions about the care that they were able to provide for the children in Manitoba.

In my constituency, I know that's led to some daycares contemplating closing. In others, it's meant that they've had to turn kids away and especially from vulnerable families. I think those families have probably suffered the most, those kids who have the most needs and the kind of kids that, to be honest with you, Mr. Deputy Speaker, these centres, they want to work with, they want to provide those supports for those children. And if it was up to them, they would bring on more of those children, because that's what their purpose is, is to look after all kids in Manitoba.

But they've had to turn them away. They've had to put off capital improvements. They've had to put off even just basic maintenance that needs to be done in our centres. All of this because the government

refuses to support our child-care centres in a way that allows them to do the work that we expect of them.

And yet, every single day, ECEs across this province come into work. They come into work with, you know, not getting enough pay, certainly not getting the respect from this government, but they come in every single day and do the work to look after our children, allow our economy to move forward, you know, support our families—especially, as I said, those with specific challenges and needs. There's a whole litany of reasons why the child-care sector is so, so important moving forward.

And yet, this government continues to underfund and to put pressures on the child-care centres. And so we heard from them when it came to committee. You know, here in Manitoba, we're one of the—I think the only jurisdiction, as far as I understand, where we invite the public in.

* (14:50)

Oftentimes, you know, I—it's concerned citizens. In this case, it was people with intimate, first-hand, on-the-ground, you know, grassroots knowledge of the functioning of the child-care system. And it was incredibly touching to hear those stories. And so I just want to focus on, as I said, members from my community that came forward, and they put some words on the record.

We heard from Melanie Fraser, who's an executive director for Munro early-learning child-care centre. Melanie and I have worked together now, you know—well, I guess over a decade in my role as MLA for Concordia. And, you know, she's got an incredibly challenging job.

An Honourable Member: That's for sure.

Mr. Wiebe: She's got a whole number of centres—and, you know, members opposite may want to laugh, they may want to make light of the work that our ECEs do, but the passion that I heard from Melanie as well as others was touching.

She talked about how their centres—and they run a number throughout my community and beyond—how they, as I said, they work with some of the more challenging kids and cases. They're talking about how, you know, funding has flatlined, the ability to raise funds has flatlined and the challenges continue to mount. And yet this government gives them no supports.

We heard from Stars of Promise daycare, another daycare in my constituency who's been very active

collecting signatures on petitions, coming down to the Legislature when that was something they could do. They've been active in advocating for the families in their community, some low-income students who otherwise wouldn't have an opportunity to get child care.

There's a whole number in my constituency, of early childhood educators themselves that came down, that said they're burned out, they're stressed, they're working more hours and they're not getting the pay that they deserve. And all of this is happening at a time when the COVID-19 pandemic is—has shone the light on just how important child care is.

I know there's been a push for us to, you know, to emphasize front-line workers, ensuring that they have child care. But that is a wide net, I would suggest, Mr. Deputy Speaker, that cast—that is cast by what we call an essential worker or a front-line worker. There are many people who, for a number of reasons, they need child care. They don't have a choice in their own personal lives.

And so for those child-care centres to make accommodations, to change things up, to, you know, pause some spots and put more emphasis on others—there's a whole number of different ways that this government should be supporting them. And yet the child-care centres have gone out and done that work despite this government, not because of it.

And that's a frustration. That's a frustration because child care, you know, is something that I think we all agree—I mean, we talk about this, we've been talking about this for a number of years. There's a time when the investments in child care were chipping away at the number of kids that needed that care, of families that were waiting to get that care.

And yet under this government, what did they do? They went ahead, threw out the list—to the public, anyway, wouldn't let anybody see it—but continued to count those numbers of families, and saw that list go from 10,000 to 12,000 to 14,000 to 16,000, and I think at last count—at least from what we can glean and, of course, we don't see those numbers as the minister should, and the minister should be public about—last we hear, 19,000 families that are waiting for child care.

This is abhorrent, Mr. Deputy Speaker, and it's something that this government should feel deep shame about. And yet, do they? No. In fact, what they do is they bring in legislation like this that further hurts child-care centres, that puts more and more

pressures on them for nursery care, nursery schools, like at Valley Gardens nursery. You know, they're seeing their parent fees increase, and yet no additional funding for their centre.

These are not the steps that a government should be taking, especially during a pandemic, especially at a time when families need it most. So this is just a few examples of just some of the struggles that I've heard of as a representative. You know, when talking to ECEs, hearing some of their challenges and some of their concerns, they were clear at committee. And, you know, I just—I'm not sure how a government can sit there, listen to front-line worker after front-line worker after front-line worker, can listen to those early childhood educators, hear their concerns directly, see the impacts in their own communities.

This minister sees the impacts in her own community. She has an opportunity to pick up the phone and listen to her executive directors of her childhood-care centres. If she was listening and if she actually wanted to do something, she'd realize this bill is—does nothing but hurt early childhood educators.

Now, I could go on and on, Mr. Deputy Speaker. However, I know that there are other members of our caucus that want to put words on the record, and so I'm going to allow for further debate. This is an issue that is important to us. It should be important to the government.

I do hope that they are listening, that they'll realize that this bill is not a good one, is something that they shouldn't be bringing forward. And I do understand that the member for St. James may have some words that he'd like to put on the record.

I invite any member that wants to highlight how this government is failing—and, specifically, in this bill—I invite them to speak now. This is an important topic to all of us. I want to make sure that we give it the attention that it deserves.

Thank you very much, Mr. Deputy Speaker.

Mr. Deputy Speaker: So the next speaker is the honourable member for Tyndall Park.

Ms. Cindy Lamoureux (Tyndall Park): And I just—I'd like to use this opportunity just to share a few words with the House, and maybe the best way to start off is by just expressing a big, big thank you to everyone who came out and spoke at committee.

Mr. Dennis Smook, Acting Speaker, in the Chair

We had a couple of very, very late nights, and people who stayed with us right until midnight, including child-care educators, parents and teachers, and everyone who came to committee really came and shared their personal experiences, their personal stories, really spoke from the heart. It was an interesting committee to be part of, a very different committee that I've experienced in the last five, six years, Mr. Deputy Speaker. So, just want to thank everyone who took the time to come out that night.

I'm also really grateful for all of those who made the time to chat with, not only myself, but all of my caucus staff, as well. And I want to use this as an opportunity to thank my caucus staff because we were able to bring forward some incredible amendments that were successfully passed. And I do think that I should be thanking the minister for accepting these amendments, too.

These amendments—we—with these amendments we want to ensure that children are provided with opportunities to learn. An early-learning child care is, in fact, education. When children are going into child-care facilities, they are learning, and we need to be creating these opportunities, ensuring that this is happening and we need to be recognizing all school-aged children through this.

You know, Mr. Deputy Speaker, here at third reading, I really just wanted to express our gratitude to ECE workers for everything they have done and continue to do. We were seeing it all over all of our social media pages right now, and I'm sure all MLAs can attest to this, but they have been going above and beyond and they have been fighting for their rights. And I think we need to do everything we can to respect this and to acknowledge the incredible work that they are doing. So just a big thank you to all of our early-learning child-care workers.

With all of this said, Mr. Deputy Speaker, we can't support this legislation after everything we've heard at committee. And we are very grateful that the amendments were passed, but there's still just too much that needs to change with this legislation. We want to make sure child care remains public and more inclusive and this legislation doesn't take us in that direction.

So, thank you.

The Acting Speaker (Dennis Smook): Are there any further speakers?

Mr. Adrien Sala (St. James): This is a dark day for child care in Manitoba with the prospect of this bill being passed.

* (15:00)

Manitobans want a government that will ensure they have access to quality and affordable child-care services. We saw that through the pandemic, how important child care is in Manitoba, and this bill does nothing to respond to the crisis in our child-care system in Manitoba. What it does is, for the very first time, allow this government to give public dollars to private child-care centres. It allows for the handover of public dollars to private centres, and it also allows for child-care licences to be bought and sold like any other type of business, outside of the control of the director of ELCC, which will supercharge the privatization of more child-care services in Manitoba.

This is terrible news for Manitoban families. We know the bill also changes the wording on child-care subsidies to, quote, financial assistance, and that will set the stage for this government to move to the use of tax credits, which will again allow them to work towards the supercharging of more of the privatization of more child-care services in Manitoba. And that is absolutely the wrong direction.

We know how disheartening this bill is for so many people in this province who care so deeply about child care. We saw that in that committee that I was fortunate to be part of that the member for Tyndall Park (Ms. Lamoureux) just referenced. That was a really impactful and touching experience to see so many impassioned, brilliant ECEs and others who cared so—people who care so deeply about our child-care sector, coming out to tell the Minister responsible for Families and to tell this government that they are headed in the wrong direction with this bill.

I want to thank the hundreds of ECEs that signed our party's petition to protect child care in Manitoba and to let those folks know that while this bill is likely passing here, or is passing, that we will not give up on fighting for—to protect publicly funded child care in this province and we will continue to do our best to defend our publicly funded child-care sector in Manitoba.

This government has created a crisis in our publicly funded child-care sector. They've created a crisis. The five years of funding freezes that child-care centres have been forced to contend with has created an absolute financial crisis for so many centres who

are just struggling to get by financially, who are fundraising, selling brownies and putting together fundraisers of all types to pay for programming, to pay for snacks, to pay for the kind of things that should be part of core operating costs of any centre that should be covered by funding through the government.

This bill is an absolute disaster for child care in this province. We've seen, especially over the pandemic, just how incredibly disrespectful—how much disrespect this government has for the sector. We saw right from the get-go, at the beginning of the pandemic, the complete and total lack of concern that this government has for workers in the sector, for listening to their opinions about how child care should be delivered in this province.

We saw them threaten our child-care sector and child-care workers, threaten them to lose funding. There has been no consultation at all with the sector. None. And, you know, all of this government's decision making over the last year has highlighted, for so many people who care about child care in Manitoba, just how absolutely disconnected and unconcerned this government is.

And it's clear why: because their plan for child care in Manitoba is inspired by KPMG. It's inspired by failed approaches to child care, which have been proven over and over again to have zero impact in improving quality of care. They've been proven over and over again to increase the costs of care for families.

We know that this government has already set the stage for there being no limits for parent fees, no cap on parent fees for new private centres that come up. That was included in the BITSA bill. They've already set the stage for that.

We can see where this is going, and none of this is set to benefit Manitoban families. And this is saying nothing about what this bill will do in terms of continuing to allow ECEs to remain underpaid, to remain under-recognized for the huge skills that they bring to helping to develop our children, to helping to ensure that our kids can be the best that they can be.

This bill does none of that. It does nothing but set the stage for increased privatization of child-care services in this province. As much as the minister likes to refute that or claim otherwise, there is no way around it; it's completely clear that Bill 47 was written hand in glove with the KPMG report as a piece of legislation that is intended to expedite the privatization of child-care services in Manitoba.

This government is failing families with Bill 47. There are 19,000 people on our wait-list at last time we checked—19,000 people. The solution to that, and the solution to so many of our issues in terms of making child care work for families in this province, is funding this sector adequately, is ensuring that our child-care centres can continue to operate, that they can pay their staff accordingly and that we can ensure that through proper funding of these centres that families can get access to child care when they need it, that they can access child care locally in their communities.

Privatizing child care and increasing the role of private child care will do nothing to ensure that child care is available where families need it, and it is absolutely sending us in the wrong direction. You know, this government's whole thinking around child care I think may be best encapsulated with their recent announcement that they're chopping funding to enhance nursery—the nursery grant program in this province.

That decision alone demonstrates the way that this government perceives child care in this province. Their willingness to take that away, to take away child-care services from hundreds of low-income families—those are the families that ultimately will stand to lose as a result of their decision—was really exemplary in terms of their overall perspective on child care, the importance of child care, how child care should be delivered.

This government doesn't believe child care should be delivered through a publicly funded system; they believe it should be delivered privately in privately run centres that are for-profit. And we know what happens when we allow child care to be delivered in private settings: quality goes down, costs go up. And there is absolutely nothing about privatizing child-care services that will ensure that child care is available where families need it.

So this is a dark day for child care in this province. There's no way that we can support this bill, and I really regret to know that this bill is going to be passed into law today.

I appreciate the chance to put a few words on the record, and I thank my colleague from Thompson for all she's done in fighting against this bill.

Thank you.

The Acting Speaker (Dennis Smook): The honourable opposition—official opposition—the member for St. Johns.

Ms. Nahanni Fontaine (St. Johns): Miigwech, Acting Deputy Speaker, for allowing me to put a couple of words on the record in respect to Bill 47.

Certainly, I want to just take a couple of moments on this, and I think that the member for St. James (Mr. Sala) said it best when he said this is a dark day for Manitoba.

Unfortunately, there have been many dark days for Manitoba since 2016, since the PC caucus was elected. There have been many many dark days where we have stood up in the House with a sweep of legislation that is just so egregious for Manitoba families, and Bill 47 will go down in the Pallister government's history.

*(15:10)

When people go back and they look at what happened during these dark days of the Pallister government, they'll say, oh yes, right, in the midst of a pandemic in 2021, at a time when Manitobans were already 14, 15 months in a pandemic, already dealing and struggling with a myriad of different—in a myriad of different ways, on this day—what is the date here—on May 19th—Wednesday, May 19th, 2021, Bill 47 received royal assent along with a whole host of other bills.

I just—I mean, I know that folks won't be able to see this, you know, those Manitobans that are watching this riveting TV, but here is a list of all of the bills that are coming up in the next two days for what is called—

The Acting Speaker (Dennis Smook): I would like to remind the member for St. Johns that exhibits or props are not allowed in the Chamber, just to let the member know. So you may continue.

Ms. Fontaine: Okay, miigwech, Assistant Deputy Speaker. I was simply just highlighting or showing the list of bills that the PC caucus has us voting on and receiving royal assent today and tomorrow.

And there's so many bills. I have it under good authority that actually the—many folks in this building haven't seen this many bills come before the Manitoba legislative before, and so many of these bills are so bad for Manitobans, including Bill 47, the early learning and child-care tax bill.

You know, again, I want to quickly go back about, you know, putting forward legislation that impacts on Manitoba families in such a real way. We know that, since the Pallister government came into power, we know that the levels of—or the numbers of child-care

spots that are required in Manitoba has grown exponentially. We know that that number is somewhere, you know, 19,000—I don't have the exact number, but around 19,000—in between 19,000 and 20,000 spots that are needed.

And, you know, I suppose members opposite can, you know, look at that and just kind of understand it as whatever, just some numbers. But behind each and every one of those numbers is a family, is a family that is trying to do the best for their children, and part of that is finding a job, working, going to school, getting training, you know, whatever it may be. Their families need daycare for a variety of different ways.

And so behind each and every one of those numbers is a Manitoba family that is trying to do the best, but that this Pallister government is standing in the way of putting that forward and standing in the way of Manitobans having the resources that they need to be able to do what is in the best interest of their children. And Bill 47 is a part of that.

And, you know, Deputy—or Assistant Deputy Speaker, thank you for this time. I think that it is pretty clear and pretty obvious that, on this side of the House, we will not be supporting Bill 47, and if—I think that if the members opposite want to do what's right today, today and tomorrow, they will get up, they will stand up in the House and they will vote against their own legislation.

This whole sweep of legislation that they have, they'll vote against it, because they know they are not doing what is in the best interest of Manitobans, and in this case they're not doing what's in the best interest for Manitoba children. So I encourage them to vote against their own legislation.

Miigwech. That's it.

The Acting Speaker (Dennis Smook): Are there any further speakers to this bill?

Is the House ready for the question?

The question before the House is concurrence and third reading of Bill 47, The Early Learning and Child Care 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 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.

Recorded Vote

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

The Acting Speaker (Dennis Smook): A recorded vote has been called for. Summon the members. Bring in the members.

