

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

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Speaker*

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-Second Legislature

Member	Constituency	Political Affiliation
ADAMS, Danielle	Thompson	NDP
ALTOMARE, Nello	Transcona	NDP
ASAGWARA, Uzoma	Union Station	NDP
BRAR, Diljeet	Burrows	NDP
BUSHIE, Ian	Keewatinook	NDP
CLARKE, Eileen	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, Hon.	Selkirk	PC
LAMONT, Dougald	St. Boniface	Lib.
LAMOUREUX, Cindy	Tyndall Park	Lib.
LATHLIN, Amanda	The Pas-Kameesak	NDP
LINDSEY, Tom	Flin Flon	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Malaya	Notre Dame	NDP
MARTIN, Shannon	McPhillips	PC
MICHALESKI, Brad	Dauphin	PC
MICKLEFIELD, Andrew	Rossmere	PC
MORLEY-LECOMTE, Janice	Seine River	PC
MOSES, Jamie	St. Vital	NDP
NAYLOR, Lisa	Wolseley	NDP
NESBITT, Greg	Riding Mountain	PC
PEDERSEN, Blaine	Midland	PC
PIWNIUK, Doyle	Turtle Mountain	PC
REYES, Jon, Hon.	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
<i>Vacant</i>	Fort Whyte	

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, December 2, 2021

The House met at 1:30 p.m.

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

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

Bill 9—The Scrap Metal Act

Hon. Cameron Friesen (Minister of Justice and Attorney General): Madam Speaker, I move, seconded by the Minister for Central Services, that Bill 9, The Scrap Metal Act; Loi sur la ferraille, be now read a first time.

Motion presented.

Mr. Friesen: The main purpose of The Scrap Metal Act is to enhance public safety by regulating the sale of certain types of scrap metal. The legislation creates a new act that will require the recording of information about the sale of scrap metals that are at risk of being stolen. That will include information about the item being sold and the seller's identity. It also requires the seller to provide a history of the circumstances leading to their being in possession of the property. Records are maintained for two years so records of transactions in these vulnerable items will be reported directly to police on a regular basis.

We believe that these measures will help enhance public safety.

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

Bill 214—The Consumer Protection Amendment Act (Right to Repair)

Mr. Jim Maloway (Elmwood): I move, seconded by the member for Fort Rouge (Mr. Kinew), that The Consumer Protection Amendment Act (Right to Repair), be now read a first time.

Madam Speaker: It has been moved by the honourable member for Elmwood, seconded by the honourable member for Fort Rouge, that Bill 214, The Consumer Protection Amendment Act (Right to Repair), be now read a first time.

Mr. Maloway: Madam Speaker, the right-to-repair legislation empowers Manitoba consumers and fosters sustainability by requiring manufacturers of

electronic devices and appliances to make information, parts, tools necessary for repairs available to consumers and independent repair shops at a reasonable price. If not, the manufacturer must replace the products.

Products covered by this right-to-repair legislation would include smart phones, tablets, laptops, washers, dryers, refrigerators. Manitoba consumers would have the same right to repair as consumers in the European Union have beginning this year.

Canada produces 757,000 tonnes of electronic waste annually and right-to-repair legislation will be a giant leap forward in reducing this waste by giving Manitobans access to products that are made better and last longer.

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

Bill 215—The Scrap Metal Recyclers Act

Mr. Jim Maloway (Elmwood): I move, seconded by the member for Fort Rouge, that Bill 215, The Scrap Metal Recyclers Act, be now read a first time. *[interjection]*

Madam Speaker: Order. Order. Just a reminder to members that it's not Friday; it's only Thursday, so I would ask for everybody's co-operation to keep it down.

The—moved by the honourable member for Elmwood, seconded by the honourable member for Fort Rouge, that Bill 215, The Scrap Metal Recyclers Act, be now read a first time.

Mr. Maloway: The Scrap Metal Recyclers Act addresses the recent spike in catalytic converter and copper wire and other metal thefts, due to large increases in precious metal prices. It's aimed at organized groups of criminals, stealing catalytic converters, metallic wires and other valuable scrap metals; requires scrap metal recyclers to verify identification of sellers, keep proper identification and transaction records for a period of five years—not two, as was mentioned by the government minister just now. It also eliminates cash payments, prescribing—prescribed scrap metals. Penalties prescribed under the legislation include fines of up to \$10,000 or one year in prison for first offence and \$30,000 fine for

corporations, second offences fines are up to \$30,000 and up to \$100,000 for corporations.

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

**Bill 216—The Consumer Protection
Amendment and Farm Machinery
and Equipment Amendment Act
(Right to Repair – Vehicles
and Other Equipment)**

Mr. Jim Maloway (Elmwood): I move, seconded by the member for Fort Rouge (Mr. Kinew), that the Bill 216, The Consumer Protection Amendment and Farm Machinery and Equipment Amendment Act, right to repair, be now read a first time.

Madam Speaker: It has been moved by the honourable member for Elmwood, seconded by the honourable member for Fort Rouge, that Bill 216, The Consumer Protection Amendment and Farm Machinery and Equipment Amendment Act (Right to Repair—Vehicles and Other Equipment), be now read a first time.

Mr. Maloway: Consumers want manufacturers to make products that are easy to repair, at reasonable cost and built to last a minimum of 10 years. This right-to-repair legislation empowers Manitoba consumers and fosters sustainability by requiring the manufacturer to make the parts necessary to maintain and repair its farm equipment, farm machinery, motorized mobility aids, marine pleasure craft and recreational motorized vehicles including electronic bikes and scooters available to consumers and repair businesses at a reasonable price. If not, the manufacturer must replace the products at no charge or refund the purchase price.

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

**Bill 208—The Teachers' Pensions
Amendment Act**

Ms. Cindy Lamoureux (Tyndall Park): I move, seconded by the member for St. Boniface (Mr. Lamont), that Bill 208, The Teachers' Pensions Amendment Act, be now read a first time.

Motion presented.

Ms. Lamoureux: Bill 208, The Teachers' Pensions Amendment Act, adds two members to the Teachers' Retirement Allowance Fund board which would increase the TRAF board from seven to nine. One of the additional members would be dedicated to a retired

teacher, as nominated by the Retired Teachers' Association of Manitoba, RTAM, and the other seat would be appointed by the government.

Madam Speaker, the changes in this bill introduced today were previously introduced by our current Premier (Mrs. Stefanson) when in opposition, almost 15 years ago to the day, and followed by the Minister of Infrastructure in 2007. I am hopeful that the legislation will receive the support of this House to ensure that retired teachers have their seat at their pension table.

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

COMMITTEE REPORTS

**Standing Committee on Social
and Economic Development
First Report**

Mr. Doyle Pivniuk (Chairperson): I wish to present the first report on the Standing Committee on Social and Economic Development.

Clerk (Ms. Patricia Chaychuk): Your Standing Committee on Social and Economic—

Some Honourable Members: Dispense.

Madam Speaker: Dispense.

Your Standing Committee on Social and Economic Development presents the following as its First Report.

Meetings

Your Committee met on December 1, 2021 at 6:00 p.m. in Room 255 of the Legislative Building.

Matters under Consideration

- **Bill (No. 6) – The Workers Compensation Amendment Act/Loi modifiant la Loi sur les accidents du travail**

Committee Membership

As per the Sessional Order passed by the House on October 7, 2020, amended on November 19, 2020, December 3, 2020, May 18, 2021 and further amended on December 1, 2021, Rule 83(2) was waived for the December 1, 2021 meeting, reducing the membership to six Members (4 Government and 2 Official Opposition).

- *Hon. Mr. EICHLER*
- *Hon. Mr. FIELDING*
- *Mr. LINDSEY*
- *Mr. PIWNIUK*
- *Mr. WIEBE*
- *Mr. WISHART*

Your Committee elected Mr. PIWNIUK as the Chairperson.

Your Committee elected Mr. WISHART as the Vice-Chairperson.

Non-Committee Members Speaking on Record

- *Hon. Mr. GERRARD*

Public Presentations

*Your Committee heard the following presentation on **Bill (No. 6) – The Workers Compensation Amendment Act/Loi modifiant la Loi sur les accidents du travail:***

Alex Forrest, Canadian Trustee for the International Association of Firefighters

Bills Considered and Reported

- ***Bill (No. 6) – The Workers Compensation Amendment Act/Loi modifiant la Loi sur les accidents du travail***

Your Committee agreed to report this Bill without amendment.

* (13:40)

Mr. Piwniuk: Madam Speaker, I move, seconded by the honourable member for Portage la Prairie (Mr. Wishart), that the report of the committee be received.

Motion agreed to.

Madam Speaker: Tabling of reports? Ministerial statements?

MEMBERS' STATEMENTS

Interlake Thunder Football Champions

Hon. Alan Lagimodiere (Minister of Indigenous Reconciliation and Northern Relations): Madam Speaker, I stand before the House today to acknowledge and celebrate sports excellence in the Interlake region.

Eighteen dedicated team players of the Interlake Thunder peewee football team from Selkirk, Lakeside, Interlake-Gimli, Red River North and as far as The Pas-Kameesak constituencies brought

home the provincial championship title on a chilly Halloween morning.

The Interlake Thunder boys, aged 12 to 13, would defeat East Kildonan's East Side Eagles by a final score of 40-12.

The Interlake Thunder peewee team had an excellent 2021 season, losing only once in the final game of the regular season to the East Side Eagles.

According to the coaching staff, the Thunder learned a great deal in the final game of the regular season against the Eagles, which they turned into a dominating victory in the provincial championship game.

The peewee Thunder team came out with one goal in mind: the provincial championship title, playing a great game of football, offensively and defensively with each team member leaving what they had on the field.

Teamwork and working hard led to a victorious end to the season.

This year marks the 10th year of the Interlake Thunder Football Club. This is also the Interlake Thunder's first championship title at the Manitoba football association's peewee level.

The Interlake Thunder's success this year extends to the atom team making finals and the varsity team bringing home the Murray Black Cup.

Congratulations once again to the Interlake Thunder peewee team on the provincial championship title.

Your dedication to the game of football and your fellow teammates has brought the team to a place of success. I look forward to next season.

Thank you

Kole Beresford, Tyler Braun, Benjamin Cook, Jamie Dandeneau, Bernie Garson, Josiah Gouverneau, Reese James, Chance Joynt, Griffin Lowry, Trey Naherney, Cooper Ponton, Kaleb Prystrupa, Gage Rennie, Jakob Samborski, Noah Sandul, Sheldon Stranger, Mark Stroppa, Tyler Yourchenko; head coach, Marty Cook.

David Woodbury

Mr. Wab Kinew (Leader of the Official Opposition): I rise today to pay tribute to David Woodbury: father, partner, NDP president, mentor and friend.