* (15:20)

The question before the House is concurrence and third 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, Eichler, Ewasko, Fielding, Friesen, Goertzen, Gordon, Guenter, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pedersen, Reyes, Smith (Lagimodière), Squires, Stefanson, Teitsma, Wharton, Wishart, Wowchuk.

Nays

Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lindsey, Maloway, Marcelino, Moses, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliw, Wiebe.

Deputy Clerk (Mr. Rick Yarish): Yeas 30, Nays 20.

The Acting Speaker (Dennis Smook): The motion is accordingly passed.

CONCURRENCE AND THIRD READINGS

Bill 10—The Regional Health Authorities Amendment Act (Health System Governance and Accountability)

The Acting Speaker (Dennis Smook): We will now move on to Bill 10, The Regional Health Authorities Amendment Act (Health System Governance and Accountability).

Hon. Heather Stefanson (Minister of Health and Seniors Care): I move, seconded by the Minister of Justice (Mr. Friesen), that Bill 10, The Regional Health Authorities Amendment Act (Health System Governance and Accountability); Loi modifiant la Loi sur les offices régionaux de la santé (gouvernance et obligation redditionnelle au sein du système de santé), reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion presented.

* (15:30)

Mrs. Stefanson: Certainly pleased to rise in the House today on third reading of Bill 10.

I want to just take this opportunity first to thank all of those people who came out to committee and spoke on this bill. And certainly it was a long evening, but we heard some very good, passionate stories from many Manitobans, and most of whom were in favour of some of these changes that are taking place in Bill 10. So I just want to thank all of them for coming out and taking the time.

Mr. Deputy—Acting Deputy Speaker, Bill 10 will amend The Regional Health Authorities Act and a number of other acts, consistent with the blueprint for the health system transformation, to provide the legislative framework to support the transformation.

In particular, Bill 10 supports the health transformation principles of improved and effective health services, role clarity and accountability for Shared Health, CancerCare Manitoba and the five regional health authorities and seven major organizations that provide health services to Manitobans. Clarifying the respective roles of organizations involved in the delivery, administration of health care are foundational to the success, the over—of the overall transformation.

Numerous studies of Manitoba's health system have concluded that the health system is overly complex and, in many cases, acts as a barrier to effective

and efficient delivery of services. All these reports have correctly concluded that our health system is not delivering the results Manitobans expect and deserve for the size of the investment being made.

This bill will rename The Regional Health Authorities Act as the health system governance and accountability act. It streamlines the legislation so that each of the seven major health-care organizations operate under one piece of legislation.

Shared Health, working with the regional health authorities and CancerCare Manitoba, will lead provincial planning and the integration of clinical and preventative services and provide co-ordinated clinical and administrative support services. It will also transfer the operations of addictions—of the Addictions Foundation of Manitoba to Shared Health, with some addiction services to regional health authorities on a date to be seen by proclamation. These changes will enable the integrated planning, delivery and performance measurement of a mental health, addiction services within Shared Health.

For CancerCare, the organization will continue to have the same responsibilities, duties and authority that exists under The CancerCare Manitoba Act. This legislation will also ensure CancerCare works with Shared Health and the regional health authorities to provide more seamless care for Manitobans, wherever they live across the province.

As a result of this legislation, CancerCare will be able to focus its resources on the delivery of vital health services and life-saving cancer drugs to Manitobans because it will be able to save money by using more efficient shared clinical and administrative support services provided by Shared Health.

Overall, the amendments will also require that all accountability agreements be published on the health authority website and the Manitoba Health and Seniors Care website to ensure transparency for the public.

This legislation will also enable the standardization of service purchase agreements. Ultimately, other jurisdictions in Canada and across the world have achieved significant improvements to patient care and system sustainability by implementing similar changes that realign the health system with the actual health needs of the population.

Mr. Acting Deputy Speaker, these changes will simplify the system, allowing for increased focus on

the delivery of service across the province and consistent standards of care for all Manitobans, and we certainly look forward to this bill passing.

Thank you very much, Mr. Acting Deputy Speaker.

MLA Uzoma Asagwara (Union Station): I have to say, it is timely that there's another opportunity for me to put a few words on the record in regards to Bill 10.

Certainly, this is not a bill that we would like to see passed. I actually would argue that members opposite are probably reflecting on this bill, reflecting on their decision-making during this pandemic, reflecting on ICU patients in Manitoba being sent away to the ICU in Thunder Bay. I'm certain that they're reflecting on this bill, and they're thinking to themselves, you know what, we actually don't think this bill should pass, either.

But, unfortunately, it has been clear, it has been amplified during this pandemic that there is such an unwillingness to be accountable—an inability to be self-aware and self-reflect in that PC caucus—that I doubt a single member of that side of the House will do the right thing, look at Bill 10 and say this is a bad idea.

This is a bad idea. If there was ever a concrete example—a moment in time—that illustrates just how bad of an idea Bill 10 is, it's what we see happening in Manitoba right now with ICU patients being flown or driven—we don't know the answer to that because the Minister of Health wouldn't provide that when asked, we don't know how those ICU patients are being transported or were transported—to ICU beds out of province.

But if there is ever a timely, tangible example as to why a bill that would give the Minister of Health the authority to determine how hospitals, how health authorities, can acquire equipment, it's what we see happening today; it's the fact that foundations are pleading for donations of ventilators right now in Manitoba—that perhaps the Minister of Health isn't the person who should be approving whether or not health authorities can acquire certain pieces of equipment.

It is because one day the Minister of Health will talk about system capacity and how there is some and in a matter of hours it becomes quite obvious there's less than zero, that perhaps we shouldn't be allowing a bill to even be brought forward by this government, where each health authority must enter into an agreement—sorry, an accountability—I just—I missed the word accountability because that has no place being

in any piece of legislation brought forward by that caucus—but in fact, here it is: accountability agreement with the minister and prepare an annual strategic and operational plan for the minister's approval.

Mr. Acting Deputy Speaker, an operational plan for the minister's approval? A plan? At every stage of this pandemic, where we've seen this government has a complete inability, a level of incompetence in regards to planning that I think alarms probably every Manitoban at this point—certainly today when we see that they wholly failed to plan to expand ICU capacity to keep sick—some of the sickest patients in the province close to home to receive care—we actually—they actually expect us to believe that Manitobans should trust them to plan?

I've spoken to Bill 10 a number of times. When I was newly elected, this was one of the first bills that I actually was briefed on, and having never been briefed on a bill before, I was—it was really thick and I was like, wow, this is serious. Bill 10 is—there's a lot in it.

* (15:40)

And there is a lot in it. But, having spoken to this bill, put words on the record in regard to this bill several times, I really cannot emphasize enough how important it is for us to recognize that the powers this bill will give the Minister of Health and the government are not powers that they have the capacity or the—what's a term that I can use right now that isn't rooted in my abject disgust with what's playing out in our health-care system and affecting Manitoba patients? They don't have the capacity, the ability, the integrity to care for Manitobans in a way that they're claiming this bill would allow them to provide care.

And I don't say that lightly. I say that as someone who is talking to Manitobans who are patients in the health-care system, who have loved ones in the health-care system as patients, who are working in the health-care system as health-care aides, nurses, doctors, environmental workers, counsellors, therapists, physiotherapists, occupational therapists, recreational workers, housekeeping staff, ward clerks—talking to them all.

It has become markedly clear that Bill 10 actually puts the health care of Manitobans at even greater risk. They have done so much damage already. So much damage already. And Bill 10 gives them, by way of law, the ability to do so much more and to do so without any actual accountability in place.

This bill references accountability, but what, in fact, it does, it eliminates mechanisms that provide for transparency, for accountability; it centralizes power, decision making; it removes the ability for local voices to contribute to decision-making.

Talk to any one of my northern caucus members, those folks who actually talk to their constituents, they listen to their constituents, they know what's going on in health care in their communities: impacts of this government's decision-making already being felt in rural Manitoba, northern Manitoba. They've already rolled ahead in terms of their phase 2 of their health-care transformation, and every single person I've talked to at a local level has made explicitly clear their voices aren't being heard. Bill 10 is going to silence those voices who have had to work tremendously hard to be heard under this government.

There's really not a whole lot more, to be honest with you, Mr. Acting Deputy Speaker, that I need to say. It's really, over time, it's all been said. But I will reiterate that, as evidenced by the events of today, Bill 10 is a bill that this Minister of Health should just go back to her caucus and say, you know what, this is not a good idea. I've reflected, I realize that there isn't anyone in our caucus, like, just, that would show a level of self-awareness. There isn't anyone in our caucus who should have those kinds of powers. I certainly shouldn't have those kinds of powers. There's a lot of damage we've already done. Perhaps we shouldn't give ourselves a mechanism to do even more.

I say that knowing full well that a minister who can't even face media, who tries to avoid facing media on the day where Manitobans have been sent out of province to receive care in ICUs somewhere else—a level of resistance to accountability that if they're willing to reflect on, they'll make the right decision and they'll remove Bill 10. They'll just say we're not going to do it, we're not going to do this.

So, on the day where all Manitobans can see clearly and plainly that this government is completely disingenuous with their rhetoric on health care, that, in fact, they're committed to actually decimating our health-care system, unfortunately, and driving health-care workers who love health care right out of it—maybe some health-care workers are now going to go say you know what, maybe there's good work for us in Thunder Bay. Who knows? I've talked to nurses who have left Manitoba altogether, who've left the profession altogether thanks to this government.

On this day, where we're seeing the direct impacts of their terrible decision-making and harm to our health-care system, all I can say is that this is a bad bill. It's unfortunate they ever brought it forward; it's even more unfortunate that they won't just do away with it altogether.

Hon. Jon Gerrard (River Heights): I want to put a few records on the word about Bill 10, which deals with putting in place Shared Health and making many, many other changes to the management, the governance and the administration of health care in Manitoba.

The first thing that I will say is this: the changes that the government has brought in have now been thoroughly tested in the pandemic, and they have come up short.

We have found that there has been very poor human resource management. We see this with the many nursing positions which are unfilled. We see this with a government which has scrambled at many times during the last year and a half with health-care resources.

We see this in the way that people were moved from one position to another at time of crises; that people, for example, were taken out of home care and people who were receiving home care were left adrift with no other choice sometimes but to go into a personal-care home because the home care that they had been receiving was all of a sudden gone.

We can see the shortfall in the shortage of surge capacity, and that has been seen clearly in a number of areas but very clearly today, when we have had to move people from our intensive-care units to Thunder Bay for care because we have run out of space. One of the essential components of a health-care system which is working well is that that surge capacity be in place.

There is unclear lines of responsibility between Shared Health and the regional health authorities, and this clearly needs to be addressed.

There has been a poor capacity to involve Manitoba experts in infectious diseases and emergency medicine in the management of the COVID pandemic and in the—their involvement with regard to research and—which is critically important during the pandemic. I tabled FIPPA's which showed that the government has no research advisory committee for COVID. The government doesn't even know what research—clinical research—is going on in the province during the pandemic.

It's a poorly managed situation and shows the deficits in this bill and in the changes the government has made.

There is a poor capacity to involve ethicists and others in triage. Instead of us having a triage protocol in place, we are now in the middle of a crisis, having to shift people from our ICUs out of province because we have run out of capacity, and we still don't have any triage protocol. And the government is saying, well, we can always add more capacity; but it turned out today they couldn't. And so, critical decisions and a triage protocol are clearly essential.

There has been poor performance in addressing addictions and mental health, in spite of the fact that the government said this was what these changes were all about. We've had a dramatic increase in opioid deaths, we've had circumstances where there's clearly not enough detox beds and capacity to treat addictions and mental-health issues. There has been a doubling of the wait times—perhaps more—for eating disorders, one of the most serious from the mortality rate of mental health issues.

* (15:50)

The government was not ready for the second wave. We saw that with the tragedies, the disasters in personal-care homes and in a variety of other matters. The government has not been ready for the third wave, and we see this in the fact that we have the highest per capita rate of infections in all of North America. There are thus so many shortfalls as a result of this transformation that they speak loudly on the deficits in the government's area of planning.

Government talks about accountability but really hasn't put in place accountability mechanisms. And if you really want accountability, you have to have funding based on services delivered rather than the approach of global funding that the government is using at the moment.

So, with those few comments, Mr. Deputy Speaker, we will not be voting for this. We will be voting against it. It has not proved to be a smart move or a smart transformation, as the government has demonstrated so clearly by its performance during this pandemic.

Thank you.

The Acting Speaker (Dennis Smook): Is the House ready for the question?

Some Honourable Members: Question.

The Acting Speaker (Dennis Smook): The question before the House is concurrence and third reading of Bill 10, The Regional Health Authorities Amendment Act (Health System Governance and Accountability).

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.

Recorded Vote

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

The Acting Speaker (Dennis Smook): A recorded vote has been called for. Call in the members.

* (16:00)

The question before the House is concurrence and third reading of Bill 10, The Regional Health Authorities Amendment Act (Health System Governance and Accountability).

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, Reyes, Smith (Lagimodière), Stefanson, Teitsma, Wharton, Wishart, Wowchuk.

Nays

Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lindsey, Maloway, Marcelino, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliv, Wiebe.

Clerk (Ms. Patricia Chaychuk): Yeas 30, Nays 19.

The Acting Speaker (Dennis Smook): The motion is accordingly passed.

**CONCURRENCE AND THIRD READINGS—
AMENDED BILLS**

(Continued)

**Bill 54—The Personal Health Information
Amendment Act**

The Acting Speaker (Dennis Smook): We will now move onto Bill 54, The Personal Health Information Amendment Act.

Hon. Heather Stefanson (Minister of Health and Seniors Care): I move, seconded by the Minister of Justice (Mr. Friesen), that Bill 54, The Personal Health Information Amendment Act; Loi modifiant la Loi sur les renseignements médicaux personnels, as amended and reported from the Standing Committee on Legislative Affairs, be concurred—and be now read for a third time and passed.

Thank you.

The Acting Speaker (Dennis Smook): It has moved by the honourable Minister of Health and Seniors Care, seconded by the Minister for Justice, that Bill 54, The Personal Health Information Amendment Act, as amended and reported from the Standing Committee on Legislative Affairs, be concurred in and now read a third time and passed.

Mrs. Stefanson: Bill 54 will update The Personal Health Information Act to implement recommendations that came out of most recent statutory review of the act. The amendments in this bill will help us continue to ensure that personal health information and its confidentiality is protected 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.

The Ombudsman provided feedback respecting the proposed review period and the need to promote timely modernization of access and privacy legislation. Based on this feedback, we have amended the comprehensive review of the operation of this act, which involves public representations to be conducted within five years.

This is consistent with the current approach of establishing the date for each subsequent review through the amendments of the act resulting from the

review. This will also ensure that there is an appropriate timeframe between the implementation of review recommendations and the next review.

Mr. Deputy Speaker, we look forward to the passage of this bill.

Mr. Doyle Pivniuk, Deputy Speaker, in the Chair

MLA Uzoma Asagwara (Union Station): Mr. Deputy Speaker, I welcome the opportunity to put a few words on the record, once again, about Bill 54. I'd like to thank members opposite for their applause as I stood up. I know that they're very excited to hear what I have to say about this.

* (16:10)

So, there's not a whole lot I'm actually going to say about Bill 54, but, you know, I think what's important to highlight is a bit of a trend and a theme that we see with this government in regards to legislation that specifically seeks to—they say seeks to address the efficiencies in the system or inefficiencies that may've existed in the system.

I am glad that the minister did choose and agree to amend, rather, the aspect of the bill that was to review, rather, the act every 10 years and they reverted back to the five.