From a young age David worked on many successful election campaigns. He helped us rebuild after defeats and he played a key role in the Doer government tabling 10 consecutive balanced budgets.

In the process, Mr. Woodbury showed that you can be progressive when it comes to health care and education, while still being balanced when it comes to the books.

David always maintained a cool head, a warm heart and an even keel. In fact, we used to joke with David, the highest compliment he could ever pay anybody, the thing he'd say whenever he got really excited about some great new idea, was that he would just tell you in his trademark fashion: that's fine.

Mr. Woodbury passed on his immense institutional knowledge throughout his career in government. He trained our staff in opposition. And as recently as October, he spent hours with our caucus, teaching the deep ins and outs of government finance.

Toward the end of October, David gave a to-do list to our team, the things we had to do to get ready for the next election. It seemed odd at the time, but in hindsight, this was another example of the thoughtfulness and conscientiousness Mr. Woodbury showed throughout his life. And if I can say this, it showed a certain amount of stoicism, as well.

David passed away a week or so later, on the night before Remembrance Day. For 15 years of his work on behalf of the people of Manitoba, he had been living with cancer.

My sincere condolences to Becky, to their daughters, to David's family and his many, many friends. David Woodbury was a great Manitoban who made our province a better place and his work lives on.

Last Day of Session

Mr. James Teitsma (Radisson): 'Twas the last day of session, before Christmas break / And the last sort of statement private members could make / The Speaker was perched on her throne—I mean, chair / The member for Steinbach (Mr. Goertzen) has sat everywhere but there.

Speaking of sitting, we're not all here, / Some join by Zoom, and virtually appear / The leader of Her Majesty's opposition, / Is positive that isolating was no imposition.

I remember a time in committee while zooming / The member for St. Johns (Ms. Fontaine) dog's voice

was booming / She dealt with it well, no consternation / And, hey, now she's got her nomination.

Speaking of running, the Libs are back in the game, / With Willard Reaves repping the red party's name, / Who knows what the coming months will throw at us, / Could the Liberals get official party status?

The Bombers are blue, and that colour feels right, / So vote blue—or green or red—if you might / Those Christmassy colours the pollsters have climbing / Plus orange and purple are no good for rhyming.

I shouldn't be too harsh, they're not all that bad, / My Transcona colleague spreads cheer and makes glad, / This mellow fellow, I'm happy to say, / Now has his voice back, and we hope he's okay.

Christmas is also a time for donating. / The member for Southdale's (Ms. Gordon) participating, / Give her a turkey, or if you are able, / Give even more for Agape Table.

St. Vital, with Southdale and Union Station, / Helped to commemorate emancipation. / History's more than remembrance's sake, / It's also what they and us all get to make.

Yes, we have been making history. / For the very first time, our Premier's (Mrs. Stefanson) a she. / She loves to listen and work together, / She's crisscrossed our province through inclement weather.

You remember the tall guy at six-foot-eight-inch / His most famous moment was when he was the Grinch / Stealing Christmas got CNN and Rolling Stone / Millions of views telling us to stay home.

But now, our new Premier has set a new tone / Kinder and gentler, and with her own cellphone. / Reconciliation's the priority—straight from her heart. / The Chamber's first land acknowledgement is only a start.

So to the clerks at the table, where everything's answered / Fear not, I'll give this copy to Hansard / My poem is ending. My farewell I must make: / Merry Christmas to all, and to all a good break.

St. Vital Tunnel Mural

Mr. Jamie Moses (St. Vital): This past August, I was joined by members of the community in attending the unveiling of a new hidden gem in St. Vital: the 120-foot-long mural spanning the length of an underground pedestrian tunnel which connects the YMCA and Dakota Collegiate with the St. Vital Library.

This tunnel has been plagued by graffiti, now has been given new life for a generation of students and St. Vital residents. The tunnel was painted by young student artists from Glenlawn Collegiate—Achal, Nawal, Jillian, Anne, Peyton, Jaymisyn—who graciously gave and provided their art and their poetry talents to this project.

This tunnel mural was also—paid tribute to the area's Indigenous history. Elder Peter Atkinson from Roseau River Anishinabe First Nation attended the event and provided a traditional name for the tunnel, which translates to a beautiful flow through. Thank you all for your work.

Now, there's even more to celebrate from students in St. Vital.

On November 15th, the Dakota Lancers junior varsity football team won the Winnipeg High School Football League championship, winning 25—sorry, 55-24 against the Oak Park Raiders. This caps off, in emphatic fashion, an undefeated season for the JV team. Congrats to all the coaches, including Mitchell Harrison, the entire team of young student athletes. Enjoy the victory, and I hope this success will spur you on to greater challenges in the future.

Thank you to all the Dakota and Glenlawn students for your hard work in making our community better. Your names will be recorded in Hansard in posterity for your accomplishments.

Finally, congratulations to team Jennifer Jones who will represent Canada in the 2022 Winter Olympics. I know the St. Vital Curling Club and all of us in Manitoba will be cheering for you as you head to Beijing in February. Best of luck.

Student Artists: Achal Patel, Nawal Semir, Jillian Beaubien, Anne Zapata, Peyton Clark, Jaymisyn Santos. Student Athletes: Rogan Vergata, John Boubard, Rylan Webster, Mason Voogt, Augustine Nkundimana, Olamide Olaleye, Amid Kanu, Mikun Odnuga, Johaiman Saleh, Stephen Peebles-Smith, Miguel Reyes, Neeley Evans, Maxwell Grieman, Hayden Starr, Carter Mckay, Jason Coyston, Thierno Gadji, Austin Jenkyns, Esmond Aigbe, Daniel Lang, Jaxson Diakiw, Tyren Thompson, Logan Recksielder, Rowan Evans, Jared Zebrynski, Noah Mccorrison, Jagger Gillespie, Jake Godfrey, Sepp Friesen, Kedus Mulugeta, Logan Finnbogason, Brady Arnal, Matteo Sierra, Payton Mcaulay, Carter Kalcsics, Karter Watson, Colby Cross, Neewin Mann, Josh Geddes, David Sindikubwabo, Xander Smith, Chyane Murray, Marcus Dumas, Mehrum Ghuman.

Health-Care System

Mr. Dougald Lamont (St. Boniface): On Tuesday, I received this letter from a Manitoban and received their permission to share it with the House. I table it.

They write: I'm a 63-year-old type 2 diabetic with hypertension and osteoarthritis. My wife is a lifelong migraine sufferer with autoimmune disease. We are afraid that the health-care system we have supported with our tax dollars for all our lives will fail when we need it.

Today's Winnipeg Free Press included a story of a couple whose experience in our health-care system is horrific. A lady cancelled her own surgery so she would have more capacity to assist her husband.

Overwhelmingly, the news about Manitoba's health-care system is negative.

* (13:50)

Certainly, COVID has dealt a harsh blow to health care. However, under health care, our health-care system was in great stress well before COVID visited an under-resourced system that was being, quote, rebuilt by your government.

It was your government that closed emergency departments, eliminated nursing positions at Manitoba schools, ignored the council professionals who warned about your proposals before they were implemented and facilitated the gutting of resources to health care, causing intolerable burdens to practitioners and clients simultaneously.

I remember well the announcements of monetary savings trumpeted by the former premier. I remember the support he received from the caucus at the time. Now reports of health-care crises abound on practitioner and patient sides. We are dismayed there seems to be no consideration for the many calls from professionals in the system who warned about the policies and have repeatedly called for changes to be made. We don't want to be next, and we don't want any Manitobans to have to continue to pay the price for the policies your government has enacted.

We urge you as Premier (Mrs. Stefanson) to do a fundamental about-face and put people's needs before the quote, unquote economy. People are the economy. People are the economy. We agree and hope the government will take heed.

Thank you, Madam Speaker.

ORAL QUESTIONS

Health-Care Reforms Impact on Health System

Mr. Wab Kinew (Leader of the Official Opposition): Question for the Premier (Mrs. Stefanson): We know that health care is the No. 1 priority of Manitobans, but we don't know why this government keeps cutting health care. Why do they keep making this situation worse and worse, even as we go through this fourth wave of the pandemic?

Now, it's clear that this government is repeating the mistakes of Brian Pallister. Documents we've tabled in this House show that we are down some 2,300 nurses in Manitoba. If you look at all the vacant positions at all the regional health authorities and you add them up, we're down almost 2,300 nurses, and that's because of the decisions made by this Premier, by Brian Pallister and by this Cabinet. We need a new approach.

Will the Premier simply reject the health-care cuts that they've pursued thus far?

Hon. Kelvin Goertzen (Deputy Premier): Madam Speaker, we reject the question by the Leader of the Official Opposition. More than \$800 million more has been committed to rural and northern health care when it comes to capital. There's been billions of dollars more that had been invested pre-COVID when it comes to health care. Hundreds—new nursing seats have been—are going to be created to train more health-care nurses to try to deal with the issue that is across Canada that was also there under the NDP.

There are a number of new initiatives that are coming forward, a number of new capital investments. There's only one thing that's consistent with all of those investments: those members voted against every one of them, Madam Speaker.

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

Mr. Kinew: Pay more, get less. That's the PC way. That's what we get under this tired government.

They have all these announcements that they want to make, and yet what do we see in the health-care system? We're down almost 2,300 nurses—2,300 nursing positions—2,300 nurses that should be working at the bedside, helping Manitobans through this fourth wave but are not.

And we see the impact: 58 seniors moved away from their homes, hundreds of kilometers away,

during the fourth wave. That's more than the 57 ICU patients that were flown out of Manitoba during the third wave. This needs to stop.

Will the Premier admit that there is a crisis in health care and that their cuts have precipitated this situation?

Mr. Goertzen: We've certainly been pleased to invest in rural health care and in the North, of course, a new ER in Flin Flon, which the member for Flin Flon (Mr. Lindsey) voted against, Madam Speaker. He can speak to his constituents about that.

We recognize that there are challenges, Madam Speaker, when it comes to health care. Every province in Canada, every jurisdiction in the world is dealing with those challenges.

Of course, the members opposite, even as they yell from their seats now, were yelling months ago that the fourth wave would close schools, it would close businesses and it would close houses of worship. And yet we hear from our provincial public health officer—our Chief Provincial Public Health Officer yesterday that, during the fourth wave, we've had stability when it comes to our ICU numbers. We've had stability when it comes to hospitalizations and all of those things that they said would close were still open.

We've blunted the fourth wave. There's much more work to do. We're going to continue to work with health-care professionals.

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

Mr. Kinew: We see the impact of this government's cuts to health care. Madam Speaker, 2,300 nurses that should be helping Manitobans but are not there: 2,300 vacant nursing positions. That's people in Steinbach who can't get the health care that they need. That's people in Dauphin who can't get the care that they need. That's people in Roblin who are missing nursing resources at the bedside. We could go through the list of constituents that these MLAs represent and that have seen their health-care services cut, but we simply don't have enough time.

The impact is that seniors are being sent hundreds of kilometres away from their loved ones. The impact is that 136,000 Manitobans are waiting for surgeries and badly needed diagnostic tests.

These situations have been created by political decisions made by the former Health minister and Brian Pallister.

Will they simply abandon these health-care cuts and do the right thing for Manitobans today?

Mr. Goertzen: I'm encouraged that the member opposite can read a map and identify communities that he's never visited, Madam Speaker.

He might be able to identify some of those communities and the dozens and dozens of communities that his government shut down emergency rooms, dozens and dozens that they temporarily suspended for decades, Madam Speaker—just shuttered them, shut them down and then never talked about reopening them, all through rural Manitoba. *[interjection]*

Madam Speaker: Order.

Mr. Goertzen: Yes, it's taken a lot of work to try to restore those capital services—*[interjection]*

Madam Speaker: Order.

Mr. Goertzen: Thank you very much, Madam Speaker, to try and restore order on that side of the House.

They don't like to hear about the fact that we're investing \$800 million in rural and northern Manitoba. But they do like to vote against all of those capital investments and then come in here and say, why aren't you investing more.

Why won't you support them? That's the real question.

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

Provincial Parks Privatization Concerns

Mr. Wab Kinew (Leader of the Official Opposition): Madam Speaker, all Manitobans deserve to enjoy our parks—at least, that's what we believe on this side of the aisle.

But not on that side of the aisle. They want to sell our parks, and we have the documents to prove it here today.

What have they done in office? *[interjection]*

Madam Speaker: Order.

Mr. Kinew: Well, first, they doubled the cost of buying a park pass, and then they took \$600,000 of Manitobans' hard-earned money and they sent that all to Texas. And then they turned around, privatized St. Ambrose park while increasing fees there, turned away existing park passing—park pass holders.

And so I'll table this latest document that's a great concern. It shows that this government is looking at P3 partnership models for parks.

Why is the Pallister-Stefanson government intent on privatizing Manitoba's public parks?

Hon. Kelvin Goertzen (Deputy Premier): Madam Speaker, thank heavens this is the last day of session. The Leader of the Official Opposition is out of gas. He's out of questions. He has no more questions to ask. He can't find anything other than recycled hyperbole that hasn't been true for months.

We know on this side of the House we've invested in our parks, we've improved our parks. That's seen by the hundreds and thousands of more people that have visited our parks over the last couple of years—not just because of the pandemic but because they've been improved, Madam Speaker. Manitobans have reconnected with their parks throughout Manitoba. They continue to love their parks. We do as well.

Let me try to say this as clearly as possible: our parks are not for sale, Madam Speaker.

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

Mr. Kinew: Well, that is until they start selling off our parks, Madam Speaker. We know what happened when the PCs privatized St. Ambrose: park fees tripled. And that's what they want to do across the province.

I'll read from the document that I just tabled here, quote: this will provide a template—the one at St. Ambrose will provide a template for future private partnerships in parks, including as an example of a P3 partnership with a private operator.

Translation: more people will be turned away from public parks like they were this last summer.

Just like Brian Pallister, this new Premier (Mrs. Stefanson) is intent on privatizing our parks.

Will the new PC leader simply stop the privatization of public parks?

Mr. Goertzen: There has never been a government more committed to public parks than this government. Not only are there, of course, thousands and thousands of more people who are accessing our parks over the last couple years than ever have, Madam Speaker—*[interjection]*

Madam Speaker: Order.

Mr. Goertzen: –but we've invested and ensured that there are endowment funds.

* (14:00)

Now, members opposite might not know what endowment funds are. They're to ensure that there's long-term sustainability for our parks—our public parks, Madam Speaker. We're putting those endowment funds forward so that Manitobans can support our public parks, use our public parks, because our parks are not for sale.

And he can stand up and he can say it over and over again—well, he's only got one day left, but he can come back in March and say it over and over again, and say it for two more years, because if that's all he's got, he's got nothing, Madam Speaker.

Madam Speaker: Order.

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

Mr. Kinew: Madam Speaker, we know where the member for Steinbach and his crew are intent on taking our parks. They want a future in Manitoba where Manitobans will be forced to visit the Amazon Web Services beach at Birds Hill or perhaps the Facebook provincial forest. They want to privatize our parks. We tabled the documents to prove it, and we say it is just plain wrong.

Manitobans are—deserve to be able to visit our parks, and they deserve to be able to have access and to invest in those public services, knowing that those investments will stay here in Manitoba. Instead, this government—*[interjection]*

Madam Speaker: Order.

Mr. Kinew: –sends the money of the hard-working people of Manitoba down to Texas and then they cook up, behind the scenes, more plans for park privatization.

Will the new Premier (Mrs. Stefanson) simply take a different approach? Will she stop Brian Pallister's privatization of parks?

Mr. Goertzen: Madam Speaker, I knew that he wrote rap. I didn't know he wrote fiction as well.

That entire question is made up, Madam Speaker. This government has been investing millions of dollars into parks. We've been welcoming thousands of more people into our public parks. We've been setting up long-term endowment funds so that whenever—in 50 years, or 60 years—whenever they get back in the

government, there will be at least funding for those parks and they can continue to be sustained. He doesn't have a clue what he's talking about. We're going to continue to support our public parks.

I hope he has a nice holiday. I hope over the next four months, he can figure out some questions that are actually priorities of Manitobans, because he is way off base when it comes to these questions.

Provincial Parks Privatization Concerns

Ms. Lisa Naylor (Wolseley): Madam Speaker, this holiday season, Manitobans want a promise that their parks and parks services will not be privatized.

How does the minister explain the briefing notes that were obtained through FIPPA, which I will happily table a second time, that outline the government's plans for private, for-profit operators who charge their own fees, and I quote, provide a template for future potential partnerships in parks? Private control, private fees and private operation of the parks isn't a one-off, as the minister has claimed. It's a template for privatization.

Will the minister back away from these plans and keep our parks and parks services in public hands?

Hon. Sarah Guillemard (Minister of Conservation and Climate): I appreciate the question from the member opposite. *[interjection]*

Madam Speaker: Order.

Mrs. Guillemard: If the members opposite would like to ask some more questions, and not listen to answers, I'm happy to sit down and let them ask as many questions as they want based on a false pretence.

Madam Speaker, we've had this conversation back and forth for what's going on, I guess, a year and a half now. And I'm still curious as to why the members opposite are so opposed to private businesses that have been in our parks, working under their governments—under governments for decades.

Some Honourable Members: Oh, oh.

Madam Speaker: Order. Order.

Mrs. Guillemard: So, they clearly are not good listeners, which our new Premier has established that we are. And we will continue to listen and work with—

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

Order. I've not recognized the member yet. I'm waiting for the quiet that should precede questions and answers.

The honourable member for Wolseley, on a supplementary question.

Ms. Naylor: St. Ambroise provincial park has a private, for-profit operator that controls the site. The operator privately operates the campgrounds, sets their own rates to rent campsites and day permits and, as we have just heard in this House, of course this was the game plan. It was always the game plan.

The briefing note, labelled P3 partnership models for park infrastructure—the department laid out this approach. It says it will provide—that St. Ambroise will provide a template for future potential partnerships in parks.

So, I ask the minister again: Why is she putting control of our parks into private hands?

Mrs. Guillemard: I'll remind the member opposite that, under the NDP previous government, multiple partnerships with private industry within parks were signed and continue to run today.

So, all of a sudden, the opposition is opposed to these partnerships, but I'm very glad that the member opposite—*[interjection]*

Madam Speaker: Order.

Mrs. Guillemard: —brought up St. Andrew—Amboise *[phonetic]* park.

Some Honourable Members: Oh, oh.

Madam Speaker: Order. Order.

Mrs. Guillemard: Madam Speaker, I'm glad that the member opposite brought up St. Ambroise park. We are very proud to have partnered with a Métis-owned company who is running the area that was devastated in 2011 and the NDP government put zero dollars into restoring.

It wasn't a park until this company came in and provided a space for everyone to use again.

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

Ms. Naylor: Well, I'm on a roll today, so I want to raise—

Some Honourable Members: Oh, oh.

Ms. Naylor: —so I want to raise with the minister my concern with regard to the Clean Environment Commission's review and public hearings of the CanWhite silica sand extraction project.

I've heard a lot of public concern. I'm certain the minister has, as well. And I know she will agree that it's important that all voices are properly represented at the coming hearings.

It is within the minister's power to include participant funding. Will the minister's do so?

Will she amend her order to the CEC to establish a participant assistant fund so that all voices are fully heard?

Madam Speaker: I'm going to seek some clarification here because I did not—when members are asking supplementary questions, they should be on the same topic as the question, and I believe, in that third—on the final supplementary, that was a total new subject.

I'm wondering if—how I am advised to handle this.

Order, please. I am going to indicate that our rules do state that that final supplementary, or any supplementary questions, should be related to the first question that is asked. I am going to ask the member if she—and I'm going to—because it's Christmastime, I'm going to allow the member, if she would like to repeat her final supplementary, but keep it to the topic that she initially raised.

* (14:10)

Ms. Naylor: Thank you, Madam Speaker. That's very generous of you, and I appreciate the correction.

Well, then, I'll use this opportunity to ask the minister one more time to explain how she's going to not sell parks while she sends off parts of—sells off parts of parks and puts them under private operators for profit.

Mrs. Guillemard: Of course, the member is inaccurate in her accusations of any privatization and has no documents to support those premises. But it does give me an opportunity to really highlight how wonderful our government has worked to put a \$20-million park endowment fund in place so that our Manitobans will have access—*[interjection]*

Madam Speaker: Order.

Mrs. Guillemard: —to parks for years to come. And the improvements that we are making to our parks are long overdue, and I know they have been appreciated

by every single Manitoban who have visited our parks during this very hard two years over the pandemic.

Thank you, Madam Speaker.

Sexual Assault and Discrimination Awareness Mandatory Training for Provincial Judges

Ms. Nahanni Fontaine (St. Johns): We have long called for mandatory training for judges on matters related to sexual assault, rape culture, racism, systemic discrimination. Unfortunately, Madam Speaker, Bill 8 is a smokescreen. The text reads, a judge has to, and I quote, "undertake to participate," end quote, in training, meaning a judge has to try and schedule some appointment for training.

That's not good enough, Madam Speaker. The bill should be definitive, with all new judges and JJPs taking sexual assault, rape culture and consent training.