And why that really stands out to me and I think it's really important for us to talk about that specific aspect of the amendment, because, in fact, when I was briefed on this bill and I asked why they were looking at extending that review period to every 10 years, the response from the minister was that, you know, the reality is that there's—it takes a lot of work and a lot of resources to perform those reviews and that by the time those reviews were done and they would go on to implement the recommendations that came from that review, so much time had lapsed that it was inefficient.

And so this decision to not extend it to the 10 years is a good decision, but it does beg the question, what does the minister intend to do to address the capacity issue that was at the root of the initial clause at the—in the first place?

You know, so often—and again, I'll reference today's events in our health-care system where we see folks being sent off to Thunder Bay ICUs because there's less than zero capacity in our own health-care system to provide care at home because the government refused to adequately resource the health-care system in order to prevent these kinds of outcomes.

What efforts is the minister making to ensure that if this act is going to be reviewed every five years, the problem that she identified at that briefing has been addressed? Or are they just throwing their hands up in the air and accepting that every time this five-year review comes around, there's not going to be enough human resource?

Well, actually, I think I know what they're anticipating. They're anticipating it's going to be our issue to deal with in a couple of years which we'll address adequately and appropriately, of course.

But the reality of it is if the minister is going to revert back to the every five years, which is a good thing, she should be very confidently and, quite frankly, excitedly articulating and laying out for us how they plan to address that human resource issue.

And that continues to be a shortcoming of this government. They can identify where there is maybe a gap or a lack of capacity somewhere in the system, but they refuse to address that area of concern. They refuse to invest to make sure that capacity is actually developed, and inevitably it just creates huge problems that affect everyday Manitobans.

Doesn't affect any of them; they're fine. They come in and out of here and they pass horrible pieces of legislation and they navigate things hunky-dory because they have a tremendous amount of resource available to them. But there are many Manitobans, including very vulnerable Manitobans, who'd be affected by this bill who do not have that.

And so I would implore the minister to invest in those resources being established and—so that we don't see a redundancy in this area of concern that was raised at that briefing level and has been identified very clearly.

The only other thing that I'll say is that, you know, the minister has yet to identify how vulnerable Manitobans who seek to access services under this act would be provided the adequate resources to do so.

You know, there's an aspect of this bill that's concerning because it allows the government to consider a request abandoned altogether if, in the opinion of co-ordinators, a person fails to provide information necessary to process their request. It's very subjective and it's something that, you know, a lot of vulnerable Manitobans may be put at risk in regards to this and have their request just outright abandoned because they're deemed to have failed to provide the adequate information that is required.

So, you know, this bill does actually seem intent on moving us away from the direction of increased transparency, moving us away from the direction of an effective ability to implement recommendations that make things better for Manitobans. You know, there's some similarities between this bill and Bill 49 in that regard. And, unfortunately, a lot of those questions today just haven't been answered at all by the minister. At committee level, many folks brought forward their concerns on exactly those points. They didn't receive any clarification there either, which is disappointing.

PHIA is a really, really important piece of legislation. It's an important aspect of our health-care system, our systems in terms of respecting people's autonomy and privacy and protecting their information. There were some concerns raised about that at committee that the minister wasn't able to address. And, you know, it would have been great to hear her address some of those things in her comments today.

So, overall, you know, I—concerns about this bill that I've asked several times and haven't gotten clarity around, unfortunately, specifically supports for vulnerable Manitobans, specifically around how they plan to adequately resource the department to ensure that folks who are performing these reviews and providing recommendations can do so in a timely and efficient manner. And ultimately, you know, they're creating—they're perpetuating redundancies in the system that they've identified and, unfortunately, have made clear they're unwilling to address.

So I think I'm going to leave my comments at that and say that, you know, again, this is—the last thing I'll say is this is a bill, actually, that I think the Province—the government, rather, the minister could have brought forward and that could have actually addressed some issues of concern, areas of concern, in a meaningful way. This is actually a bill that could have addressed areas around privacy and protection of information, vulnerable persons having greater resource and support to bring forward their concerns and to not be dismissed subjectively and unfairly, and could have made sure that that process for review and implementation of recommendations was enhanced.

And unfortunately, on all of those levels, this bill fails to do so, and that's disappointing, but that disappointment is consistent with the legislation that this government brings forward, unfortunately.

Thank you.

Hon. Jon Gerrard (River Heights): I will speak briefly on Bill 54. I'm pleased that there has been a review completed, that there are being some updates to this bill. I think it's important that we're doing this and that we continue to do this on a regular basis.

I had spoken about the recommendation with regard to the research approval committee at second reading. I think the minister has responded to a number of my concerns there, and hopefully this research community review–approval committee will, indeed, have the diverse representation and the representation of expertise in relationship to clinical investigations that is needed.

I also commented and believe that there may be some concerns with regard to the fact that this bill will make it easier to refuse some requests. Provided that that power is used judiciously, that should not be a problem. I think it bears being watched very closely to some extent. The ability to charge for costs for FIPAs should delay or decrease the number of note requests, which might be an abuse of the system. I think that most people who are putting in a request are trying hard to get information that they seek, and that in some instances, this really just requires talking with the person or having the person get some advice in terms of how best to proceed.

* (16:20)

I know that, at times, the process has not been as clear, and I would hope that on the website that the request for information and the process can be made more clear and more straightforward and easier, so that there will be less uncertainty about requests and that requests which are made will be clearer.

With those few comments, we look forward in the Manitoba Liberal caucus to supporting this legislation and to it moving forward.

Thank you.

Mr. Deputy Speaker: Any further speakers?

Is the House ready for the question?

Some Honourable Members: Question.

Mr. Deputy Speaker: The question before the House is concurrence and third 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.

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, 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, Deputy Speaker.

Mr. Deputy Speaker: The motion has been defeated on division—or, passed on division. Sorry. I was—report—stage report amendments here.

CONCURRENCE AND THIRD READINGS

(Continued)

Bill 13—The Public Sector Construction Projects (Tendering) Act

Mr. Deputy Speaker: So, okay, the next bill that we go to is on Bill 13, the public sector construction projects tending—tendering act.

Hon. Derek Johnson (Minister of Municipal Relations): I move, seconded by the member for—and you might have to help me out here, Mr. Deputy Speaker, because we can't really—oh, Sport, Culture and Heritage, that Bill 13, The Public Sector Construction Projects (Tendering) Act, reporting from the Standing Committee on Legislative Affairs, be concurred in and now be read for a third time and passed.

Mr. Deputy Speaker: It has been moved by the honourable member for Municipal Relations, on behalf of the honourable Minister of Infrastructure (Mr. Schuler), seconded by the honourable member for Sport, Culture and Heritage, that Bill 13, The Public Sector Construction Projects (Tendering) Act, reported from the Standing Committee of Legislative Affairs, be concurred in and now read for the third time and passed.

Mr. Johnson: I'm pleased to rise to speak and provide some final comments on Bill 13.

[inaudible] will fulfill government's commitment to end forced unionization on major infrastructure projects by ending that public sector entity

tendering processes are unbiased with respect to unionization status of bidders and their employees.

This bill will also increase competition in the bidding process and help ensure that the best value for money is obtained on provincially funded construction projects. In addition, this legislation will prevent public sector entities that have awarded work on a construction project to an open shop contractor from requiring the contractor or their employees to pay dues or fees to a union in respect of their work on this project.

Public sector entities *[inaudible]* provides a level playing field for all bidders, regardless of their labour relations model that they decide to use and ensures that they are evaluated on the criteria that Manitobans would expect: their ability to provide quality work on time and on budget.

This bill is about fairness and equal opportunity for businesses and workers in Manitoba and across the country and aligns with our government's commitment to reduce barriers to trade. By opening up contracts to greater competition, we can expect more competitive pricing and savings for our taxpayers.

This bill also respects workers' rights to choose whether they want to be represented by a union and their relations with their employer. Where workers have chosen not to be represented by a union, they should not be required to join a union or pay dues to a *[inaudible]* being able to work for their *[inaudible]* on a provincially funded project.

The safety of workers is of paramount importance. I would like to emphasize that this bill will not negatively impact the safety of workers. Workplace safety is protected through provincial legislation and through the contracting requirements when the Province enters into the agreement with the contractors.

The government-wide contract policy sets the standards for all departments to require contractors to adhere to The Workplace Safety and Health Act and certification of a SAFE Work Manitoba-sanctioned safety program, such as COR.

This bill does not set out to lower workers' wages. Workforce wages *[inaudible]* which prevails. I would also *[inaudible]* to highlight a recent request from the Minister of Finance (Mr. Fielding) to stakeholders to nominate members for a working group to update the Province's wage schedules.

I also want to clarify that we do not expect this bill to place vulnerable groups at a disadvantage. There are a number of ways in which workforce opportunities, training and apprenticeship are accessible to *[inaudible]* groups. The government-wide contract policy requires compliance with The Apprenticeship and Certification Act of Manitoba, compulsory trade certification requirements, trade supervision ratios and also compliance with The Employment Standards Code of Manitoba and compliance with The Construction Industry Wages Act of Manitoba.

We believe that Bill 13 has strong support from a wide range of employers and workers, including both unionized and open-shop companies. Many stakeholders have recognized that opening up projects to greater completion—competition will benefit both taxpayers and the construction industry as a whole.

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

Thank you very much, Mr. Deputy Speaker.

Mr. Deputy Speaker: Before we go on to any other speakers, I just want to let the minister know that we had some technical difficulties. You froze up a number of times.

So I was—just wanted to have leave to the House to have the remarks that the minister—to be appeared in Hansard as printed.

Is it agreed from the House to—for there—to be printed in Hansard? *[Agreed]*

So if the minister can send that—his remarks to Hansard, that'd be greatly appreciated.

Mr. Deputy Speaker, I am pleased to rise to speak and provide some final comments on Bill 13.

This legislation will fulfill government's commitment to end forced unionization on major infrastructure projects by ensuring that public sector entity tendering processes are unbiased with respect to the unionization status of bidders and their employees.

This bill will also increase competition in the bidding process and help ensure that the best value-for-money is obtained on provincially-funded construction projects.

In addition, this legislation will prevent public sector entities that have awarded work on a construction project to an open-shop contractor, from requiring the contractor or their employees to pay dues or fees to a union, in respect of their work on the project.

Public sector entities themselves would also be prohibited from paying fees to a union when a project is awarded to an open-shop contractor.

This legislation provides a level playing field for all bidders, regardless of the labour relations model they use, and ensures that they are evaluated on the criteria that Manitobans would expect—their ability to provide quality work, on time and on budget.

This bill is all about fairness and equal opportunity for businesses and workers in Manitoba and across the country and aligns with our government's commitment to reduce barriers to trade.

By opening up contracts to greater competition, we can expect more competitive pricing and savings for our taxpayers.

This bill also respects workers' rights to choose whether they want to be represented by a union in their relations with their employer. Where workers have chosen not to be represented by a union, they should not be required to join a union, or pay dues to a union, in order to continue being able to work for their employer on a provincially-funded project.

The safety of workers is of paramount importance. I would like to emphasize that this bill will not negatively impact the safety of workers. Workplace safety is protected through provincial legislation and through the contracting requirements when the province enters into agreements with contractors. The government-wide contract policy, sets the standard for all departments to require contractors to adhere to The Workplace Safety and Health Act, and certification in a SAFE Work Manitoba sanctioned safety program (such as COR™).

This bill does not set out to lower worker wages. Workforce wages are protected by The Construction Industry Wages Act, which prevails. I would also highlight a recent request from the Minister of Finance to stakeholders to nominate members for a working group to update the province's wage schedules.

I also want to clarify that we do not expect this bill to place vulnerable groups at a disadvantage.

There are a number of ways in which workforce opportunities, training and apprenticeship are accessible for vulnerable groups. The government-wide contract policy, requires compliance with The Apprenticeship and Certification Act (Manitoba), compulsory trade certification requirements, trade supervision ratios, compliance with The Employment

Standards Code (Manitoba) and compliance with The Construction Industry Wages Act (Manitoba).

We believe that Bill 13 has strong support from a wide-range of employers and workers, including both unionized and open-shop companies. Many stakeholders have recognized that opening up projects to greater competition will benefit both taxpayers and the construction industry as a whole.

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

Thank you very much, Mr. Deputy Speaker.

Mr. Deputy Speaker: Okay, we'll go on to now the honourable member for Flin Flon.

Mr. Tom Lindsey (Flin Flon): You know, it really doesn't matter if this latest minister to talk about this bill has his comments recorded in Hansard because it's just the same old song, and none of it is factually correct. That's the problem. That's always been the problem. That's why we've stopped this bill from passing—what, two, three times already?

But the minister's correct, you know: they had wide support. Well, wide support amongst Merit Contractors, their political buddies and, I guess, the Premier's (Mr. Pallister) friend.

But you know who they didn't have support from was working people, because working people recognize the value of belonging to a union. They also recognize the value that they didn't have to belong to a union but they got to take advantage of the benefits that the union brought for them.

A previous minister of Infrastructure who—said on June 28th, 2016, there is no forced unionization in a project labour agreement. But every minister since then has carried on with the same line, the same nonsense, trying to pretend that there is, when there never was. Never was any forced unionization.

But they are so set on paying off their friends—their friends who contribute to their election campaigns; their friends who, apparently, break the election laws in order to do that. The only one that was found to be breaking the election law was Merit Contractors.

The minister accused Unifor; that was proven to be false. Won't apologize for making those false accusations.

* (16:30)

As long as the money from their buddies pours in from Merit Contractors, they'll keep doing whatever it is that that group wants them to do; pork-barrel politics at its finest. We expect nothing less from this bunch.

So what did working people get—whether they belong to a union or not—on major projects that had project labour agreements? They got proper on-the-job training, they got proper safety protocols and a previous—the Minister of Infrastructure (Mr. Schuler) had previously said, well, it's not up to the government to protect workers in their workplaces, which just is wrong.

It is the government's job. It's the government's job to make sure they have proper regulations, to make sure those regulations are enforced, to make sure that the workplace health and safety act makes sense. Well, who did all of that stuff on projects that had project labour agreements? Well, it was unions. It was unions that ensured that workplaces were safe.

What this government is insistent upon is: always going to the lowest bidder. And you get what you pay for. They're not even concerned about whether that lowest bidder provides jobs to Manitobans.

In fact, everything they did with the New West Partnership and the Canada-wide free trade agreement were to make sure that jobs didn't go to Manitobans, that they went to the cheapest, the lowest bidder—the lowest bidder that didn't have proper standards, the lowest bidder that doesn't ensure their workers get paid a decent rate of pay.

This government and each and every one of those ministers and those backbenchers should be ashamed that they won't stand up for Manitobans. Constantly, they stand up only for money and their particular friends. And this bill is a perfect example of that.

I spoke to building trades, and they appreciated the fact that we'd stopped this bill a number of times, but they also recognized that there were so many bad pieces of legislation in the queue—particularly when it came to workers, particularly when it comes to unions, particularly when it comes to Manitobans—that we couldn't possibly stop them all. And they said, you know what, let this one go this time, because with this bunch in charge, there's not going to be any major construction projects in the next couple of years.

And we're pretty confident after the next election this bunch won't be in charge anymore and we can get this province back on track, back supporting Manitobans, back making sure that projects are done

on time, on budget, which project labour agreements have been proven for years to do just that very thing. And yet this government undercuts that with this bill.

So this may come as a surprise, Mr. Deputy Speaker: we're not going to support this bill. And I could stand here all afternoon and tell you everything that's wrong with this labour legislation and every other piece of labour legislation that they're trying to introduce—well, in fact, pretty much every other piece of legislation they're trying to introduce. But I won't because I recognize that in a couple of years when the right government is back in charge, we can fix this.

So with that, thank you.

Mr. Dougald Lamont (St. Boniface): It's not—well, with this government it is fairly often, but it's not every day that a piece of legislation comes along that takes us back more than 50 years and undoes 50 years of progress. But that's exactly what this bill does.

The claims that are made about what project labour agreements do have been—are simply not true. The idea that—it is not forced unionization; all the claims that people are being forced to do something they aren't is simply not true.

Project labour agreements were originally brought into Manitoba by a Progressive Conservative government of Duff Roblin, and this really shows just how far right this government has gone in that they've completely abandoned something that was once brought in by a really—a great Progressive Conservative premier for Manitoba.

And the reason these project labour agreements were brought in was to make sure the fly-by-night contractors wouldn't end up working on public—especially on public projects that—for us to be putting our money in—for the public to be putting investments into roads, bridges, something that is going to last, you want it to be quality. You don't want the cement to be the quality of oatmeal. You don't want people who are poorly paid who don't know what they're doing.

And the fact is that companies that don't like to pay their—that like to skimp and cut corners on wages often like to skimp and cut corners in other areas, as well. And it really is disgraceful that we're at this point that we are going to be going out of our way to sell Manitobans as cheap as possible because that's what this is about. The idea—the entire idea of this is about driving down wages.

Why do we want to do that? Can—in a province that is beset with poverty, why would we want to tell people who work for a living, you know what, this summer and going forward, you're going to have to fight harder and you're going to be worse paid in the future. It's a complete violation of all the promises, of all the things we're supposed to be—we're told; you know, get trained, work hard, learn a trade, go apply yourself and you'll prosper. This government is cutting the legs out from under working people.

And I will say—I spoke with the folks at Manitoba trades, and they are private sector unions; they are highly trained, qualified individuals. And the difference they make can be the difference between whether a building is safe or it isn't, whether an entire—you'd be—you might have a situation where an entire suburb in Brandon is built without proper gas fitters, so an entire natural gas system is going in without people who are properly trained gas fitters. That's happening because there is no—there isn't enough respect for the training and for paying people properly the way they're supposed to.

And the issue of the private sector unions is I—they told me, they said, look, they have to eat what they hunt, they have to pursue these jobs and compete for them; they are already competing for them. The idea that there is some benefit in Manitoba from undercutting wages is—makes no sense economically because all you're doing is assuring greater profit.

And the fact that this is part of the New West Partnership means that the government seems to be excited about the fact that they're going to drop labour costs for companies that have headquarters outside of Manitoba.

This is part of their—you know, there've been a number of bills where people have mentioned ALEC, which is the American Legislative Exchange Council, and one of the standard bills it has is the so-called Open Contracting Act. It prohibits public agencies from opposing labour requirements as a condition for performing public works. There's a website called alecexposed.org.

And that's—this is one of many bills that have been brought forward by this government that are—basically work from a basic—from a template. They're not—they're—the overall goal is to undermine workers and pay people less, goose profits for the short term at the long-term cost of the economy.

And there's another aspect of this, too, which is just the entire idea that we're somehow better off

competing on price. Guy Kawasaki was a—worked for Apple and he gave an incredible presentation about what he learned from Steve Jobs, and when you're competing on price, you're going to lose. So we're trying to compete on price for construction projects that are going to be going forward in Manitoba.

And when you're competing on price, if you don't have—it means that you're—it's a mug's game because there's always someone else who's going to undercut you, because there's always someone else who's willing to go for that temporary advantage and to have that race to the bottom. The race to the bottom is one that nobody wants to win.

So this is a really disgraceful piece of legislation that undoes 50 years of progress, destroys and undermines the legacy of a decent Progressive Conservative premier and ultimately will hurt the Manitoba economy.

So I'm—for those reasons and others, we will oppose it. Thank you.

Mr. Deputy Speaker: Any further speakers?

Is the House ready for the question?

Some Honourable Members: Question.

Mr. Deputy Speaker: The question before the House is concurrence and third reading of Bill 13, The Public Sector Construction Projects (Tendering) Act.

* (16:40)

All those in—is it 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, 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, Deputy Speaker.

Mr. Deputy Speaker: A recorded vote has been requested. Call in the members.

The question before the House is concurrence and third reading of bill—[*interjection*] Sorry about that. The question before the House is concurrence and third reading of Bill 13, The Public Sector Construction Projects (Tendering) 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, Pedersen, Reyes, Smith (Lagimodière), Smook, Teitsma, Wharton, Wishart, Wowchuk.

Nays

Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lindsey, Maloway, Marcelino, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliv, Wiebe.

Clerk (Ms. Patricia Chaychuk): Yeas 30, Nays 19.

Mr. Deputy Speaker: The motion is accordingly passed.

Bill 18—The Workers Compensation Amendment Act

Mr. Deputy Speaker: So now we'll go on to concurrence and third reading of Bill 18, The Workers Compensation Amendment Act.

Hon. Scott Fielding (Minister of Finance): I move, seconded by the Minister of Justice (Mr. Friesen), that Bill 18, The Workers Compensation Amendment Act, reported from the Standing Committee of Legislative Affairs, be concurred in and now read for a third time and passed.

Motion presented.

Mr. Fielding: I'm pleased to rise for a third reading of Bill 18, The Workers Compensation Amendment Act.

The Workers Compensation Act requires that a review of the act be undertaken at least once every

10 years. In 2016, a Legislative Review Committee comprised of representatives of labour, employers and the public interest was appointed by the previous administration to undertake this review. The committee received over 100 submissions from stakeholders and thoroughly canvassed the issue they raised. They've made a number of recommendations for legislative changes from its December 2017 report to government.

Bill 18 responds to the recommendations for legislative changes made by the Legislative Review Committee and its—in its report. The bill also contains amendments designed to strengthen the financial and operation independence of the Workers Compensation Board and introduces technical amendments to many provisions.

Mr. Deputy Speaker, I'd like to acknowledge the input of the Legislative Review Committee received from employers and labour, stakeholders, health workplace safety experts and the general public during the course of its review. Further inputs were received at the Legislative Affairs committee discussion of the bill. The contribution of these stakeholders were instrumental in shaping the bill. I'd like to acknowledge the excellent work by the Legislative Review Committee in preparing its report. The bulk of the committee's recommendations for legislative changes have been made their way into this bill.

Key changes for Bill 18 will introduce the act to include ensuring that psychological injuries are adjudicated using the same standard of causation as physical injuries, expanding the Workers Compensation Board's enforcement powers to improve compliance, cratering—creating an employer advisory office, establishing a schedule of occupational disease and reinstating a cap on maximum annual earnings for employers that is basically three times the average industrial wage in the province of Manitoba.

We believe these changes strike an appropriate balance, making it easier for workers to obtain compensation for certain types of injury while at the same time ensuring that the integrity and financial stability of the workers compensation system is maintained as it strives to maintain one of the lowest premiums in Canada, average of 95 cents for every \$100 in wages and salaries.

Finally, Bill 18 also modernizes the workers compensation board of director committee structure and gives the WCB some additional financial and

operational independence from government, in recognition of the fact that the WCB is not part of government and receives no government funding.

Finally, there's some technical amendments to be made to the act by the bill to ensure that this 100-year-old statute remains relevant and responsive to today's workplace.

In closing, I'd like to once again thank the many stakeholders whose input helped shape the bill as well as the 2017-18 Legislative Review Committee.

Mr. Tom Lindsey (Flin Flon): This bill had the opportunity to be a good bill but fell short.

Even when we were at the committee meetings, the minister acknowledged that a lot of good ideas were put forward that night. Did he introduce any amendments to capture those good ideas? No. And there are some things that everybody agrees we can live with that maybe will make something better.

One of the things that the minister introduced is to increase the maximum fine level. And it sounds good on paper. But that's all it is, is on paper, because very seldom—if ever—does anyone ever get fined the maximum amount that's there now.

You know, they had the opportunity—talking about psychological injury—but somehow the definition still talks about a single traumatic event when, in fact, it was clearly pointed out at the committee and other places that a lot of times work-related stress incidents aren't from a single traumatic event.

* (17:00)

Workplace I came out of had multiple fatalities from explosions which caused people that weren't even there the night that maybe they happened to have a reaction eventually. But it wasn't the single traumatic event, it was the culmination of multiple events. And you never know which event is going to be the one that causes that injury. It builds and builds and builds and builds and builds until something relatively minor that the compensation board will rule, no, that's not sufficient to be recognized, will be the one that tips you over the edge.

The minister stands up and crows about having the lowest premiums in Canada. How do they manage to have those low premiums, Mr. Deputy Speaker? Well, claim suppression is a big part of it: injured workers that don't bother filing a claim because of the bureaucracy that goes along with getting a claim accepted. They didn't fix that. In fact, in a lot of cases, maybe this has actually made it worse.

They could have made sure that the Worker Advisor Office was properly staffed and maintained so that injured workers who aren't used to dealing with bureaucracy have someone there to help them. Have they done that? No. But they created an employer adviser office to put resources into making sure that employers can beat a claim. And that's shameful because it assumes that every worker that gets hurt is trying to commit fraud, which is completely unfounded, untrue.

So what else did they not do? Well, there's something they did do. They took away—or put back a cap on how much an injured worker can receive in compensation.

So if you go to work and get hurt, you're going to get penalized—thank you, Mr. Minister. You're going to get penalized for getting hurt at work. You're going to—*[interjection]* Oh, the member says 150 grand is a lot of money. Well, you know what? In some places it is. And a lot of people would like to earn that kind of money. But some people actually earn more than that, thanks to having good union jobs.

So why should they get penalized because they got hurt? They didn't go to work today to decide to get hurt. Through no fault of their own, they got hurt, and this minister decides, well, we should penalize them because that'll make sure that more claims get suppressed, more workers will go to work when they are hurt and get hurt worse because they can't afford—even when they're earning good money, they can't afford to lose that income.

So, again, it's sad that rather than trying to make things better for Manitoba workers, once again, this bill does so many things to make it worse for Manitoba workers, not better.

So when the minister sat at committee and listened to people that made suggestions and suggested things that were wrong, it's unfortunate that he didn't decide to do something about that. There's some hope that things like occupational disease, that the list that's supposed to get developed will actually take into account occupational diseases that workers are exposed to.

Asbestos is probably one of the biggest killers of workers in this province. To get all the diseases that could be associated with asbestos—it's not just asbestosis and 'methotheliomia.' There's certain cancers that are caused by asbestos exposures.

Certainly, workers in mining industries and bus garages are exposed to horrendous amounts of diesel

exhaust. Will those diseases be recognized in this list? Well, we don't know that yet; we haven't seen the list.

So we're not going to vote in favour of this particular piece of legislation because, once again, it fails Manitoba workers.

So while that they've tried to make it look like they've done something progressive by increasing the fine amount, they've actually, once again, done something more regressive, because like I said earlier, that the fine amount becomes inconsequential. It could be \$10 million; if you never utilize it, then it doesn't matter.

And, in fact, when I was the Steelworker health and safety rep, we had a campaign: Kill a Worker, Go to Jail. How many employers in this province have been found guilty and sent to jail? How many employers, after a fatality in this province has taken place, have actually been properly investigated to see if criminal charges should be applied? How many RCMP officers in this province has this minister ensured got proper training to know how to properly investigate a workplace fatality as a criminal offence? I suspect none. I could be wrong. But we know that the number of charges, never mind the number of convictions, is abysmally low as to not really be a deterrent.

You know, I always said that in my workplace, just one supervisor, one manager was put in jail for some of the fatalities that happened there, the rest of them would soon sit up and take notice and they would do what needed to be done.

And a lot of workplaces have become safer, better workplaces simply because they had strong unions that made sure that proper safety protocols were in place that prevented workers from getting hurt.

Unfortunately, it's a sad fact of life that can-workers continue to get hurt at work. And compensation should be there for them, but Workers Compensation has become just another insurance scam that's penalizing workers for getting hurt.

And this minister let working people down yet again in this province by not putting the proper things in place to ensure that Workers Compensation is going to be there, is going to be properly funded, so that workers can get the benefits they're entitled to, so that workers can get retraining in some cases, workers can get the medical care that they need. Rather than instituting another bureaucratic measure to fight against workers getting hurt, they could've ensured that workers are properly compensated.

So with those few comments, I will cede the floor, but shame on the minister for not listening to that committee, to bring in amendments to make this particular piece of legislation better.

Thank you.

Ms. Cindy Lamoureux (Tyndall Park): I just would like to put a few words on the record here. This is an interesting piece of legislation, as it contains some positive content. However, and unfortunately, there's just too much in the bill that is harmful for people who do experience injuries in the workplace, which makes this legislation a piece that we cannot support.

* (17:10)

The part of the legislation that I think is progressive and helpful for Manitoba is the expanding of the definition of accident to include occupational diseases, post-traumatic stress disorder and acute reaction to traumatic events.

I actually think it's really encouraging and a positive step forward that more health conditions are being not only discussed, but actually applied to legislation as it reaches the needs of more people.

With that said, what we can't agree with in this legislation is the government's belief that they can put a price on someone's injury. The bill sets a maximum annual earnings of \$150,000, and, Mr. Deputy Speaker, this isn't fair, considering people who get hurt at work come from all walks of life. People from all tax brackets fall into this, and the member from Flin Flon said this very nicely.

Another part of this legislation that we cannot support is just how unclear it is about people who are injured after 2021. The legislation implies that those who get hurt after 2021 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, this legislation causes way too much unfairness and various forms of inconsistencies, so we will not be supporting it.

Mr. Deputy Speaker: Any further speakers?

Is the House ready for the question?

Some Honourable Members: Question.

Mr. Deputy Speaker: The question before the House is concurrence and third reading of Bill 18, The Workers Compensation 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, please say nay.

Some Honourable Members: Nay.

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

Mr. Matt Wiebe (Concordia): On division.

Mr. Deputy Speaker: The motion has been passed, on division.

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.

Hon. Cameron Friesen (Minister of Justice and Attorney General): I move, seconded by the Minister for Conservation and Climate, that Bill 26, The Human Rights Code Amendment Act, reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. Friesen: I am pleased to put a few comments on the record at third reading in respect of Bill 26, The Human Rights Code Amendment Act.

To review, in 2018 Manitoba Justice commissioned a review of the Manitoba Human Rights Commission. There were 11 recommendations made pertaining to the Manitoba Human Rights Commission. This bill would advance solutions to all 11 of those recommendations.

These changes are designed to improve the efficiency of making a human rights complaint. It's designed to streamline the complaints adjudication process. The sad fact is, Mr. Deputy Speaker, that in the province of Manitoba, it can take two years, it can take three years, it can take four years in the time it takes to register a complaint and to have that complaint work its way through the Manitoba Human Rights Commission.

I spoke to the former chairperson for the Human Rights Commission who indicated they were shocked to find out that this had not been remedied by the former government, Mr. Deputy Speaker. It results in backlog; it results in access-to-justice issues.

So opposition members should know, if they stand opposed to these changes, they stand opposed to working these wait times down, and that, actually, goes right to the confidence that people have in justice in Manitoba and the confidence they have in the Manitoba Human Rights Commission.

So the bill would align Manitoba's Human Rights Code with other jurisdictions across Canada by providing the authority to the Human Rights Commission to decline to investigate complaints that are frivolous, without merit or outside of its statutory jurisdictions. Those common-sense decisions help other cases and other complaints to go forward more expeditiously to be adjudicated, to be heard.

The bill also addresses issues of timeliness and the fairness of human rights hearings by allowing the panel to develop clear hearing procedures and introduce time limits for the start of hearings and issuance of decisions. Those accountability measures are well-founded and they will assist in making improvements to the process.

Also, I would want to note there's an emphasis that is being made in these changes on mediation and restorative approaches. These should be changes that we welcome. They are in line with other jurisdictions. We must avail ourselves of opportunities to ask complainants if they would select a process for less significant complaints that would involve something significant in way of resolution but maybe something less significant than a formal complaints process and hearing.