Will the minister make that change to the bill today?

Hon. Cameron Friesen (Minister of Justice and Attorney General): Well, I appreciate the critic's genuine interest in a bill that we are proud to bring forward as a government, a bill that will, we believe, enhance the manner in which judges are selected and a bill that will require sex assault training and context training for judges.

I would like to ask that member, who is also the House leader, if she is signalling that their party is willing to sit today and consider the bill at second reading. *[interjection]*

Madam Speaker: Order. Order.

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

Court of Appeal and Provincial Court Act Judicial Appointments Committee Provisions

Ms. Nahanni Fontaine (St. Johns): Currently, the majority on the Judicial Appointments Committee consists of a chief judge, a provincial court judge, the president of the Law Society and a representative of the Bar Association. The minister is strategically attempting to dilute judges' influence and expertise by increasing his own appointees to the committee by increasing the community members' component in Bill 8.

Bill 8 also removes the chief judge as the chairperson to one of his own hand-picked appointees, all

of whom are neither lawyer, judge or retired judge. This is really scary, Madam Speaker.

Will he undo this today and withdraw these provisions?

Hon. Cameron Friesen (Minister of Justice and Attorney General): Well, again, I really appreciate the critic's interest in the bill. Of all the absurd things I've heard that member say, this may actually take the cake.

That member may want to be reminded that the changes we're bringing will then largely allow Manitoba's rules for judge selection to approximate those of other jurisdictions in Canada. So she should be very careful where she's pointing her finger because she's pointing it now at half the country. It is not the judges' prerogative to pick the next judge. It is an executive prerogative to pick the next judge.

We fully defend the concept of judicial independence. Madam Speaker, this is not a matter of judicial independence.

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

Ms. Fontaine: I think Manitoba judges are going to be very interested in that response.

In Bill 8, Madam Speaker, the committee must pass along not a short list, but all those deemed qualified. This greatly diminishes the power of the committee to recommend truly exceptional candidates and concentrates powers in the minister's hands to pick the judges he chooses. He even wants the power to direct the committee to reconsider candidates that have been rejected.

This is a naked attempt by the minister to get the judges he wants appointed to court.

Will he withdraw these offending provisions today? *[interjection]*

Madam Speaker: Order.

Mr. Friesen: Well, Madam Speaker, this is absurd.

I would really invite the member to read the act, because if she reads the act, she would understand the act is actually legislation, and that means it's an executive prerogative; it's not a—*[interjection]*

Madam Speaker: Order.

Mr. Friesen: —judicial prerogative.

There is a line. It is the responsibility of the government to select judges. It is the responsibility of judges—*[interjection]*

Madam Speaker: Order.

Mr. Friesen: —to sit in court.

And, Madam Speaker, I would just want to make clear that even while I give the answer, the member continues to shout and rail from her seat. I don't know if she's interested in debating the bill, but if she wants to debate the bill, let's debate it today.

Madam Speaker: The Leader of the Official Opposition (Mr. Kinew) yesterday made a very good suggestion.

He had said that, because these topics are very important, they should all be dealt with in silence, and I'm going to agree that that is probably something that we have to pay some attention to.

They are important topics, and I would ask for everybody's co-operation, please, to hear the questions and answers without all this heckling.

Orange Shirt Day Statutory Holiday Act Request to Pass Bill 200

Mr. Ian Bushie (Keewatinook): I appreciate that advice, but I'm not looking for silence on this matter.

This morning, I was proud to bring forward Bill 200, The Orange Shirt Day Statutory Holiday Act. It was my hope that we would have seen immediate, unanimous support of this bill this morning. I'd like to think members opposite know how important this bill is to advance reconciliation here in Manitoba.

They could have supported and helped pass it today, but that didn't happen.

Instead, the member from Radisson chooses to speak out the bill and talk about Justin Trudeau taking a vacation during this important time, which I found very hypocritical, considering that member took a vacation of his own while Manitoba was in lockdown—with no discipline, I might add.

So the question is simple: Will the minister commit to passing this bill today?

Hon. Kelvin Goertzen (Deputy Premier): Madam Speaker, we know that the first truth and reconciliation day, which was approved by the federal government and recognized by this provincial government through a number of very significant measures, including schools being closed. I know that that was well-recognized.

Me and my colleagues joined thousands of other people at St. Johns Park, including the member for St. Johns (Ms. Fontaine). We participated in a number of different ceremonies—and the Leader of Official Opposition. We were pleased as a government to do a—much more than many governments have across Canada in recognizing truth and reconciliation day, and we look forward to further consultations throughout the year on what else could be done, Madam Speaker.

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

Mr. Bushie: We need much more than recognition. We need commitment, and this bill aims to do that. This bill aims to honour the survivors of residential schools and recognize the intergenerational trauma still felt by their descendants today.

Orange Shirt Day is a day to engage and have difficult conversations, to educate each other in a way to move forward towards reconciliation. In June, Parliament unanimously supported legislation for a federal statutory holiday. It's time we do the same here.

Will the minister commit to passing this bill today?

Hon. Alan Lagimodiere (Minister of Indigenous Reconciliation and Northern Relations): For the House, I want to say that members on this side of the House are committed to advancing reconciliation with Indigenous people in Manitoba.

We recognize the National Day for Truth and—*[interjection]*

Madam Speaker: Order.

Mr. Lagimodiere: —Reconciliation, and Orange Shirt Day is an important part of this journey. And we will be working forward in that.

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

Mr. Bushie: It's good to see he found his voice, because there was no voice this morning.

The orange shirt is a symbol of Canada's history, and although we are not able to change the injustices of the past, we must work together to move forward.

Bill 200 would implement Call to Action No. 80 of the Truth and Reconciliation Commission and honour the lost children and survivors of residential schools. We need to see action, and it was sad to see

the minister choose to not speak this morning and, instead, have his colleagues block passage of the bill.

Once again, and for the third time: Will the minister take real action and will he pass this bill today?

* (14:20)

Mr. Lagimodiere: As the member said in his remarks this morning, the reconciliation journey is everyone's responsibility, and everyone needs to be engaged. And yet this morning, when he was talking about the truth and reconciliation Calls to Action—*[interjection]*

Madam Speaker: Order.

Mr. Lagimodiere: —some of the calls to the actions are to educate the public. But when the member from Radisson asked an important question about the importance of the orange shirt—*[interjection]*

Madam Speaker: Order.

Mr. Lagimodiere: —he was chastised by the member opposite, an Indigenous individual who had an opportunity—*[interjection]*

Madam Speaker: Order.

Mr. Lagimodiere: —to put on the record the importance of orange shirts. *[interjection]*

Madam Speaker: Order.

Topics in here can be very passionate, and I do encourage passion, but I do not support the level of—it's beyond heckling. There's yelling that is going on. That really defeats the whole purpose of these very serious questions, so I'm going to ask for everybody's co-operation, please.

These topics are important, and we should be paying more attention instead of trying to yell somebody down, because I cannot hear, then, as the Speaker, in order to rule properly on the words that are being said.

Right to Repair Laws Manitoba Legislation

Mr. Jim Maloway (Elmwood): Acting premier, or anybody over there who wants to answer it.

Madam Speaker, this past summer, US President Joe Biden issued an executive order directing the US Federal Trade Commission to develop rules to promote product reparability in the United States. Right-to-repair laws already existing in Europe are essential protections for consumers and protects the

environment by preventing unnecessary dumping of appliances and electronics into landfills.

When will the minister bring forward right-to-repair legislation for Manitobans that—so that we can live more sustainably?

Hon. Scott Fielding (Minister of Finance): I know the member has brought forth a bill just this morning to deal with items such as this, and so that was a—important information, important debates that we have here in the Legislature.

So we'll have to read the bill, consider it. We want to make sure the public is engaged with this; that's something that's supported. On this side of the House, we like to listen to consumers. We like to listen to Manitobans, and that's how we form legislation. So we'll listen to the debate that happens.

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

Mr. Maloway: Both of these bills were introduced in the last session of the Legislature, too, so the government's had some time to work on this.

Madam Speaker, manufacturers should be required to build long-lasting and durable products and provide spare parts for their repair and manuals for repair services at reasonable prices. If the manufacturer refuses to do this, they must replace the electronic product or refund its purchase price. The small-business repair sector needs these parts and manuals to survive in business and protect consumers.

When will the minister do the right thing for consumers and our economy and our environment, and legislate the right to repair?

Mr. Fielding: Well, to answer the member's question, there's a bill before the House, so we'll consider the bill. At that point, we make some decisions in the government—whether they make a lot of sense.

On some topics, the member does make a lot of sense. He's been here for, I know, you know, 89 years, and so sometimes, he's brought forth some issues and ideas that make some sense, and we're going to review each and every one of them.

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

Mr. Maloway: Well, he may be a little short on his 89 years, but the question we have, Madam Speaker, is that consumer rights need to be protected.

Especially now, during times of economic instability and rising inflation, manufacturers must be required to make better designed, longer lasting products and should be required to provide accessible, affordable spare parts, manuals and repair services, just like Europe did this year. We have to properly support the small-business repair sector and ensure that they have access to parts, manuals and training required to carry out repairs, and our environment and economy will be the better for it.

When will this minister do the right thing for Manitobans and introduce legislation on this right to repair?

Mr. Fielding: Our government is very focused on listening to Manitobans, whether they're good ideas. What we've engaged in public consultations on our budget process, on priorities.

I just want to emphasize the fact that we are in Winnipeg earlier on in the week. We're out in Pinawa, just a few days back. *[interjection]*

Madam Speaker: Order.

Mr. Fielding: We're going to be out in Brandon tonight. We're going to be at Killarney.

These are opportunities for Manitobans to have their priorities in place. We heard from over 51,000 Manitobans last year to make changes, important changes to the budget. We're going to make sure we listen to the priorities of Manitobans, and that's what's listening is all about, about our budget process.

Silica Sand Mine Extraction Project Residents Assistance Program

Mr. Dougald Lamont (St. Boniface): An Alberta company called CanWhite Sands has been working on a very controversial project just east of Winnipeg, a mine for sand to be used in fracking. The mine itself covers an area larger than Winnipeg and involves punching hundreds of holes that risk contaminating the Sandilands aquifer, one of the largest aquifers in all of Manitoba. It is the source of some of the purest water in Manitoba, and if contaminated, it cannot be uncontaminated.

While the minister has decided to follow the law and require a Clean Environment Commission review, this government does have a track record of hiring consultants that tell them what they want to hear.

Will this government ensure that funds are available for concerned residents through the participation

assistance programs so they can be part of public hearings on this project?

Hon. Sarah Guillemard (Minister of Conservation and Climate): I appreciate the question coming from the member opposite.