Also, Mr. Deputy Speaker, the bill caps the amount of damages in one category of award, that being the category of injury to feelings. It would cap that at \$25,000. I would want to make clear, the average complaint where you have an award in this category results in something like \$10,000. So this cap is being set well in excess of the average award. But, of course, there would be—there would continue to be no cap whatsoever to exemplary damages, no cap whatsoever to compensation for financial losses, losses pertaining to expenses or benefits.

I look forward to the passing of the bill and introducing these operational improvements so that Manitobans have quicker and easier access to their rights under the Manitoba human rights system.

Ms. Nahanni Fontaine (St. Johns): I'm going to put just a couple of words on the record in respect of Bill 26, The Human Rights Code Amendment Act.

Before I proceed with my statements, I just want to acknowledge and thank again all of the presenters that we had at standing committee who presented on the bill and shared their expertise and their recommendations and their concerns with Bill 26.

I think that it's no great surprise that on this side of the House we're concerned with Bill 26, like I said earlier in the day, just a hour and a half ago, in respect to the whole suite of legislation that the Pallister government has before the House.

In Bill 26—and the minister just alluded to it—the Pallister government is legislating the—a cap on amounts that can be awarded to Manitoba citizens who come to the Manitoba Human Rights Commission with a human rights violation. And so even before an individual comes to the human rights—the Manitoba Human Rights Commission, even before the Manitoba Human Rights Commission investigates that complaint against their human rights, there's already a cap on the amount of dollars that can be awarded in respect of injury to feelings.

And that is in line with the Premier's (Mr. Pallister) *raison d'être* for doing everything on the cheap. So, even now, in Manitoba, human rights will be done on the cheap. Because if the last 14 or 15 months have proven undoubtedly to Manitobans, is that not even a global pandemic, not even outbreaks in PCHs, not even the—in the inoculation of Manitobans' rollout, not even supports to small businesses that are struggling and closing can make this Premier (Mr. Pallister) and his PC caucus provide and commit to the resources to Manitobans.

* (17:20)

So it falls in line with, like I said, his *raison d'être*, everything that they've done since they got elected in 2016. And so here we are now with, you know, a cap on how to do human rights in Manitoba on the cheap. And, you know, I think that that really discourages Manitobans from coming forward to file or explore their human rights violations when we already know that there is—when we already know that there are—we've got all these measures already put in place legislatively.

And so, you know, in a pandemic, you know, the Pallister government is again still showing their true colours and how they care more about money than they do Manitobans. And in this case they care more about money than they do Manitobans' human rights.

And, you know, speaking of human rights—and I'll keep my comments very short, Deputy Speaker—it's important to point out that for all of the rhetoric, all of the noise that the Premier and his Cabinet and his PC caucus—you know, the space that they take up in this Chamber about being champions of human rights or champions of transparency and accountability and, you know, we care about Manitobans, Manitobans don't see that. Like, in real life, in real experience, Manitobans don't see that from this PC caucus.

And so a really good point is that in January the Pallister government filed an application to the court to review the Human Rights Commission's decision to award \$75,000 to a former corrections officer who was continuously harassed and verbally abused at the Manitoba Youth Centre because of his sexual orientation. And so for the minister to get up in the House and to champion Bill 26 as the beacon of, you know, administrative human rights now, when they appealed to the court to review a judgment on a Manitoban who was—clearly, his human rights were violated.

And again, I remind folks that, you know, the pandemic's been going on for 15–14 or 15 months, and here we have the Pallister government applying to the court to review a Human Rights Commission's decision, which they have the autonomy to do so; that's what the Manitoba Human Rights Commission does. They have the autonomy to do so; they have the autonomy to make those decisions.

And this bill, Bill 26, is about—is nothing more than about ensuring that there are no more judgments that are that high. And so I encourage Manitobans, you know, when you hear the Pallister government or their PC caucus get up in the House, or once we're able to start going to gatherings and go to events, which I know we all miss, and, you know, to hear them in the public domain talk about how they're the champions of human rights and the champions of, you know, A, B, C and D, know that that is not accurate. In fact, it is the antithesis to what the PC caucus—every single member of the PC caucus—has done routinely, methodically, strategically since 2016.

And, you know, we don't have enough time today or even in the next many weeks to go through, you know, the litany of things that the Premier and his Cabinet and his PC caucus have done to actually violate the human rights of Manitobans.

And Bill 26 is just another piece of those violations. It's another piece—it's another piece of evidence to show how little this government cares about Manitobans. And not only to show how little, you

know, this government thinks about Manitobans, it actually illustrates, in real ways, in real time, the disdain that the Premier and his Cabinet and his PC caucus have for Manitobans.

I've said it many times in the House, like, who does these things? Like, who, you know, doesn't want to feed Manitoba children who are struggling? Well, the PC caucus. You know, like, who wants to steal money from Indigenous children in care? The PC caucus. And today, I ask—and again, I can go down so many questions, but today my question is, you know, who wants to ensure that human rights are capped? Are kept capped—that you are interfering in the investigation of human rights for Manitobans, who wants to do that? The PC caucus.

And so while they get up in this Chamber and they applaud this bill and they applaud the Justice Minister, know that they are disrespecting Manitobans. They are disrespecting the history of over 50 years in the development of human rights, in the development of the discourse, the policy, the law, the EU—the international conventions on human rights—that is what the PC caucus is doing today.

And so there's going to be a theme, Deputy Speaker, tonight and tomorrow—or, you know, all day tomorrow, all day today. You know, if the PC caucus really cares about Manitobans—and let me just put this; I'm going to go back to that thought, but let me just put this—everybody and their dog—I mean, even Chilly Dog—knows that we're just waiting for the Premier (Mr. Pallister) to announce his retirement.

Everybody and their dog knows that we're just waiting for the Premier to announce his retirement as soon as he can figure out—you know, in a global pandemic—when's the best time for him to leave? Is it when he's got 75 per cent or when he thinks he's got 75 per cent of the population inoculated? Is it when those cheques go out to Manitobans?

But we know that he's going to retire. And to be honest, it can't be, you know, soon enough for myself. But here, while we're waiting for that announcement, you know, the PC caucus can actually take a stand for every single bill—and maybe not some of the, you know, the, like, kind of administrative bills about fixing some language in the law in some of these different bills—okay, fine.

But on these really, really egregious bills? The PC caucus can today, tonight, tomorrow and tomorrow night get up and say, you know what, we know that our Premier's leaving. We know that he's packed and he's on his way to Costa Rica. We're going

to actually vote against these bills. Let's actually do something for Manitobans, let's stand up for Manitobans in a real way—we're going to vote down these bills.

And that's what they can do; they can do that today. Will they do it? I doubt it, but you never know. Sometimes, you know, people show a little bit of courage. I doubt it, but I would encourage them to vote down these bills—vote down Bill 26; stand up for human rights here in Manitoba.

Miigwech.

Hon. Jon Gerrard (River Heights): Mr. Deputy Speaker, I want to talk for a few minutes about this bill, which deals with human rights in Manitoba.

Human rights are extraordinarily important. We can make a lot of progress in our society by paying more attention to human rights and addressing concerns over human rights more quickly. There is no doubt it has taken far too long to get human rights issues taken before the Human Rights Commission in Manitoba to get them addressed and answered.

* (17:30)

This delay has been a severe problem. I reflect on one instance where the individual who started a case died before his case ever got to a resolution. We need a quicker approach. I suggest that the answer may be making the approach more efficient, but it may also be to make sure that there are adequate resources in the Human Rights Commission to address these cases quickly. I am concerned that, you know, who—there will be important cases which are—be missed, but I respect the decisions of the Human Rights Commission and hopefully this will not happen.

We are very concerned about the capping of awards for injury to dignity, feelings or self-respect at \$25,000. Every situation is unique, is different and I think we need to be very careful in this respect. Awards under this category can be very important in sending a signal that we won't tolerate abuses of human rights in Manitoba. We need to send that signal and it needs to be expressed and talked about and known about that Manitoba is going to stand up strongly and squarely for human rights issues and will punish those instances where there are abuses.

There has the potential to answer issues more quickly using approaches like mediation, and hopefully that would be successful. We think that has a place, but I think that it's wrong to start with putting a cap of \$25,000 because it may, in some instances, mean that people are reluctant to mediate because—for

them because they are well to do—an award of \$25,000 is not sufficient to send a signal that is needed.

We get, in our jobs as MLAs, complaints and regularly we have concerns brought to us which deal with abuses of human rights in Manitoba. And I think that—the offence to human dignity, to self-respect we have seen frequently, sadly, in this pandemic in the treatment of people in personal-care homes. It has been a very, very sad situation, and one which clearly needs to be addressed properly and firmly and well. It also needs to be 'addressed' more quickly than it has in the past so that abuses don't continue and they can be cleared up and practices improved.

It is sad to hear stories of seniors who have contributed to our province over many years being treated poorly in personal-care homes. You know, I want to say that as much as there are problems, there are people who work in personal-care homes who do an incredible job. Sadly, I think we have a shortage of staffing in many instances, which contributes to problems getting worse even when you have good people on the front lines.

So the government, in our view, is making a mistake in introducing this gap of \$25,000. It's not what the average is. It is what the abuse to somebody's dignity and to their self-respect is worth, and in some cases it is worth more than \$25,000. It is the potential size, the upper end, which, quite frankly, is the deterrent. And by reducing that upper end, we reduce the deterrent to the human rights abuses at a time when we have a strong movement continuing for Black Lives Matter. When the abuses in personal-care homes are being exposed as a result of the COVID pandemic, we shouldn't be shortchanging the value of human rights and the importance of people's human rights.

So, Mr. Deputy Speaker, we will be voting against this measure, notwithstanding the fact that there are some improvements of this bill, because we do not agree that this government should be capping the value of human rights.

Thank you.

Mr. Deputy Speaker: Any further speakers?

The question—is the House ready for the question?

Some Honourable Members: Question

Mr. Deputy Speaker: The question before the House is concurrence and third reading of Bill 26, The Human Rights Code Amendment Act.

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

Some Honourable Members: Agreed.

Some Honourable Members: 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, please say nay.

Some Honourable Members: Nay.

Mr. Deputy Speaker: In my opinion, the Yeas have it—[interjection]—Yeas have it, I said.

Recorded Vote

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

Mr. Deputy Speaker: A recorded vote has been requested. Call in the members.

* (17:40)

The question before the House is concurrence and third reading of 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, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Stefanson, Teitsma, Wharton, Wishart, Wowchuk.

Nays

Adams, Altomare, Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lamoureux, Lindsey, Maloway, Marcelino, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliv, Wiebe.

Deputy Clerk (Mr. Rick Yarish): Yeas 34, Nays 19.

Mr. Deputy Speaker: The motion is accordingly passed.

**Bill 27—The Administrative Tribunal
Jurisdiction Act**

Mr. Deputy Speaker: Now we'll go on to Bill 27, The Administrative Tribunal Jurisdiction Act.

Hon. Cameron Friesen (Minister of Justice and Attorney General): I move, seconded by the Minister of Education (Mr. Cullen), that Bill 27, The Administrative Tribunal Jurisdiction Act; Loi sur la compétence des tribunaux administratifs, reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. Friesen: I rise and put a few words on the record in respect of Bill 27.

It was actually the Minister of Education, in his former role as Justice, who brought this very reasonable bill, a pragmatic set of changes that simply asks the question, are all tribunals in Manitoba built the same?

The answer, of course, being no, and thus the changes to The Administrative Tribunal Jurisdiction Act to ensure that Charter challenges are heard by tribunals that are properly resourced, that have the proper and appropriate expertise to make rulings on these types of cases.

So Bill 27 clarifies which administrative tribunals in Manitoba should have jurisdiction to be able to consider Charter or other constitutional issues or grant constitutional remedies.

* (17:50)

Mr. Deputy Speaker, this only makes sense in Manitoba. We have over 200 agencies, boards, commissions who are very diverse. Determining whether a tribunal should possess this jurisdiction is a decision that requires a multitude of factors. Consideration has to be given to practical, functional and structural issues such as the role of the council, the experience and training of the decision maker in Charter or constitutional law issues, the institutional experience of the tribunal, its workload, the time constraints under which it operates. All of these are important.

This bill falls in line with our government's plan to ensure that Manitobans have access to justice, as we just debated in the previous bill. This ensures we've got the right resources, the right competencies that are taking into account—as I said—practical, functional and structural issues to make sure that we can—to make sure that we're giving that proper permission to these

tribunals when it makes sense and when it's as practical.

So I look forward to the passing of this bill so that we can ensure that Charter challenges of all Manitobans are heard by tribunals that are well equipped to determine questions of constitutional law and rule on such matters.

Ms. Nahanni Fontaine (St. Johns): I'm going to put a couple of words on the record on Bill 27, The Administrative Tribunal Jurisdiction Act.

And as I said just 20 minutes ago when I was up on Bill 26, there's a theme that's going to be happening in the next couple of days, 48 hours, and it is this—is that, again, while we are in a global pandemic and under the cover of a global pandemic, the Pallister government, the Premier (Mr. Pallister) and his Cabinet and all of his PC caucus have, you know, instead of pouring their whole attention into protecting Manitobans from a global pandemic, protecting—saving lives, protecting lives, protecting small businesses, giving small businesses the support that they need, protecting workers, giving workers the support that they need if they are sick to stay home—we know that they just brought forward a paid sick leave bill, you know, 14 months after the fact—when the Premier could have been doing all of these things, what we have is a series of bills, a series of—a legislative agenda that has been nothing short of attempting to—or—and legislating the consolidation of power into the hands of ministers.

I mean, we have that with Bill 64, right? So, you know, education will now be literally in the hands of the Minister of Education (Mr. Cullen).

And so, you know, Bill 27 is about the consolidation of power for the government as well and, you know, to consider questions of constitutional law, that will now be in the hands of the Justice Minister, the same individual who utterly failed at protecting Manitobans during the first and second wave of the COVID pandemic. Not only did the Minister of Justice (Mr. Friesen)—the former Health minister—utterly fail at protecting Manitobans, you know, he has shown time and time again he doesn't really care for health-care providers. We know that he questioned their motivations in this very Chamber.

And so while Bill 27 is about the consolidating power for him again to decide, you know, what is a constitutional challenge and to consider questions of constitutional law when they should be concentrating on the pandemic, they are not.

And a really good point is that it's come to my attention in the last couple of minutes that this Chris Sky—and that's Sky–S-k-y–sounded like I said Chris guy—Chris Sky is, in fact, attempting to make his way back to Manitoba for another rally at The Forks on Friday, May 28th at 6 p.m.

And so, you know, while we're sitting here for hours and hours on end debating egregious bills, ridiculous bills, here we have individuals who are coming into our province from other provinces who do not hold—are not holding—adhering to restrictions; they're not self-isolating.

And we have individuals that are coming from other provinces that are specifically coming here in contravention of our restrictions and in an attempt to promote the actual violation of our health code restrictions or public health restrictions.

And so my question—I know it's not question-and-answer period, Deputy Speaker, I get that, but my question to the Minister of Justice is: Will the Minister of Justice seek a—immediately seek a court injunction to prevent another incident at The Forks, like these superspreader events that we saw just a couple of weeks ago? And I know—[*interjection*]

And here we go. Here's the Minister of Finance (Mr. Fielding) chirping about whatever in support of those individuals. I haven't seen any of them come out in great numbers to disabuse things like this.

So will they seek a court injunction and support small businesses so we don't have small businesses closing again and workers off again? And will we see the Minister of Justice (Mr. Friesen), you know, support and encourage the vaccine rollout and the inoculation of Manitobans?

And I—you know, why am I bringing this up in respect to Bill 27? Because the Minister of Justice is in charge of, you know—or should be—or should care about folks who are violating, who are making a conscious effort to violate our public health orders.

And here is an individual—and I will table this for the House for the minister's information so that he has the information, so that on May 28th he can't say, I didn't know about this rally that was being—this anti-vaxxer, superspreader event that was being planned. He's got it now. It's May 19th. It's May 19th at almost 6 p.m.

An Honourable Member: Point of order.

Mr. Deputy Speaker: Order. Order.

Point of Order

Mr. Deputy Speaker: The honourable Minister of Justice, on a point of order.

Hon. Cameron Friesen (Deputy Government House Leader): As the deputy House leader for the government, I'm rising to call attention to the fact that the member is straying significantly from the content of debate this afternoon. I would ask that the member—or, Mr. Deputy Speaker, that you would make a ruling to constrain the member to the debate at hand.

That member has every right to express herself on a variety of issues, but it would be better for the House this afternoon if she would constrain herself to this bill at this time.

Mr. Deputy Speaker: On the same point of order, the honourable member for St. Johns.

Ms. Fontaine: On the same point of order.

I'm not straying. And I love when the men in this Chamber opposite attempt to construct my debate in this House as somehow less or frivolous than any of the men that get up in this.

Deputy Speaker, the fact that I am pointing on—that I'm bringing up in this Chamber right now is connected to Bill 27 in respect of the priorities of the Pallister government. In the midst of a global pandemic, as Manitobans are now put into a third wave with the restrictions and lockdown that are impacting on people's livelihood, jobs and mental health, the piece that I am bringing up is fundamentally connected to that.

And I will just say this, Deputy Speaker, respectfully. It does show once again the Minister of Justice's lack of concern or urgency on protecting Manitobans for him to get up, interrupt my debate in the House to put forward a frivolous point of order.

* (18:00)

Mr. Deputy Speaker: Okay. I want to thank both the minister and the member for St. Johns for bringing the point of order, but one thing we have to say is that it is kind of a point of order, with the relevance of the bill—and we just want to remind all members to have the 'relevance' of getting back and not straying too far away from the actual—the content that actually is in the act of the bill.

So, if the honourable member for—just again, I just want to remind everyone to go to the relevance of the bills. We've got a long—lot of bills to go forward

on this and we just want to make sure that everybody stays relevance to the bill.

* * *

Ms. Fontaine: Let me continue to say this—excuse me, pardon me—just—Manitobans can't trust the legislative agenda that the Pallister government—that the Cabinet and all of his PC caucus, including the Minister of Justice brings forward. They cannot trust Bill 27.

How can we trust that the Premier (Mr. Pallister) is going to do what's legal or even to protect the constitutional rights of Manitobans, which is the gist of Bill 27? How can we trust that the government is going to do that, when they cannot even take care of their own citizens from individuals who want to post—or, who want to organize superspreader events?

And so that is the connection here, Deputy Speaker. And I have a job as a legislature—a legislator to ensure that the minister and all of the ministers here are aware that this event is about to happen, that they're planning to have this event, and then, you know, that they should be doing something to protect Manitobans to stop this superspreader event before it even happens; to stop this individual from crossing into Manitoba, not adhering to the public health orders, and knowingly and willingly and deliberately encouraging Manitobans to break public health orders.

Deputy Speaker, if that's not the job of the Minister of Justice (Mr. Friesen), I don't know who it is. And so if the Minister of Justice can't take just a simple thing like this—like stopping this superspreader event, when we saw what happened last time—how can we expect the minister or the Premier (Mr. Pallister) to do what's right, to do what's legal to protect the constitutional rights of Manitobans? And we can't.

And that's what Bill 27 is doing, Deputy Speaker. It is consolidating that power. It is the Premier, it is the PC caucus who will then determine what is constitutional and whether or not we can even explore those questions. That's why it's important.

Miigwech.

Hon. Jon Gerrard (River Heights): Questions of constitutional law are clearly important questions, and they need to be dealt with properly in the courts or in tribunals.

There are certain aspects of the bill and the debate related to this bill which lead us to be cautious in supporting it. In fact, we will not support it, because, when asked, the minister was unable to provide a clear definition as to what would be considered a matter of constitutional law and what would not be when it was put before a tribunal.

Mr. Len Isleifson, Acting Speaker, in the Chair

There was not even an example given of a matter that would be considered a constitute—question of constitutional law. And while, to some extent, one could argue that it should be self-evident, on the other hand, I believe if the minister can't provide an adequate definition, then, clearly, this bill is not as clear as it needs to be if it's going to be communicated well to people within the judicial system and to people in tribunals.

We are concerned that it might be unnecessarily restrictive in limiting discussion of constitutional issues. We're concerned that it might be used as a way of avoiding certain issues in front of certain tribunals, rather than having them addressed. And we've seen too many instances where people have been passed off: oh, we can't help you here, we can't help you there. And we'd rather see a government which is ready to help people rather than one which is putting obstacles in their way.

So, while we can see, you know, some merit in the potential for possibly limiting constitutional issues, certain tribunals. We don't think the government has done a good enough job in explaining—or in even listing—which tribunals will and which tribunals won't be able to look at constitutional law, so that we could have a fair assessment of the impact of this bill and whether, in fact, it will be, as we suspect, too restrictive in its dimensions in limiting what tribunals can deal with.

So with those few words, Mr. Speaker, we look forward to this going to a vote and hope that the government will see the wisdom of postponing this bill for the time being until matters are better clarified.

Thank you.

The Acting Speaker (Len Isleifson): Are there any other speakers?

Seeing none, is the House ready for the question?

Some Honourable Members: Question.

The Acting Speaker (Len Isleifson): The question before the House is concurrence and third reading of Bill 27, The Administrative Tribunal Jurisdiction Act.

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

Some Honourable Members: Agreed.

Some Honourable Members: No.

The Acting Speaker (Len Isleifson): I hear a no.

Voice Vote

The Acting Speaker (Len Isleifson): All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

The Acting Speaker (Len Isleifson): All those opposed, please say nay.

Some Honourable Members: Nay.

The Acting Speaker (Len Isleifson): In my opinion, the Yeas have it.

I declare the motion—oh.

Recorded Vote

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

The Acting Speaker (Len Isleifson): A recorded vote having been called, please call in the members.

* (18:10)

The question before the House is Bill 27, The Administrative Tribunal Jurisdiction 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, 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, Lindsey, Maloway, Marcelino, Naylor, Sala, Sandhu, Smith (Point Douglas), Wasyliv, Wiebe.

Clerk (Ms. Patricia Chaychuk): Yeas 33, Nays 18.

The Acting Speaker (Len Isleifson): The motion is accordingly passed.

Bill 28—The Water Resources Administration Amendment Act

The Acting Speaker (Len Isleifson): We'll now move on to Bill 28, and the Minister of Infrastructure.

Hon. Ron Schuler (Minister of Infrastructure): I move, seconded by the honourable member—honourable Minister of Municipal Relations (Mr. Johnson), that Bill 28, the water resources administration act, as reported from the Standing Committee on Legislative Affairs, with no changes, be concurred in and now be read for a third time and passed.

The Acting Speaker (Len Isleifson): It has been moved by the honourable minister from 'instructure,' seconded by the Minister from Municipal Relations, that Bill 28, The Water Resources Administration Amendment Act, reported from the Standing Committee on Legislative Affairs, be concurred in and now read for a third time and passed.

* (18:20)

Minister of Infrastructure, you need to unmute.

Mr. Schuler: Third time lucky.

Mr. Speaker, I am pleased to rise again to speak and provide some final comments on Bill 28.

This legislation strengthens 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.

Manitoba Infrastructure's 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 value of these assets, it is critical that the Province takes steps to protect this valuable infrastructure. Collectively, this infrastructure is essential to providing flood protection for Manitobans, drainage to support Manitoba's agriculture sector, recreational opportunities and connectivity 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 costs to repair and remediate this inadvertent or deliberate damage. 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 further stewardship costs for government and increase the quality and longevity of provincial water infrastructure.

The bill also provides clear prohibitions for activities on provincial waterways and specifies the types of activities that can be undertaken with a permit. The bill allows regulations to be developed which would—subject the public consultation.

Furthermore, bill allows the minister to prohibit or restrict public access to provincial water infrastructure through a temporary ministerial order. This will protect public safety where there's 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, including municipalities who recognize that maintaining the quality and health of provincial water infrastructure supports flood protection.

Mr. Speaker, I'm going to read that one more time: municipalities recognize that maintaining the quality and health of provincial water infrastructure supports flood protection for their communities and their citizens, starting with the city of Winnipeg and throughout the entire province.

It also protects agriculture production, a secure water supply and public safety. This isn't just for high-water events or floods, but also when we have low-water events.

As a final comment, I would like to thank all of those who participated in consultations on this bill, and I strongly encourage members of this Legislature to support these important legislative amendments to protect our vital provincial water infrastructure.

This is serious legislation. We must ensure that not just do we have good infrastructure when we have dry times, but that is—it is there, that it is protected and that it is ready to go at a moment's notice when we have a serious high-water event. And I would point all members to this House to Lake Wahtopanah, the river's dams—when we had a one-in-1,000-year rain event and the dam barely held.

This legislation is necessary. It's needed. I ask the Legislature to support it.

Thank you.

Mr. Matt Wiebe (Concordia): It's good to see the minister is prepared today with his notes and willing to actually speak to this bill.

You know, this is, as I've said many times now during this spring session, there certainly is a theme. There's a theme to this legislative session, and it's very clear what it is: it's a disregard for democracy, it's a disrespect to municipal leaders and to rural Manitoba. And this government continues to push ahead with bills like Bill 28, which clearly show that they have no intention in working with other levels of government and instead want to consolidate, bring power to the minister's office, to the Cabinet table, and really cut out any municipal input whatsoever.

In this case, we know that this bill explicitly gives the minister the ability to cut municipalities out of decision making on water control structures and allows them to authorize work without the municipalities' agreement. Section 6(1) currently requires the Province to enter into an agreement with a local authority, but we know that this government wants to end this co-operative approach. The minister would also have the authority to decide who gets what contracts without consulting the affected municipality. On top of this, the minister can still force the municipality to pick up and part—pick apart where—all of the costs.

This bill removes section 7 of the current act, which establishes how contracts should be established between the Province and municipalities for water control works. These provisions are no longer required as the government is giving itself the ability to cut out municipalities, hire the work themselves and then simply bill back municipalities for all or part of the work.

This bill represents a significant weakening of the role of local RMs and also their ability to encourage local economic development, as normally municipalities might contract locally for such work.

Bill 28 also gives significant power to the minister to take property. Previously, the minister was restricted to the requirements under The Land Acquisition Act. This bill removes that, giving broad discretion to the minister.

As we see, the minister and this government continue to introduce bill after bill that legislate a

significant overreach of their authority over municipalities. This raises the question, Mr. Deputy Speaker: why can't the Pallister government simply work with municipalities to come to an agreement on these matters, rather than giving them such-themselves such broad and unbridled power?

I do want to acknowledge that we had presenters on Bill 28. I think this is an important indicator of this provincial government's, you know, disregard for those local municipalities and their authority.

We take a different approach on this side of the House. We want to work with municipalities. We want to listen to them. And in any way that we can, we want to enable them to ensure that the work that's getting done is appropriate for the circumstances under which they see themselves, but also that they are full partners at the table in terms of ensuring that Manitoba continues to be ready for high water events or other such circumstances.

This bill is, once again, an overreach to the power that this government wants to take from municipalities. We stand in opposition to it.

Thank you, Mr. Deputy Speaker.

Mr. Dougald Lamont (St. Boniface): Having reviewed the bill, we do have very serious concerns about it.

I mean, I think it was originally presented as being a bill to deal with the issue of people undermining berms or people undermining flood control infrastructure. But when you look at the breadth of the bill, it's clear that it goes far beyond that. I mean, even the fact that we're talking about government contracting rules are being made more flexible, which is the word that is being used, but only—currently, only local authorities can enter into an agreement with the government. This will—change will allow other parties to enter into such an agreement, which does raise questions about disadvantageous P3s.

But the other is just that when we look at the changes that are being made in terms of contracts, that subsection 19 says all contracts that go to tender—there's currently a requirement that requires all contracts to go to tender—it's now going to be amended to add that a committee of the Executive Council can approve the work to be completed without an invitation to tender, and various other measures which concentrate the hands—sorry—concentrate decision making and cuts through tendering processes, undermines municipalities and passes all these hands—either into the hands of the minister or Executive Council.

* (18:30)

And, again, I think these are, if we're talking about—we really are talking about people taking—clearing mud off, taking mud off a berm, that seems to be trying to swat a fly with a sledgehammer in terms of legislative achievements or goals.

The other is that I know the minister did refer to some of the emergency infrastructure requirements that were made after there was a one-in-a-thousand-year flood in—around the RM of Minnedosa and Neepawa and the RM of Minto-Odonah. It took over a month for this government to declare the required state of emergency for money to start flowing when there were dozens of roads that had been washed out and it was quite urgent. And the other was that municipalities were perfectly willing and prepared to embark on the repairs.

So we will not be supporting this bill. I do think that it takes some—it does not—it is not—it seems to be providing solutions to a lot of problems that are not just clearing mud off a berm.

So thank you very much. We will not be supporting it.

The Acting Speaker (Len Isleifson): Are there any further speakers?

Hearing none, is the House ready for the question?

Some Honourable Members: Question.

The Acting Speaker (Len Isleifson): The question before the House is concurrence and third reading of Bill 28, The Water Resources Administration Amendment Act.

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

Some Honourable Members: Agreed.

Some Honourable Members: No.

The Acting Speaker (Len Isleifson): I hear a no.

Voice Vote

The Acting Speaker (Len Isleifson): All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

The Acting Speaker (Len Isleifson): All those opposed, please say nay.

Some Honourable Members: Nay.

The Acting Speaker (Len Isleifson): In my opinion, the Yeas have it.

Mr. Matt Wiebe (Concordia): On division.

The Acting Speaker (Len Isleifson): I declare the motion accordingly passed, on division.

**CONCURRENCE AND THIRD READINGS—
AMENDED BILLS**

(Continued)

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

The Acting Speaker (Len Isleifson): Next item is Bill 29.

Hon. Kelvin Goertzen (Minister of Legislative and Public Affairs): I move, seconded by the Minister of Conservation and Climate (Mrs. Guillemard), that Bill 29, The Reducing Red Tape and Improving Services Act, 2020, reported from the Standing Committee on Legislative Affairs, and subsequently amended, be concurred in and be read now—be now read for a third time and passed.

Motion presented.

Mr. Goertzen: This bill is an annual bill that our government has committed to bring in to reduce red tape and improve services. It continues our commitment to try to reduce the red tape burden on governments—local governments, businesses, non-profits and its citizens.

In this particular bill, there are 15 statutes that are amended to reduce red tape, in addition to five statutes that are repealed entirely.

Prior to coming into government, it was not a regular aspect of government to review legislation that maybe had become dormant or fallen into disuse or wasn't fulfilling the purposes that it was intended to fulfill when the legislation was originally passed. So there are many pieces of legislation that simply stayed on the books because it wasn't the government's priority to remove them from the books even though they weren't fulfilling their intended purposes.

In this particular bill, just as a few examples, and I know that it's been spoken about at committee, Mr. Acting Speaker, it does streamline the process to add pharmaceuticals to the formulary. So the adding of a pharmaceutical, a new drug, to the formulary puts it, then, under the Pharmacare program and eligible for deductible claiming and ultimately for reimbursement for those who reach a certain threshold. It will improve and make it easier and more quickly have a drug go on to the formulary, and it will follow what other provinces, many other provinces, already do.