Our government is proud to have always followed a very strict environmental assessment process, which we have done for this proposal as well.

And, Madam Speaker, we have full confidence in the Clean Environment Commission to fulfill its duty in looking through the proposals and determining from the details within that proposal what further conditions or advice that they would give to government moving forward.

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

Whistleblower Site Safety Allegations

Mr. Lamont: I table an article from the Steinbach Carillon, where a whistleblower who worked with the CanWhite Sands confirmed many of our worst suspicions about the project.

The whistleblower is an industrial mechanic, with a background in mining, manufacturing and management. He found the site safety, quote, really sub-par. End quote. The use of personal protective equipment in active work areas was, quote, nil to non-existent. End quote. No hearing or breathing protection, weeks of 20-hour days, and oil contamination in wells, which he said management told him not to send for analysis.

As for the local economy impact that's supposed to be boasted—that's boasting about this project, quote, CanWhite flew in Alberta-based heavy equipment operators. End quote.

What gives? This needs to be investigated and without robust public hearings, Manitobans won't get proper answers.

Are these allegations going to be investigated by the CEC, or will the government—

Madam Speaker: The member's time has expired.

Mrs. Guillemard: The member knows that our robust environmental assessment process is one that has kept this Province in line with environmental standards well beyond what other jurisdictions require. And we will continue to hold that high standard for all proposals that come before us.

What the member is doing right now is calling into question this process, and the very expertise that

lies within our department, but also within the Clean Environment Commission. And I would ask the member to allow the process to continue and to unfold. And I look forward to the report that will come before me from the Clean Environment Commission.

Thank you.

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

Teachers' Pensions Amendment Act Request for Government Support

Ms. Cindy Lamoureux (Tyndall Park): Earlier today, I introduced legislation that would amend two clauses of The Teachers' Pensions Act. The bill legislates a spot for a nominee of the Retired Teachers' Association of Manitoba to join representatives of the Manitoba Teachers' Society and those appointed by government to the TRAF board.

Madam Speaker, these changes in the bill introduced today were previously introduced by our current Premier (Mrs. Stefanson), when in opposition, in 2006 and by the Minister of Infrastructure (Mr. Schuler) in 2007.

It's clear that there was support for this idea when the PCs were in opposition.

And my question is, today, will they support this legislation as a government?

Hon. Cliff Cullen (Minister of Education): I do appreciate the member's question on education. I will certainly review the proposed legislation and take it under advisement.

I will say—report to the Legislature, today's figures, relative to COVID in schools: week over week, we're down 12 per cent, so good things are happening there, certainly moving in the right direction. I will say, again, thanks to all of those people in schools, that are keeping our students safe, keeping our staff safe.

* (14:30)

I also want to say thank you so much to the hundreds of retired teachers that came to help during the COVID time. Thank you so much for working with Manitoba students.

Restorative Justice Initiative Northern Manitoba

Mr. Andrew Micklefield (Rossmere): Last week was Restorative Justice Week, and I'm wondering if the Minister of Justice could outline some of the

successes that this government has had in advancing this collaborative model?

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

Now, one week ago this government announced a \$145,000 investment to support a new restorative justice initiative in northern First Nation communities. Our government released the Criminal Justice System Modernization Strategy, which included a focus on restorative justice initiatives, which increases public safety in communities and leads to a more effective interaction with individuals who are in conflict with the law.

This investment for Island Lake Tribal Council allows restorative justice initiatives to be generated and directed closer to the community. Our government remains committed to partnering with rights-holders organizations on the development of restorative justice hubs and greater involvement in the justice system.

Thank you, Madam Speaker.

Municipal Funding Levels Service Provision Concerns

Mr. Matt Wiebe (Concordia): For six years, the Pallister-Stefanson governments have froze funding to municipalities. Now municipalities are facing millions in unexpected costs for policing services because of the RCMP settlement.

This is—unexpected cost is hitting municipalities hard. More cuts are going to happen if the Province doesn't step in. City of Portage is facing an \$800,000 bill. Dauphin is facing a \$200,000 bill. And all municipalities have to balance their budget, of course, as we know, Madam Speaker.

Municipal services are at risk.

Will this minister guarantee that municipal services will not be cut under this government?

Hon. Kelvin Goertzen (Deputy Premier): This is a government that has a long track record, under this Minister of Justice (Mr. Friesen) and Municipal Affairs Minister, of supporting police and law enforcement. They'll continue to.

I wanted to, while I have this opportunity, Madam Speaker, wish everyone a good holiday season. I know that they have the opportunity now to be together with family. To all of my colleagues on all the sides of the House, to all those who work in the

Legislature, of course our table officers, we wish everybody a good break and a good holiday.

Remember that this Sunday, you need to put your long johns on, get your toques on, get everything you have warm. We're going to get out there and celebrate Bob Irving's last opportunity to broadcast a game. But most importantly, to ensure that Winnipeg brings home the Grey Cup, defends the cup again.

Let's get out there and support our Winnipeg Blue Bombers, Madam Speaker.

Madam Speaker: The time for oral questions has expired.

Speaker's Rulings

Madam Speaker: And I have two rulings for the House.

After the prayer on November 24th, 2021, the honourable Official Opposition House Leader (Ms. Fontaine) raised a matter of privilege regarding the circumstances surrounding the provision of the text of the Speech from the Throne to the media prior to the speech being read in the House. The member concluded her remarks by moving, and I quote: to immediately empower an all-party committee of this House to investigate the breach of this privilege and to make recommendations to the House of how to avoid this situation from taking place again. End quote.

The honourable Government House Leader (Mr. Goertzen) and the member for River Heights (Mr. Gerrard) both spoke to this matter before I took it under advisement to consult the procedural authorities.

As members know, two conditions must be satisfied in order for a matter raised to be ruled in order as a prima facie case of privilege: (1) was the issue raised at the earliest available opportunity; and (2) was sufficient evidence provided to support the member's claim that their privileges or the privileges of the House were breached?

On the issue of timeliness, the honourable Official Opposition House Leader indicated that this was her first opportunity to present the matter in the House as she needed to review the text of the speech once it was shared with members, and she needed to conduct research on the matter. On this point I would agree with the member, and I would therefore rule that she did meet the test of timeliness.

On the question of whether the matter raised breached the member's privileges, there are a few important points to consider.

The member indicated in her submission that, and I quote: The text of motions, bills and other matters for this House must be presented to the House itself first. End quote. She went on to reference the third edition of the House of Commons Procedure and Practice which, and I quote, cites the example of legislation or motions being provided to media prior to being presented in the House as a paradigmatic example of a breach of privilege. End quote.

I would note here that the member did not provide a page number for this reference, which made it a little challenging to follow-up on. I would ask all members to be sure to include a page number in the future for such references.

The honourable Official Opposition House Leader further stated that, and I quote: The Throne Speech is a confidence motion and one of the most important motions considered by this House. End quote.

On these points I would like to clarify something for the honourable Official Opposition House Leader. The Speech from the Throne is, in fact, not a confidence motion. The speech is not a motion at all. It is an address to the Legislature by the head of state. The motion for the address in reply to the Speech from the Throne is a confidence motion and is indeed one of the most important motions considered by this House, but the speech itself is none of those things. There is a crucial distinction between the two, and it is important to clarify this for the record.

Turning to the House of Commons, a ruling delivered on October 23rd, 2007, by Speaker Milliken provides useful insights on the matter of privilege raised by the honourable Official Opposition House Leader. In the Ottawa example, a question of privilege had been raised because copies of the Speech from the Throne had been made available to the media prior to its reading by the Governor General. In his ruling, Speaker Milliken noted that the secrecy usually associated with the release of important documents like the Speech from the Throne and budgets was a convention of Parliament and not a matter of privilege.

He further stated that, and I quote: The Chair can find no procedural authority for the claim that the premature disclosure of the Speech from the Throne constitutes a breach of the privileges of the members of this House. In reference to the secrecy of the

budget, House of Commons Procedure and Practice states at page 753, and I quote, Speakers of the Canadian House have maintained that secrecy is a matter of parliamentary convention, rather than one of privilege. End quote. I would suggest to the House that the same is true with regard to Throne Speeches.

Accordingly, Speaker Milliken concluded that there had been no breach of privilege in that case.

Finally, I would note that this is not the first time this kind of issue has been raised in this House. On June 13th, 2007, Speaker Hickeys ruled from this Chair on a point of order dealing with whether or not it was a proper procedure to circulate the Throne Speech before it had been read completely, as that had apparently occurred in that situation. Speaker Hickeys ruled that, and I quote: there are no former rules and practices of the House that dictate when the government is free to release the Throne Speech. End quote.

He further stated that, and I quote: there is no rule or practice that the Speaker could be enforcing in this instance. End quote.

In consideration of all these factors, then, I rule that the honourable Official Opposition House Leader (Ms. Fontaine) has not established a prima facie case of privilege.

* * *

Madam Speaker: And I have a second ruling.

Following the prayer on Thursday, November 25th, 2021, the honourable member for St. Boniface (Mr. Lamont) raised a matter of privilege contending that legislation that had yet to be introduced and distributed in the Legislature was made public prior to MLAs having the opportunity to review the legislation. He tabled a screen shot of a since-deleted post from the president of the United Fire Fighters of Winnipeg sharing a post about the Premier (Mrs. Stefanson) announcing expansion of presumptive legislation as well as a list of cancers that were to be included as a result of the upcoming legislation. The honourable member concluded his remarks by moving, and I quote, "that as a result of this serious breach of privilege, this issue be immediately referred to an all-party committee of this House." End quote.

* (14:40)

The honourable Government House Leader (Mr. Goertzen) also offered contributions to the Chair and noted that it is a common occurrence for governments to signal that legislation is coming. He also

added that the specific text of the legislation was not included in the materials tabled by the honourable member for St. Boniface.

I took the matter under advisement in order to consult the procedural authorities.

There are two conditions that must be satisfied in order for a matter raised to be ruled in order as a prima facie case of privilege: was the issue raised at the earliest opportunity, and was sufficient evidence provided to support the member's claim that their privileges or the privileges of the House were breached?

On the first issue of whether the issue was raised at the earliest opportunity, the honourable member indicated he was raising the issue at the earliest opportunity, and I take the honourable member at his word.

On the second issue, whether sufficient evidence was provided, this is somewhat problematic, as the honourable member did not indicate what privileges of the House or of individual members were breached.

It is also a common undertaking for ministers and for private members to consult with interested groups and parties when considering bringing legislation forward. I would note that it is a very common question that is asked during second reading question periods held on legislation brought forward by government and by private members: Whom did you consult with before you brought the bill forward?

It would be prudent for a sponsoring minister or member to engage in consultations ahead of time. Otherwise, there could be a risk of bringing forward flawed legislation in the absence of discussing potential new laws or changes to existing laws with persons who might be impacted by those potential laws.

Although it is unfortunate that an impacted group did put out a comment on social media, this is not an action that is controlled or directed by government, as it was not a social media post issued by government. In the future, it may be wise for MLAs and ministers bringing in legislation to ask those with whom they consult to refrain from social media comment at least until the legislation is introduced in the House, as an issue of courtesy.

The material posted online did not disclose the specific text of the proposed legislation. Had it done so, it would be a more concerning issue for the Speaker to consider.

I therefore rule that a prima facie case of a breach of parliamentary privilege has not been presented.

* * *

Madam Speaker: Petitions—before we move into petitions, as the House is expected to adjourn later today for our winter break, and as Youth Parliament will be using the Chamber later this month, I would encourage all honourable members to remove the contents of their desks today.

I would further encourage members to recycle as much of the material as possible. The blue bins here in the Chamber are designated for recycling of Hansard only; any other material you would like to recycle may be placed in the larger recycling containers in the message rooms located just outside the Chamber.

Thank you.

PETITIONS

Louise Bridge

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

The background to this petition is as follows:

(1) Over 25,000 vehicles per day cross the Louise Bridge, which has served as a vital link for vehicular traffic between northeast Winnipeg and the downtown for the last 110 years.

(2) The current structure will undoubtedly be declared unsafe in a few years as it's deteriorated extensively, becoming functionally obsolete, subject to more frequent unplanned repairs and cannot be widened to accommodate future traffic capacity.

(3) As far back as 2008, the City of Winnipeg has studied where the new replacement bridge should be situated.

(4) After including the bridge replacement in the City's five-year capital budget forecast in 2009, the new bridge became a short-term construction priority in the City's transportation master plan of 2011.

(5) City capital and budget plans identified replacement of the Louise Bridge on a site just east of the bridge and expropriated homes there on the south side of Nairn Avenue in anticipation of a 2015 start.

(6) In 2014, the new City administration did not make use of available federal infrastructure funds.

(7) The new Louise Bridge Committee began its campaign to demand a new bridge, and its surveys

confirmed residents wanted a new bridge beside the current bridge, with the old bridge kept open for local traffic.

(8) The NDP provincial government signalled its firm commitment to partner with the City on replacing the Louise Bridge in its 2015 Throne Speech. Unfortunately, provincial infrastructure initiatives, such as the new Louise bridge, came to a halt with the election of the Progressive Conservative government in 2016.

(9) More recently, the City tethered the Louise Bridge replacement issue to its new transportation master plan and eastern corridor project. Its recommendations have now identified the location of the new bridge to be placed just to the west of the current bridge, not to the east as originally proposed. The City expropriation process has begun.

(10) The new Premier has a duty to direct the provincial government to provide financial assistance to the City so that it can complete this long overdue vital link to northeast Winnipeg and Transcona. The upcoming provincial budget will provide the timely opportunity to budget and announce provincial participation in the building of the new Louise bridge.

We petition the Legislative Assembly of Manitoba as follows:

(1) To urge the new Premier to financially assist the City of Winnipeg on building this three-lane bridge in each direction to maintain this vital link between northeast Winnipeg, Transcona and the downtown.

(2) To urge the provincial government to recommend that the City of Winnipeg keep the old bridge fully open to traffic while the new bridge is under construction; and

(3) To urge the provincial government to consider the feasibility of keeping it open for active transportation in the future.

And this petition is signed by many, many Manitobans.

Madam Speaker: In accordance with our rule 132(6), when petitions are read they are deemed to be received by the House.

Road Closures

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

And the background to this petition is as follows:

(1) Manitoba Infrastructure has undertaken the closure of all farm-access roads along the North Perimeter Highway, forcing rural residents to drive up to six miles out of their way to leave or return to their property.

(2) The provincial government's own consultations showed that closing the access of some of these roads, including Sturgeon Road, was an emerging concern to residents and business owners, yet the North Perimeter plan does nothing to address this issue.

(3) Residents and business owners were assured that their concerns about access closures, including safety issues cited by engineers, would be taken into account and that access at Sturgeon Road would be maintained. However, weeks later, the median was nonetheless torn up, leaving local residents and businesses scrambling.

(4) Closing all access to the Perimeter puts more people in danger, as it emboldens speeders and forces farmers to take large equipment into heavy traffic, putting road users at risk.

(5) Local traffic, commuter traffic, school buses, emergency vehicles and commercial traffic, including 200 gravel trucks per day from the Lilyfield Quarry, will all be expected to merge and travel out of their way in order to access the Perimeter, causing increased traffic and longer response times to emergencies.

(6) Small businesses located along the Perimeter and Sturgeon Road are expecting to lose business, as customers will give up on finding a way into their premises.

(7) Residents, business owners and those who use these roads have been left behind by the provincial government's refusal to listen to their concerns that closures will only result in worsened safety and major inconveniences for users of the North Perimeter.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Infrastructure to leave residents access to the Perimeter Highway at least every two miles along its length, especially at intersections such as Sturgeon Road, which are vital to local businesses; and

To urge the Minister of Infrastructure to listen to the needs and opinions of the local residents and business owners who took the time to complete the Perimeter safety survey while working with engineers

and the technicians to ensure that their concerns are addressed.

This petition, Madam Speaker, is signed by many Manitobans.

* (14:50)

Provincial Road 224

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

The background to this petition is as follows:

(1) Provincial Road No. 224 serves Peguis First Nation, Fisher River Cree Nation and surrounding communities. The road is in need of substantial repairs.

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

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

Abortion Services

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

The background to this petition is as follows:

(1) Manitoba women, girls, two-spirit, genderqueer, non-binary and trans persons deserve to be safe and supported when accessing abortion services.

(2) Limited access to effective and safe abortion services contributes to detrimental outcomes and consequences for those seeking an abortion, as an estimated 25 million unsafe abortions occur worldwide each year.

(3) The provincial government's reckless health-care cuts have created inequity within the health-care system whereby access to the abortion pill, Mifegymiso, and surgical abortions are less accessible for northern and rural individuals than individuals in southern Manitoba, as they face travel barriers to access the handful of non-urban health-care professionals who are trained to provide medical abortions.

(4) For over five years, and over the administration of three failed Health ministers, the provincial government operated under the pretense that reproductive health was not the responsibility of the Ministry of Health and Seniors Care and shifted the responsibility to a secretariat with no policy, program or financial authority within the health-care system.

(5) For over four years, the provincial government has refused to support bill 200, The Safe Access to Abortion Services Act, which will ensure the safety of Manitoba women, girls, two-spirit, genderqueer, non-binary and trans persons accessing abortion services and the staff who provide such services by establishing buffer zones for anti-choice Manitobans around clinics.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to immediately ensure effective and safe access to abortion services for individuals regardless of where they reside in Manitoba and to ensure that buffer zones are immediately legislated.

Signed by many Manitobans.

Madam Speaker: Are there any further petitions?

Lead in Soils

MLA Malaya Marcelino (Notre Dame): I wish to present the following petition to the Legislative Assembly.

To the Legislative Assembly of Manitoba, the background of this petition is as follows:

(1) In December of 2019, the provincial government's commissioned report on lead concentrations in soil in Winnipeg was completed.

(2) The report found that 10 neighbourhoods had concerning levels of lead concentration in their soil, including Centennial, Daniel McIntyre, Glenelm, Chalmers, North Point Douglas, River-Osborne, Sargent Park, St. Boniface, West End, Weston and Wolseley-Minto.

(3) In particular, the predicted blood-lead levels for children in North Point Douglas, Weston and Daniel McIntyre were above the level of concern.

(4) The Weston Elementary School field has been forced to close down many times because of concerns of lead in soil and the provincial government's inaction to improve the situation.

(5) Lead exposure especially affects children aged seven years and under as their nervous system is still developing.

(6) The effects of lead exposure are irreversible and include impacts on learning, behaviour and intelligence.

(7) For adults, long-term lead exposure can contribute to high blood pressure, heart disease, kidney problems and reproductive effects.

(8) The provincial government currently has no comprehensive plan in place to deal with lead in soil, nor is there a broad advertising campaign educating residents on how they can reduce their risks of lead exposure.

(9) Instead, people in these areas continue to garden and work in the soil and children continue to play in the dirt, often without any knowledge of the associated risks.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to take action to reduce people's exposure to lead in Winnipeg and to implement the recommendations proposed by the provincial government's independent review, including the creation of an action plan for the Weston neighbourhood, developing a lead awareness communications and outreach program, requisitioning a more in-depth study, and creating a tracking program for those tested for blood lead levels so that medical professionals can follow up with them.

Signed by Elizabeth De la Cruz, James Masowick, Sam Fermin, and many other Manitobans.

Madam Speaker: Are there any further petitions? If not, grievances?

ORDERS OF THE DAY

(Continued)

GOVERNMENT BUSINESS

Hon. Jon Gerrard (River Heights): Request leave to introduce two report stage amendments to Bill 3.

Madam Speaker: Is there leave of the House to allow the member for River Heights to bring forward two amendments to Bill 3? [Agreed]

Mr. Gerrard: Madam Speaker, I move, seconded by the MLA for Tyndall Park, that Bill 3 be amended—

Madam Speaker: Order. Order. [interjection]

Pardon me. There's one step we have to go before I recognize the honourable member for River Heights.

Hon. Cameron Friesen (Deputy Government House Leader): Madam Speaker, I'm calling for debate this afternoon, report stage on Bill 3, family law maintenance amendment act. Then concurrence and third reading of Bill 3, family law maintenance amendment act, then concurrence and third reading on Bill 6, The Workers Compensation Amendment Act, then royal assent, then second reading, Bill 7, The Police Services Amendment Act, IIU.

Madam Speaker: It has been announced that the House will consider this afternoon report stage amendments on Bill 3, to be followed by concurrence and third reading of Bill 3, to be followed by concurrence and third reading of Bill 6, to be followed by royal assent, to be followed by Bill 7—second reading of Bill 7.

I will now recognize the honourable member for River Heights to bring forward his first amendment.

REPORT STAGE AMENDMENTS

Bill 3—The Family Maintenance Amendment Act

Hon. Jon Gerrard (River Heights): Madam Speaker, I move, seconded by the MLA for Tyndall Park,

THAT Bill 3 be amended in Clause 3 by adding the following at the end of the proposed subsection 18(2):

but not to include, in respect of a child who was conceived by way of assisted reproduction:

- (a) a donor, if they had no intention at the time of the child's conception to be a parent of the child; or
- (b) a person related to such a donor.