In addition, it removes a constitutional provision mandating Manitoba's Court of Appeal to rule on cases within a prescribed period of time. It repeals The New Home Warranty Act, reduces duplication with home insurance products that were already protecting Manitobans and something that has been consulted upon for a very long time.

It does also deal with the issue of tribunal hearings for substitute decision-makers for vulnerable people when all the affected parties agree on the individual, but I do want to make a special point here, Mr. Acting Speaker. You mentioned and I mentioned in my motion that this bill has been amended. It was amended in committee following presentations, and there was two presenters in particular, a husband and wife, a couple who came and made a presentation about this particular part of the legislation, and they raised some, I think, concerns that require additional time for the department that is responsible, the Department of Families to consider.

So, originally this particular part of the bill was to come into force on enactment—on royal assent, sorry, Mr. Deputy Speaker, and that means it would've come into effect probably tomorrow night. We have amended that so that it will only come into effect on proclamation by Executive Council.

So that gives the department more time to review this and to consider the concerns that are raised at committee, which was important for those who raised that concern, but I think also demonstrates the importance of the committee process and the fact that the government—our government listens to those presenters and often acts upon them when it is in the best interest to do so.

So these are just a few of the changes that are highlighted in the bill; others were highlighted at committee and at second reading. And I look forward to this bill passing third reading today and receiving royal assent tomorrow, Mr. Deputy Speaker.

Ms. Malaya Marcelino (Notre Dame): Bill 29 is another omnibus bill that lumps together various bills that don't have anything to do with each other in an attempt to avoid individual scrutiny of the changes being made. This bill amends various acts and repeals five acts with the goal of reducing and eliminating regulatory requirements to streamline government operations and to eliminate committees.

I've highlighted the most objectionable parts of this bill in second reading and in today's third reading, with the small amount of time that I have been given

due to this government's actions to ram through so much legislation, I can only highlight the worst of the worst.

The Government Air Service Act will be repealed. Lifeflight air ambulances, they save lives. Lifeflight airlifts ill or injured patients to nearby hospitals. They're active 24 hours a day, seven days a week. Every day they answer about 400 to 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 ambulance continues to be operated by the government and to serve Manitobans. This act also keeps Manitobans safe through its forest fighting and water bomber program. But with this 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 the Lifeflight air ambulance.

The Province previously entered into two private-sector contracts to deliver this service, which prompted some medical staff to threaten to quit, and some doctors even refused to board the private planes. They originally pretended that these contracts were only temporarily awarded, but repealing this act makes it clear that they're offloading it instead.

Another bad amendment in Bill 29 includes 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.

Bill 29 also includes harmful changes to the adult-to adult learning centres and adult literacy in the province. Bill 29 repeals the requirements for reporting on adult learning centres and adult literacy. This government wants to limit a thorough annual reporting of adult learning and literacy because outcomes in adult literacy have declined under the Pallister government.

Here are some facts from the annual economic development and training report, the most recent one: first, the registered adult learners has declined by 2,306 since the baseline year; secondly, the number of ALC courses completed have decreased by 1,833, compared to the baseline year; No. 3, the number of learners attending adult literacy programs has decreased by 487 compared to the baseline year.

So, right now, rather than trying to ameliorate these results, they're now trying to shamefully cover the—covering them up by reducing reporting requirements.

Functional illiteracy is shockingly common in Manitoba. About 300,000 Manitoban adults do not have the literacy being necessary for full participation in society. This greatly impacts a person, her children, all of us. Higher literacy and numeracy skills help people find good jobs, lifts people out of poverty and often with measurable economic improvements within one year of mature high school graduation.

*(18:40)

It's different for each and every adult student, but it's a process that usually takes three to four years of time because often students need to overcome multiple barriers in order to succeed.

Our current system for adult learning centres is a disorganized patchwork of gross underfunding. I've met with adult learning centres teachers who make \$20,000 per year working full-time. I've met a principal who has to fundraise at churches for pencils and paper for students to use. Less than 1 per cent of Manitoban adults who need this programming are currently enrolled, and the number of learners, registered ALCs and numbers of graduates are now falling. The PC government has actively made outcomes worse. Repealing The Adult Literacy Act removes government accountability for outcomes.

Bill 29 makes amendments to The Pharmaceutical Act, and The Prescription Drugs Cost Assistance Act, and the poverty 'redushon'—reduction strategy act. And, again, these amendments reduce accountability.

I do want to raise the concerns of community advocates of vulnerable persons. I understand that during the reporting stage amendments, the minister changed the entire section that deals with vulnerable persons and that has all been changed to proclamation instead of royal assent, meaning that the section doesn't become law until the government says it does.

This point—this is a slight improvement because this government may never proclaim the sections regarding their harmful changes to the vulnerable persons act, but the truth is that this government should remove this section altogether. Our disabilities critic for the NDP, Danielle Adams, has heard a lot from community advocates regarding this government's move to take away the necessity for single substitute

decision maker applications to go to a hearing panel for assessment.

Currently, the legislation states that every application needs to go to a hearing panel, but this government thinks that hearing panels constitute as red tape in this part of this red tape reduction Bill 29. We heard from the public in committee how wrong the PCs are on this front.

We heard from parents and community advocates, Phil and Brenda Halprin. Brenda Halprin is a member of the hearing panel roster for the Vulnerable Persons' Commissioner's office for the last eight years. Ms. Halprin has participated in or presided over 500 hearing panels for substitute decision-maker applications. The Halprins also have 25 years of experience as parents navigating social services, medical and education services for their daughter.

The Halprins spoke against the PC amendments to the vulnerable persons legislation. They told us the important functions of hearing panels and recommending whether a substitute decision-maker should be appointed and the duration of those appointments. The panels do not have a cost, but it is a—the panels do have a cost, but it is a relatively small cost for the service that they provide the public.

In particular, I remember Ms. Halprin raising the issue of the non-verbal young man with a rough life but no biological family at all, who had fallen through every crack in the system and how she thought how important it is for the Province to ensure that his human rights are safeguarded, for someone to just take a look at that case and hear it, in addition to what's being—been written on paper. But, again, for the PCs, ensuring that human rights of the most vulnerable persons in Manitoba, as this case illustrated by Brenda Halprin, amounted to red tape.

This amendment on vulnerable persons should've been removed, just as with every section in this bill that solely seeks to privatize life-saving public assets and public services, sections that seek to deregulate environmental protections and sections that seek to eliminate accountability in areas this government is failing, including poverty reduction and adult literacy and adult education outcomes.

Thank you, Mr. Acting Deputy Speaker.

Mr. Dougald Lamont (St. Boniface): We also heard many of the same concerns at committee. This is more than just reducing red tape or removing obstacles.

We heard some very significant and powerful testimony from Jim Silver on the issue around adult learning centres and especially around adult literacy, which has been a chronic problem in Manitoba, which is something that has really been swept aside and is incredibly important.

I've said this before, that my grandfather, my father and I all got scholarships at some point in our lives, so we have an appreciation of what the difference that education can make in your life. And there are hundreds of thousands of adult Manitobans who don't have adequate literacy and the impact it has on their lives, on their personal lives. Whether they can read to their children or not at night, how their children do in school, whether they can get a job, whether they can get a raise, the impacts are profound, and I know that this is something that is—that successive governments have struggled with. So it really should be something that is a massive priority for government, and the fact that it's being disassembled is—it's hard to call it anything other than sad.

But we do have other concerns, like The Government Air Service Act. There is no government air service anymore because it's all been sold.

There are questions, certainly, around the fact that the Poverty Reduction Strategy will no longer have to be reported on. And we already saw that in reports under previous—on the progress of poverty in Manitoba has changed profoundly, that the reports have gotten an awful lot thinner. And it seems, again, that it's not just a question of what we're reporting on, but what we're willing to look at, that when it comes to a government making its choices about what it wants to hear and what it wants to see and what it wants to dig into—we know this from the pandemic that if you don't have the information, you cannot make the decisions adequately.

That—people say information is power, but it's much more than that. Is that—the ability, especially for people who do not have their own—who may be vulnerable or are less—have less status or who are marginalized or who are pushed to the edges for a variety of reasons may face challenges speaking up for themselves.

Again, just simply the example of people who struggle with literacy who are adults. That—we can put as many posters and emails and text ads as we want, but they're not going to have an impact on people if they don't actually—if they're not actually able to absorb that information. But it's a two-way street—is that our ability as legislators to be able to make

decisions based on—is—has to be based on the best information.

So this is a choice to not see things and it's a choice to not track things. And when it comes to adult literacy or poverty, these are very important things that we are not tracking, that we're not—we're covering off.

I do want to—I will absolutely give credit to the minister for listening and making the changes to the vulnerable persons. It would be better if we were taking a bigger pause from this other than saying—other than simply saying that we're going to wait to proclaim this legislation. But the testimony from the parents was extremely powerful because we do have a situation in Manitoba where we have—where—and it's everywhere—but where we have to make sure that vulnerable people are accommodated and so are the people who assist them.

So again, that there are a number of—this is a bill that goes beyond cleaning up red tape, it goes beyond removing what are often considered to be obstacles. I don't think reporting on poverty is an obstacle. I don't think adult literacy is an obstacle that red tape that needs to be removed.

So, we will not be supporting this bill.

The Acting Speaker (Len Isleifson): Are there any further speakers?

Hearing none, is the House ready for the question?

Some Honourable Members: Question.

The Acting Speaker (Len Isleifson): The question before the House is concurrence and third reading of Bill 29, The Reducing Red Tape and Improving Services Act, 2020.

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

Some Honourable Members: Agreed.

Some Honourable Members: No.

The Acting Speaker (Len Isleifson): I hear a no.

Voice Vote

The Acting Speaker (Len Isleifson): All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

The Acting Speaker (Len Isleifson): All those opposed, please say nay.

Some Honourable Members: Nay.

The Acting Speaker (Len Isleifson): In my opinion, the Yeas have it.

Recorded Vote

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

The Acting Speaker (Len Isleifson): A recorded vote having been requested, call in the members.

* (18:50)

The question before the House is 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, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Stefanson, Teitsma, Wharton, Wishart, Wowchuk.

Nays

Asagwara, Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lindsey, Maloway, Marcelino, Moses, Naylor, Sandhu, Smith (Point Douglas), Wasyliv, Wiebe.

* (19:00)

Clerk (Ms. Patricia Chaychuk): Yeas 33, Nays 16.

The Acting Speaker (Len Isleifson): The motion is accordingly passed.

Bill 49—The Freedom of Information and Protection of Privacy Amendment Act

The Acting Speaker (Len Isleifson): Move on to Bill 49.

Hon. Kelvin Goertzen (Minister of Legislative and Public Affairs): Mr. Acting Speaker, I move, seconded by the Minister of Finance (Mr. Fielding), that Bill 49, The Freedom of Information and Protection of Privacy Amendment Act, as amended and reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. Goertzen: The purpose of the bill is to increase transparency of public services while ensuring that personal information is protected. This is a bill similar to the PHIA bill, the protection of health information, that undergoes a review by statute every five years, and there is an intake of opinion from the public, from stakeholders and others who have an interest in the pieces of legislation.

Mr. Doyle Pivniuk, Deputy Speaker, in the Chair

With this particular review there is clearly two distinct messages that were heard. On the one hand, of course, there are those who would like to see more information or at least more proactive information released and that, of course, is part of the purpose of the bill. And then, on the other hand, there are those who are concerned about the sustainability of the system itself.

The FIPPA legislation covers more than 340 public bodies that are subject to the legislation and there has been a dramatic increase over the years in terms of the number of requests for information that have been provided.

Some of those requests, of course, are the kind of requests you would expect. Some of them bordered on the issue of vexatious, but often they were coming from, you know, similar entities, Mr. Deputy Speaker.

So, in trying to balance those two interests, the interests of ensuring that there is, in fact, information that is accessible to the public, the information that should be accessible, but ensuring that that system is there for future users of FIPPA, there was a number of things that were done.

I think one of the most important and probably overlooked is that there is more proactive information that is now being disclosed than ever before by this government. Ministerial mandate letters are now proactively disclosed; you don't have to request them. When there is a new mandate letter that is issued, it goes online automatically.

Respectful workplace policy's summary reports, which were initiated by our government in 2018, are posted proactively online, Mr. Deputy Speaker. There are issues that are related to the budget that are proactively put online. And so there's an increase of transparency. Hopefully, that will reduce the number of requests because people don't have to request that information anymore. It is there proactively.

But, still, there are challenges with meeting the different timelines because of the increase of activity.

So the legislation, as originally proposed, increased the response time from 30 days to 45 days, and then if there was an extended period of time, it increased that from 30 to 45 days as well. In addition, the review of the legislation would have only taken place every 10 years.

Following committee, and we heard a number of presenters, including from the Ombudsman who presented a letter to the committee, and I also had the opportunity to meet with the Ombudsman about this particular issue, the bill was amended at committee to reduce that second extension period from the proposed 45 days back to 30 days and to reinstate the five-year review, as opposed to the suggested 10-year review by legislation.

So, again, this is an example of how the government went to committee, heard presenters, listened to those presenters and then reacted with amendments to address some of the concerns that were raised, Mr. Deputy Speaker. It speaks well, both of the government that is willing to listen to those concerns when they come from the public to committee, but also speaks well of the committee process itself, one of only two provinces, I understand, in Canada that has such a provision.

So with that, Mr. Deputy Speaker, I would say to the House that this is a bill that interests all of us, of course, as legislators. All of us have used FIPPA in one time or the other in our legislative careers. It will be reviewed again now at a five-year period. Hopefully, the opportunity to see, then, that the—the—there's been actually quicker turnaround time of information because there isn't a need always to ask for an extension because there's a greater period in that initial period and also because there are more things being proactively disclosed.

Thank you very much, Mr. Deputy Speaker.

Ms. Malaya Marcelino (Notre Dame): Bill 49 changes many of the rules regarding freedom of information requests, which will greatly impact the public's access to critical public information.

This bill gives this government more power to disregard requests based on whether the request is excessively broad or incomprehensible or otherwise not made in good faith. The power of this bill allows requests to be disregarded due to the number of requests made by the same applicant, the body's own interpretation of, quote, frivolous, and, quote, vexatious.

This bill allows bodies to take up to 45 days to respond and to extend response time up to 30 days. It's important to note that the original bill proposed an extended response time of 45 days and it was changed to 30 days upon public pressure. Both the initial response time and the extension response time are currently 30 days, and I'd like to point out that internationally, 10 to 25 days for original, initial responses is common. So we're getting further and further and further away from the best practices and benchmarks internationally and nationally.

Transfer requests have been increased to 10 days from seven, meaning that the total turnaround time could be upwards of 100 days for people waiting for answers, and currently it's at 67.

This bill allows an extension based on, quote, the number of requests made by the applicant or by two or more applicants who are associated within the meaning of the regulations, quote. This bill will allow bodies to make an extension to seek legal advice. Bodies will also be able to make extensions for exceptional circumstances. It will also extend to litigation, not just solicitor-client privilege, which means it's not just legal advice that's protected but the legal proceeding being discussed.

This bill will put us at the back of the pack when it comes to FIPPA response times. All other jurisdictions nationally, including the feds, are at 30 days. This minister likes to note BC's long wait times, but according to the member for Vancouver-Kensington, those wait times are now in the process of legislative review.

Manitobans have a right to access information and they deserve to get responses in a timely manner. But with Bill 49, it takes away citizens' rights and blocks the public's ability to scrutinize this government. The Manitoba ombudsperson, Jill Perron, has written a letter to the minister dated April 14th, 2021. It's available on the Manitoba website and it outlines their serious concerns regarding Bill 49.

The ombudsperson noted that this bill will have significant negative impacts on the citizens' rights to timely access to information. But Bill 49 expands the bounds on which a public body can disregard or extend the timeline for a response to a request for access and that the ombudsperson's authority to review records claimed will be subject to privilege.

The ombudsperson gave examples of how the changes in this bill would impact citizens. They described that citizens' inability to have timely access

to one's own personal information may inadvertently prevent the citizen from accessing appeal mechanisms.

It was also described how Bill 49 provisions would suppress a citizen's ability to participate in local democratic processes given the—and she gave the example of how often citizens seek access to municipal records to help them understand local issues and enable their participation in local decision-making, particularly where there is a financial impact to the citizen. And in this case with Bill 49, the access response is provided after a decision is already made by the municipal council.

The ombudsperson also noted concerns regarding the expanded grounds on which a public body can disregard or extend time limits for requests, and the ombudsperson listed examples under these expanded grounds and how they could negatively impact citizens.

The ombudsperson also provided a report to the public in June 2020. They recounted that 78 per cent of requests were not addressed within the given time limits. And the ombudsperson noted in this report that there's not enough communication, there's not enough documentation, and what they called for at the time was more funding and more resources, not a hollowing out of the existing law, which is what Bill 49 does.

* (19:10)

The ombudsperson's report was based in part on interviews with the freedom of information officers, who flagged the issue of more resources so they could abide by the letter and the spirit of the current law so they could provide the public with the requested information within 30 days. Freedom of information officers and the ombudsperson weren't asking for further extensions or stall tactics to become law, which is what the PCs have done with Bill 49.

At the committee stage, we heard a presentation from Mr. Kevin Walby from the centre of access—from the Centre for Access to Information and Justice at the University of Winnipeg. Mr. Walby is a world-class scholar that teaches and studies freedom of information in Canada and internationally.

Mr. Walby spoke knowledgeably about how and why freedom of information is so important; that the whole point of freedom of information is to allow citizens to see what is happening in government and to scrutinize how a government is run. He spoke about

all the ways that this bill blocks the ability of citizens to access their information.

He described Bill 49 as an attack on democracy itself and how it puts our rights in jeopardy. Mr. Walby called Bill 49 backwards and regressive. He described in detail how Bill 49 will undermine the rights of access for researchers, for journalists, for the opposition and for organized labour in the province.

Specifically, section 13.1 will block research uses for freedom of information. Under 13.1, the public body will have more—much more power to block the access of researchers, including academics but also union researchers.

He argued that the change from 30 to 45 days, plus the additional time for extensions, will have an undue impact on journalists as well as opposition MLAs, as well as lawyers in Manitoba because of how time-sensitive their work is.

Sections 29.1 and 29.2 are against organized labour in the province specifically. The government knows that unions are a major user of freedom of information, so in this section, they will hamstring the ability of unions and workers to know about the conditions of their own labour.

Amendments could have been made to improve and modernize our current FIPPA laws because they were fashioned decades ago. Improvements like digitization of freedom of information access, similar to what is occurring in other jurisdiction, would have been a good improvement.

The expansions of ombudsperson powers—include enforcement powers, you know, this also need to be addressed in Manitoba. That could have been included. Academics have referenced this need. This ombudsman person also noted this need in their June 2020 report and in their letter this past April. Unless the ombudsman gets real enforcement power, public bodies will simply apply these new, over-broad sections in a way that undermines, rather than champions, freedom of information.

But the opposite of improvement and advancements is what is on display here today. Bill 49 is a backwards, regressive bill; it's an attack on democracy and rights and specifically sets out to silence those who scrutinize government operations, including journalists, the opposition and unions. It will negatively impact citizens' access to their own information that they might need for legal cases, for health and for financial purposes and suppress citizens' ability to participate in local democracy.

The Manitoban ombudsperson's report stated their concerns with current FIPPA laws and structural issues, and they've written a long letter stating their serious concerns with Bill 49. This government has not adequately addressed those concerns, since they are charging ahead with this undemocratic bill.

This government should be ashamed of itself for passing this bill. This government should remove any more references regarding open, transparent, accountable government as part of its Progressive Conservative guiding principles.

Bill 49 is unjust; it is harmful to individual citizens seeking their own information; it undermines the ability of others to scrutinize government and those offending sections that have been highlighted by the Manitoba ombudsperson will be repealed within the next government's first 100 days.

Thank you, Mr. Deputy Speaker.

Mr. Dougald Lamont (St. Boniface): We share many of the same concerns as the opposition does. There were some very powerful testimony from witnesses at committee explaining why this is a problem.

Again, the issue of information and being able to make decisions based on information that is accurate and true is critical, and it's as critical for the media and the public as it is for legislators. And this is a bill that weakens the requirements of freedom of information.

There are of course times under any government where freedom of information can be a challenge. But Winston Churchill once lost an election after they—after 1945, in which he was told that had a proportional representation been in place, he would've won. And he objected to proportional representation on the basis that it was not as accountable, and he said the one thing that democracy cannot survive without is accountability.

And ultimately, the ability to hold politicians to account is absolutely critical and to hold not just politicians but the policy makers who make up a government as well, that this issue—what people call transparency or openness—is absolutely critical for maintaining the trust of the public. And I think in—what we've seen in the last few years is a tremendous amount of not just political division, but upheaval. And it is a response to what is a—essentially, a collapse in authority, is that its people do not believe in the authority of institutions they once believed in. And that's a dangerous thing.

It can be dangerous. Sometimes those institutions needs to be reformed, sometimes they need to change,

but if a—and they need to be flexible enough to change and to be able to change based on good information. This is something that's absolutely essential to the functioning of government and to the functioning of democracy in Manitoba.

It is truly unfortunate that the government is weakening this legislation when there all—are already quite major obstacles to being able to get information. That the—there are cases where people have been waiting for freedom of information requests for months or years beyond the deadlines that are set in legislation.

So it's—it—this is an absolutely critical issue. It's very unfortunate that the government is weakening these provisions when—at a time when all these things need to be strengthened.

So we will not be supporting this bill.

Mr. Deputy Speaker: Any further speakers?

Is the House ready for the question?

Some Honourable Members: Question.

Mr. Deputy Speaker: The question before the House is concurrence and third reading of 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.

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 of 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, Deputy Speaker.

Mr. Deputy Speaker: A recorded vote has been requested. Call in the members.

* (19:20)

The question before the House is concurrence and third 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, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Stefanson, Teitsma, Wharton, Wishart, Wowchuk.

Nays

Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lindsey, Maloway, Marcelino, Moses, Naylor, Sandhu, Smith (Point Douglas), Wasyliw, Wiebe.

Deputy Clerk (Mr. Rick Yarish): Yeas 34, Nays 15.

Mr. Deputy Speaker: The motion is accordingly passed.

CONCURRENCE AND THIRD READINGS

(Continued)

Bill 12—The Crown Land Dispositions Act (Various Acts Amended)

Mr. Deputy Speaker: Now we'll go on to bill twenty—12, The Crown Land Dispositions Act.

Hon. Reg Helwer (Minister of Central Services): I move, seconded by the Minister for Agriculture and Resource Development, that Bill 12, The Crown Land Dispositions Act (Various Acts Amended), be now read a third time.

Mr. Deputy Speaker: It has been moved by the honourable Minister of Central Services, seconded by the honourable Minister of Agriculture and Resource Development (Mr. Pedersen), that Bill 12, The Crown Land Dispositions Act (Various Acts Amended), reported from the standing committee of social economic development, be concurred in and now be read for the third time and passed.

The honourable minister of Crown—Central Services.

Mr. Helwer: This bill is part of a new governance model that will allow routine land sale transactions to

go forward in a timely manner, which will benefit Manitobans who want to purchase Crown land from the Province for economic, recreational or other beneficial purposes.

* (19:30)

This bill amends The Crown Lands Act, The Expropriation Act, The Land Acquisition Act, The Public Works Act and The Water Resources Administration Act to make the overall process of land disposition more efficient, effective and transparent.

The changes in this bill do not impact on treaty nor Indigenous rights and will support treaty land entitlement agreements. This bill will create new delegated authorities for land sales approvals. Sales up to \$200,000 can be approved by the department ministers, while sales valued over \$200,000 requiring additional oversight and approval by government.

This bill will also require a new oversight and approvals for lands sold to designated provincial employees. This will need to be approved by the minister of their department and that sales to ministers and senior public servants be approved by Cabinet, regardless of value.

This bill is part of our government's efforts to streamline land sales processes, and it will support a new governance model and red tape reduction that is being undertaken by the Manitoba government.

Thank you.

Mr. Diljeet Brar (Burrows): Thanks for the opportunity to put a few words on record regarding Bill 12, which I think is a bad bill and it's a step towards privatization.

Bill 12 is a step towards centralization of power—or, you can say consolidation of power—and it empowers a single person, the minister, to sell our Crown assets—we can say Crown land—easily.

Previously, we used to have a system in place that requires Cabinet approval for the Crown lands which are under consideration for sale and their value is \$25,000. Once this Bill 12 becomes the law, a single minister would be able to send—sell Crown land worth \$200,000. Not just this, but if the concerned minister gets approval from the Finance Minister, these two ministers, together, can sell Crown lands worth \$1 million.

Not just this—if the government plans to sell Crown lands whose value is more than \$1 million,

then the Cabinet approval is required. Bill 12 also gives powers to the Cabinet to increase this threshold. So, to understand it better, this threshold, which is \$1 million, just after, if this bill passes, it could be \$2 million, \$5 million or maybe 10, 12, 15 million. That could be done at the Cabinet level.

So now the question is, why is the government doing this? Because this government is all about money. This bill suits their privatization agenda. We have seen this government selling parts of our Crown corporation, which is Manitoba Hydro. We have seen this government cutting our health care, cutting our education, privatization of MTS and now privatization of Liquor & Lotteries is on their list.

This government affords to offer education property tax credits to wealthier Manitobans, which used to contribute almost \$800 million to provincial revenue. And we all know that the provincial budget already projects a deficit: over a billion dollars. In this situation, when this government commits or promises to not raise the taxes, where would the revenue come from? It's obvious that the plan to sell our Crown assets is the way to go for this government.

Whenever we ask them this question about the parks, their favourite statement is our parks are not for sale. But the question here is, does this bill, if passed, authorize the government to divest parts of our provincial parks, yes or no? That's the question. And if it does, I clearly understand Manitoba parks are going to be for sale after this bill passes.

This bill is not just about Crown lands. This bill is entitled, Crown land dispositions amendment act, various acts amended. Why is this? We need to understand why this bill amends other bills as well, and these are The Expropriation Act, The Land Acquisition Act, The Public Works Act, The Transportation Infrastructure Act, The Water Resources Administration Act. These are the bills that are going to be amended under this Bill 12.

To me, it sounds like the government plans to sell our hydro dams. Practically, if a private company buys a hydro dam, they would need to—access to it; means they need to buy associated infrastructure: roads and buildings, et cetera. That's why this government is preparing the ground to legally sell off our Crown assets.

Bill 12 helps them achieve their goals. This is, in fact, a matter of concern for all elected representatives and all Manitobans. I got a chance to sit in the committee and listen to the presenters at committee stage.

We had eight presenters. All of them opposed this bill, not even a single presenter in favour of Bill 12.

It's interesting to note that it was a diverse group of presenters, including academics, ex-MLAs, ex-ministers, policy specialists, First Nation chiefs, farmers, organizational leaders, landowners, producers and so on. They were all concerned about this government's intentions to sell our Crown assets.

And when we go through this bill, there's a clause that talks about the sale price. And this bill allows the minister to determine sale price of Crown lands being sold—not only price but also terms and conditions of each sale, exchange or transfer will be set by the minister.

* (19:40)

It's clearly a power grab. It's clearly centralization of power, and power abuse would be likely in this case. That's the concern all the presenters and many Manitobans who contacted us, they showed.

And one of the clauses clearly states the minister may lease Crown lands other than agricultural Crown lands. What does that mean, other than agricultural Crown lands? Would it be parks? Would it be campgrounds? Would it be access roads. Or what? Clearly, this bill gives a lot of power to the minister.

I want to thank all the presenters who participated at the committee level and shared their knowledge and concerns about this bill.

Mr. Deputy Speaker, as you know, we have been, and we still continue to oppose this bill, which is against what Manitobans want, and that is to save our Crown assets. I'd request this government to withdraw this bill today respecting the rights of all Manitobans.

Thank you.

Hon. Jon Gerrard (River Heights): Mr. Deputy Speaker, the situation around this bill is really coloured by the treatment that the government has done with respect to ranchers who were renting, leasing Crown land for their operations.

And many of these ranchers had rented leased land—Crown land, for years and years. They were part of the farm. They had built up infrastructure on this land. They had improved it, and they had bought it under the conditions of the day, which was the understanding that they would be able to do a unit transfer of their right to rent or lease.

And in this way, many producers had built up, essentially, equity in the land, knowing that they could

transfer the lease, do a unit transfer, whether it was to a member of the family or whether it was in a sale of that right to others, that they would have essentially their pension set aside on the basis of how they operated the land. And in order to do this, the producers improved the land, looked after it, showed very good stewardship of the land.

And then along came the present government, and the present government said, no, we're not going to allow you to do any unit transfers anymore. We're going to take away all the money you have essentially accumulated in—for your pension. We're wiping it out with a stroke of the pen and, at the same time, the government said that they were increasing the lease or rental costs astronomically.

So, producers who were doing reasonably, some just struggling, often working on land which was marginal, land which they had improved, now were facing a situation where, in some cases, they were elderly, and all of a sudden they had no pension. They were devastated. The producers came to us and to others and, indeed, to the government, to say, look, this is terribly wrong, what you are doing.

So, the problem with this approach to Crown land to sale that the government has put forward are (1) that the government lost the trust of a lot of people who had been leasing and renting Crown lands. They lost the trust of people from being the government which was in power when there was corruption in Hecla with the sale of land. And although the government has made some changes in this bill to protect against a situation occurring again like in Hecla, I'm not convinced that those changes are sufficient, that the—even the definition of who is a senior civil servant and whether, in fact, you could have a situation where somebody who's a junior civil servant could buy land without being tied in, or a family member of somebody who's a senior civil servant or a Cabinet minister.

It is a problem. It is a problem that the government has itself created by creating a situation where people don't trust the government. The government says that it won't sell off any provincial parks, but the wording has been parks are not for sale right now. The government has refused to say that they will never sell the parks at any time in the future.

And so people are wary. There is a lack of trust. And it is because this government has lost the trust of Manitobans so badly that we don't trust the government with this legislation, and we will not support it. We will vote against it.

Thank you, Mr. Deputy Speaker. Merci.

Mr. Deputy Speaker: Any further speakers?

Is the House ready for the question?

The question before the House is concurrence and third reading of Bill 12, The Crown Land 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: 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, 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, Deputy Speaker.

Mr. Deputy Speaker: A recorded vote has been requested. Call in the members.

* (19:50)

The question before the House is concurrence and third reading of Bill 12, The Crown Land Dispositions Act (Various Acts Amended).

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, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Reyes, Schuler, Smith (Lagimodière), Smook, Squires, Stefanson, Teitsma, Wharton, Wishart, Wowchuk.

Nays

Brar, Bushie, Fontaine, Gerrard, Kinew, Lamont, Lindsey, Maloway, Marcelino, Moses, Naylor, Sandhu, Smith (Point Douglas), Wasyliw, Wiebe.

Deputy Clerk (Mr. Rick Yarish): Yeas 33, Nays 15.

Mr. Deputy Speaker: The motion is accordingly passed.

* * *

Mr. Deputy Speaker: I just want to thank everybody for the hard work you've done, all the pages and coming out here, the late day—night.

But the hour being 8 p.m., the House is adjourned and stands adjourned until 10 a.m. tomorrow morning.

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Concurrence and Third Readings–Amended Bills
(Continued)

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