Madam Speaker: It has been moved by the honourable member for River Heights, seconded by the honourable member for Tyndall Park (Ms. Lamoureux),

THAT Bill 3 be amended in Clause 3 by adding the following at the end of the proposed subsection 18(2)—

An Honourable Member: Dispense.

Madam Speaker: Dispense.

The amendment is in order. Debate is open.

* (15:00)

Mr. Gerrard: During the committee stage, we heard repeatedly that there was request for stronger and more comprehensive wording that a donor is not a parent. And specifically, Robynne Kazina, who is a lawyer who's got experience in this area, recommended the specific wording that we are using.

So I have brought forward this and hope that the House will accept this as an amendment to Bill 3.

Madam Speaker: Are there any members wishing to speak on the amendment? Is it—there are no further speakers on the amendment?

Is it the pleasure of the House—[interjection] Oh.

Is the House ready for the question?

Some Honourable Members: Question.

Madam Speaker: Is it the pleasure of the House to adopt the first amendment—the first report stage amendment?

Some Honourable Members: Yes.

Some Honourable Members: No.

Madam Speaker: I hear a no.

It has not passed. The amendment has not been accepted.

The honourable member for River Heights, on his second proposed amendment to Bill 3.

Mr. Gerrard: Yes. Madam Speaker, I move, seconded by the MLA for Tyndall Park,

THAT Bill 3 be amended in Clause 3 in the proposed subsection 24.2(5) by replacing everything before clause (a) with the following:

Effect of surrogacy agreement

24.2(5) In an application under this section, a surrogacy agreement is not binding on the parties to the agreement but the agreement may be used as evidence of

Madam Speaker: It has been moved by the honourable member for River Heights (Mr. Gerrard), seconded by the honourable member for Tyndall Park (Ms. Lamoureux),

THAT Bill 3 be amended in Clause 3 in the proposed subsection 24.2(5)–

An Honourable Member: Dispense.

Madam Speaker: Dispense.

The amendment is in order.

Mr. Gerrard: The reason for making this change is that the wording in Bill 3 is the following: a surrogacy agreement is unenforceable in law.

I believe the use of the phrase unenforceable in law sends a strong message and many who are involved in this process will read that as, oh, we can have an agreement but it's unenforceable for law so, therefore, it doesn't really matter what we say. But in fact, and in practice, this agreement is used as evidence and the court can, in fact, enforce the terms of the surrogacy agreement.

And so, the aim of this change is to make the wording a little bit different so that it doesn't suggest or imply that the agreement is completely unenforceable in law.

Madam Speaker: Is there any further debate on this amendment?

Is the House ready for the question?

Some Honourable Members: Question.

Madam Speaker: The question before the House is the second amendment, moved by the honourable member for River Heights.

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

An Honourable Member: Yes.

Some Honourable Members: No.

Madam Speaker: The amendment has not been passed.

Moving then to the next item.

CONCURRENCE AND THIRD READINGS

Bill 3—The Family Maintenance Amendment Act

Hon. Cameron Friesen (Minister of Justice and Attorney General): I move, seconded by the Minister for Conservation and Climate, that Bill 3, The Family

Maintenance Amendment Act, reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Motion agreed to.

Mr. Friesen: It's my pleasure to rise and put a few brief comments on the record in respect of The Family Maintenance Amendment Act.

I want to begin by thanking all the presenters at committee who took the time to join us only two nights ago; spoke from their heart, spoke about personal experience, shared very honestly and openly and were vulnerable. We thank them for appearing. We thank them for their—what they communicated to us that evening.

This bill is important in that it replaces part 2 of The Family Maintenance Act, dealing with the parentage of children. We know this is responsive to a court determination that our laws had not kept up. That happens from time to time, as medical and reproductive technology has evolved. We needed to make sure that our laws reflected those things and that is why these amendments are there.

These amendments, as I've said previously in other parts of debate, are intended to balance out the rights of children, of intended parents and of surrogates. The provisions of this bill address parentage of children in all cases, whether children are conceived through assisted reproduction, with or without surrogacy. The provisions respecting surrogacy, we believe, provides a clear path as to what will happen upon a child's birth and who has parental rights and responsibilities.

Mr. Doyle Pivniuk, Deputy Speaker, in the Chair

I was pleased to hear at the committee from people who said that the bill will make it easier for those who are going through surrogacy. People welcomed changes like removing the spouse's name of a surrogate, which really was confusing and inaccurate. People spoke to the fact that things would be now done in a more timely manner and we appreciate these expressions of support for the bill. It's part of our government's overall plan to modernize family law in Manitoba.

Mr. Deputy Speaker, just a few quick points: I wanted to indicate again and just reinforce that the bill is a balancing act. And so while there are some parties who may say, well, the bill doesn't go far enough, it is important to recognize that this is a balancing act.

No one was at committee who spoke about the rights of a surrogate, but it is clear that a surrogate does have rights. A surrogate carries a child in them for nine months or to the full gestation, delivers that child. The law has a responsibility to protect the rights of that surrogate.

It's why there is a two-day period before those declaration decisions can be undertaken. That is there as a protection. Our aim is to protect all parties and not overly constrain the process so that it is unworkable or does not act in one party's best interest.

I also wanted to indicate—there was discussion at committee about whether an administrative process would be better or more favourable than court processes when it came to declaratory orders. I want to be clear on this point that we have every confidence that courts will put importance on these matters.

We heard people at committee state that they felt that the courts would be seized with the—with doing this in an expedient way. Certainly, I made clear at committee that department officials will be providing the court and Vital Statistics branch with support to implement procedures to ensure that intended parents are recognized as expeditiously as possible.

We know there's been big changes at the Vital Statistics Agency. Minister of Finance (Mr. Fielding) shared that with the House just a little while ago. We thank the Minister of Finance and Vital Statistics for their hard work and able to eliminate backlogs, speed up processes. These reasons should all give people confidence that this can happen in a prompt way. If it doesn't happen in a prompt way, then we will have work to do but it should not be our starting position that somehow we can't believe these things can work on time.

Just a few other comments: I wanted to indicate, as well, that there was a comment that the administrative process is better because it eliminates paperwork. That's not necessarily the case. As a matter of fact, in BC, which has an administrative process, it's been the case that more recently there's been paperwork and paperwork added to it. So it's not as if the judicial process is automatically inferior because somehow it involves paperwork. Both do.

* (15:10)

But one of the best reasons to believe that the process will be more expedient going forward is because of the clarifications and the specificity, in some sections, that this bill actually brings. Those things will help courts to decide these more easily.

There will be less need for longer processes. The process is made more clear.

Just a few other things. I want to speak to the member for River Heights (Mr. Gerrard) who had brought two amendments this afternoon. I would make—want to make clear to him that when he says—sorry, when the legislation says the surrogacy agreement is not enforceable in law, I've made clear to him before and in the briefings, it's because as a contract, this is about a child and not property. There's a big difference there. So it's not as if there's been something overlooked. This language does align with other jurisdictions. There are important public policy reasons to say these agreements are unenforceable in their—in this way.

The member had one more amendment. And also, in respect of that amendment, we believe that section 20 of the act makes this clear. We believe that the act is clear in its intent, and there is not a reason to specify anything more in respect of the donor. This section 20 makes clear that the donor is not simply—is not apparent simply by virtue of the fact that they were the donor. So, with those two comments, Mr. Deputy Speaker, I commend this bill for consideration at the third reading, and I look forward to its passage this afternoon.

Ms. Nahanni Fontaine (St. Johns): I'm pleased to get up this afternoon and put a couple of words on the record in respect of Bill 3. So let me just start by saying this. This bill comes before the Manitoba Legislature because of the courageous determination of Manitoba families to have them recognized as families, and to have the process easier, more streamlined, for Manitoba families, as we move forward here.

Look, we know that, you know, families are—come in all different manners, and we are in a really amazing time where we recognize the beauty and the diversity of all kinds of families. And we have to ensure, and particularly as legislators, that we are supporting families in the endeavours that they need to ensure that they are protected, and that it is easy for folks who are choosing to become parents, to become parents.

The other night, as the Minister of Justice (Mr. Friesen) just noted, we had a standing committee. And I was actually sharing with caucus, I guess, yesterday, that we have lots of standing committee meetings, as you know, deputy chair—deputy chairperson—Deputy Speaker.

And we hear from all kinds of Manitobans. In fact, Manitoba is, you know, one of the only few jurisdictions that actually have presenters at standing committees on bills. And the other night, at the standing committee of Bill 3, it was—and I probably can speak on behalf of all of us—it was—it felt very intimate and it felt very personal. And I actually—I know for myself—learned a lot. I learned a lot from Manitobans who experience becoming parents, and the struggles and the obstacles to becoming parents, and what that looks like.

And I know that—I just want to put it on the record—how honoured I was to hear those very personal stories and journeys and hurts and joys. It was—I was glad to be able to participate in that standing committee. And like I said, I'm sure that I can speak on behalf of everybody that sat at that committee that it was a really good night.

I do want to take a couple of minutes just to acknowledge and say *miigwech* to all of the presenters. As I've shared before, here, in the Chamber, you know, the folks that brought forward the challenge that actually ultimately ended up to why we are here today for Bill 3, some of those folks are St. Johns constituents. And I'm really proud to represent Jill Stockwell and Courtney Maddock, who are phenomenal parents who love their sweet, sweet baby C.J., who, honestly, is just the most adorable little girl.

I'm proud to represent them in this Chamber, and I'm—I—you know, my message to them is *miigwech* for having that dedication, that resiliency, that courage to bring forward this court challenge that ultimately, you know, not only affects them personally—and I would actually probably submit that at the end of the day, like, yes, they were doing it for themselves, but I would suggest that—you know, more that they were doing it for the rest of Manitobans so that other Manitobans who are becoming parents don't have to go through the uncertainty of what they went through when they had C.J.

And so I want to acknowledge them, and I want to say *miigwech* to them for doing this. It takes—you know, it's a lot of—it's a long journey to go through this and today is a good day. You know, Bill 3 will become law in Manitoba. Probably, you know, what—probably around 10 to five, five to five today it will become law. And again, that is because of the work of Manitobans. So I acknowledge Jill and I acknowledge Courtney and I acknowledge C.J.

I acknowledge their lawyer, who did just a 'phenomela' amount of work to bring this before the

courts and to then, ultimately, you know, contribute to why we're here today, Robynne Kazena—Kazina. For some reason, I have a hard time pronouncing her last name, and I apologize for that, but she provided a brief that I actually want to—you know, as soon as I finish just acknowledging some of the folks that were at committee, I want to just—again, just put into the record a couple of the 'expertee' amendments that Robynne had suggested, but I do want to acknowledge her for her work and her expertise. Like, she was absolutely phenomenal in breaking down what this actually looks like—these obstacles and what they look like in the lives of Manitobans as they become parents.

I also want to acknowledge Reannah Hocken from the Manitoba Bar Association, Allison Fenske from the Public Interest Law Centre, all of whom participated in sharing their expertise within the legal aspects of it.

I want to acknowledge Lisa McConnell and Bradley Miller, who actually presented together in standing committee. And as I shared in the committee, I've actually never seen that, and I actually thought that they were just a lovely, lovely couple. And just—again, like, just so 'selfless'—selfless and extraordinary in their love to be able to share to help a couple become parents. I think it is extraordinary to make that decision. It is such an act of selflessness.

And so I really thought that they were lovely, and I want to, you know, say *miigwech* to them for sharing what they shared, including the fact that the way that the legislation works now is that when a baby is born, it is the surrogate and the partner—the spouse—that are named on the birth certificate as the legal parents. And what that does, you know, emotionally and mentally and physically after you've just given birth and having to go through all of the logistics and—you know, of trying to ensure that you're not the parents and yet you are. And so they really did a good job of sharing what that looks like.

And—sorry, I apologize—and then Lisa Davies McDonald, who shared a very, very personal journey in respect of her own health and then how that contributed to struggles with fertility and what that looked like for her to become a mom to her six-month-old baby Robyn.

* (15:20)

And, again, like, I—you know, I think that we're just so—you know, this place can do and does so much. And you know, sometimes this place—many times this

place is, you know, so toxic, but then you have these moments where you just—you're so blessed to hear Manitobans' stories and—*[interjection]*—and you would think that the Minister for Justice would just pipe down a little bit while I'm talking about Lisa, but apparently he can't.

As I've—*[interjection]*

Mr. Deputy Speaker: Order. *[interjection]* Order. *[interjection]* Order. *[interjection]* Order.

Ms. Fontaine: You know, I—again, if the minister would like to get up and share whatever he needs to share—*[interjection]*—I know that the minister's in a little bit of a tizzy because I did point out, at the beginning of the standing committee, he wasn't listening to one of the presenters. And I know that he's, you know, spouting on about how it's shameful or whatever, how he doesn't understand how toxic—*[interjection]*

Mr. Deputy Speaker: Order.

Ms. Fontaine: It is toxic in here. If he wants to continue on—*[interjection]*—if he wants to continue on, he can get up on a point of order or whatever he wants. Go for it. Like, stop acting like a child. I'm actually speaking, Deputy Speaker. *[interjection]*

Mr. Deputy Speaker: Order.

Ms. Fontaine: So, again, to Lisa—*[interjection]*

Mr. Deputy Speaker: The honourable member for St. Johns (Ms. Fontaine).

Ms. Fontaine: Every time he opens his mouth, I'm going to stop. If he cannot be quiet while I am acknowledging Manitobans, and particularly Manitobans who shared such heartfelt difficult journeys, and he cannot be quiet while I'm speaking—him, as a man, cannot be quiet while I am speaking—*[interjection]*

Mr. Deputy Speaker: Order.

You know what, I have to honestly say that it goes both ways. When it's other—people on both sides are speaking, there's a lot of interference, and it goes—I think it—I really believe it goes both ways—

Ms. Fontaine: I didn't say one word while he was speaking.

Mr. Deputy Speaker: Well, the thing is, it's not just, like, a day like today. It's other days, too, but—*[interjection]*

Order. Sense of civility in here.

Okay, we'll continue now with the debate.

Ms. Fontaine: I did not say one word while he was speaking. I showed respect to him as he was trying to thank the folks that presented to us. I did not say one word.

Oh, boy. So, again, to Lisa, miigwech for sharing what you shared. To Brianna Darbel, miigwech for sharing everything that you shared with us. We very much enjoyed your frank discussion and we really appreciate what you shared with the committee.

Joel Lebois, miigwech for your presentation as well. Mark *[phonetic]* Erhard, miigwech for your presentation and what you shared with us, as well, to the committee. We all took it to heart and appreciate what was shared—again, very intimate personal details. Paul Bruch-Wiens, again, miigwech for the—what you shared with us, and then, of course, Courtney Maddock.

It was a very informative evening, and that should be the intent of standing committees, right? When we hear from presenters and presenters come and they share what their recommendations and what their experience is and what their expertise is. Really, standing committees are opportunities where, when you see that legislation can actually be strengthened, it's an opportunity for the minister responsible for whatever particular bill to actually listen to who are the actual experts and to strengthen the legislation.

And what we heard at the standing committee the other evening—

An Honourable Member: Don't lie, Nahanni.

Ms. Fontaine: Deputy Speaker, the Minister of Justice (Mr. Friesen) just told me not to lie.

Are you not going to—he's now calling me a liar on what—

Mr. Deputy Speaker: Well, the thing is, it's not in the debate that he's actually speaking, but at the same time, we should actually respect each other for even saying parliamentary language to—even when it comes to heckling, too.

It goes on both sides. Like, my mother-in-law, who comes from Jamaica, always says people in glass houses should not be throwing stones.

Ms. Fontaine: So, what we heard in the presentation is that the Minister of Justice (Mr. Friesen) actually did not consult with any of the individuals who originally brought forward the complaint or the challenge—not their lawyer, not any of the families; none

of them were consulted with. And there were still some concerns.

So I think, for the most part, everybody was 'happeny'-happy that the bill was finally coming to committee and finally would receive royal assent, and—but that they hadn't been consulted. And I think that it bears that some of the recommendations or some of the expertise and recommendations in respect of amendments should be put on the record here today.

And so I do want to share that, you know, some of the—a lot of the discussion that took place at the standing committee spoke about expedited processes in respect of getting of the court order and certainly at Vital Statistics. And we know that Vital Statistics, because of the cuts from this—Pallister-Stefanson governments, is actually taking quite a long time to get birth certificates and other records that we need because, again, we know that they haven't filled any of the positions. And so there's concerns that the Vital Statistics process is taking longer and the wanting to ensure that the court process in respect of getting a court order is expedited as well. And we do have it on the record that the minister said that it will endeavour to be an 'expedaty' process for families so that there's not this gap in between of a presumption of parentage and who are parents.

So, you know, I want to put on the record here and just read out a couple of the amendments that were proposed by Robynne Kazenza [*phonetic*]. And she spoke about, again, that the court—she was hoping that there would be an amendment, but we didn't see one and we didn't see any consideration of the Liberals' amendments, but that, I quote: The court must make the order sought under this section on an expedited basis.

And so there's that piece that they brought forward, and I bring it forward again today because we want to ensure that, at every level of this debate on Bill 3, that the minister understands and that the—directs the department to ensure that there's the infrastructure to ensure that there's an expedited process. And, again, when we talk about the Vital Statistics, she suggests, and I quote: On receipt of the statement, under section 24 and 29 of the family maintenance, the director shall amend the registration birth accordingly, and for orders made pursuant to section 24.1 and 24.2, such amendments shall be done on an expedited basis.

Again, those were amendments that their lawyer thought were important to have in Bill 3. We know

that the minister did not take that advice and that recommendation, based on the expertise of Ms. Krezenza [*phonetic*] to—into Bill 3.

* (15:30)

Bill 3 remains as it did before the standing committee. So, like I said, it was an opportunity for folks to strengthen the bill. Regardless, I think—as I've said—I've heard from folks that they're happy that the bill is going forward but bills are—there's always room to strengthen and ensure that bills are the best that they can be.

The other thing that we heard from presenters were an administrative model versus a court-ordered model and I know that the minister has put on record that, you know, he, you know, doesn't think that that's the best form because he's said a couple of times that BC has lots of paperwork. Again, I don't know what BC's structure is, however, it was said a lot of times in committee that an administrative model is more streamlined and easier for parents and for 'saragates' and donors for the process.

And so it is—it does beg the question and I would submit that at some point perhaps we will come back to revisit the legislation, to look at maybe an administration—administrative model. That would make it easier for parents who are already going through so much when becoming new parents.

So, Deputy Speaker, I think I will leave my comments there. I just wanted to make sure that I did again, just once and, you know, again really assert that this bill isn't because of the minister. The minister didn't wake up one day and say, oh, you know what? Let's do a better process for families and for parents. He—this never even would have been on his radar. The only reason why it's on the radar and why we're sitting here today—it's because of Manitobans. It's because of Manitobans who stood up and said we need a better process. It's only because of those Manitobans and, in fact, even though the court ruled in favour of Manitoba families, this minister still dragged his heels, right? So we're a little bit behind in respect of a deadline.

So, I know that the minister is going to attempt to, you know, stake claim and somehow that he did this and so he's a great, you know, Justice Minister but, again, this is only because of Manitobans. You can't stake claim to the labour of Manitobans who brought forward this challenge and push the minister to actually care about all of other Manitoba families.

And so this, today, is the success, it is the celebration of Manitobans who brought us forward to this very moment with this particular legislation that will help Manitoba families going forward.

And so, congratulations to everyone who worked on this challenge: to the families, to the babies and, of course, to all the legal support in this endeavour. Congratulations.

Mr. Deputy Speaker: Any further speakers?

Mr. Gerrard: I have a few comments on Bill 3 at third reading.

First of all, I want to thank the presenters who did an amazing job at the committee stage: Jill Stockwell, Robynne Kazina, Paul Bruch-Wiens, Reannah Hocken, Allison Fenske, Lisa McConnell, Bradley Miller, Lisa Davies McDonald, Brianna Darbel, Joel Lebois, Matt Erhard and Courtney Maddock.

It was a very enlightening even and it was very interesting to hear the long court struggle that the presenters had been through, challenging the current law and showing eventually, through the courts, that the law as it stood, up until this point, has got major deficiencies.

It is good that the government has brought this forward and clearly what we heard from the presenters was that this bill is an improvement over the current situation, and that the Manitoba Liberals will support Bill 3 and hope that it gets passed and becomes law, later today.

I thought it was particularly meaningful when we heard from one presenter how they had sought a surrogacy—a surrogate mother—to help them have a child. And they, by chance, went to Ontario and they told us their story with a surrogate mother from Ontario was a much smoother story and a much better story, in terms of the process that was followed for them and their family and for the surrogate mother, than it would have been in Manitoba. And it was a very telling and meaningful explanation of why changing the law was so critical.

Now, at the same time as we heard very clearly that this law is an improvement, we also heard at the committee stage that the law, as it's been brought forward by the current Minister of Justice (Mr. Friesen), doesn't go far enough; that the law is not as good as legislation in Ontario, British Columbia and Saskatchewan, where the process will still be smoother and clearer and go quickly and seamlessly

for couples engaged in these matters. So the Minister of Justice could have done better.

We heard the Minister of Justice say that he expects the court to act expeditiously. Sometimes one wonders if courts acting expeditiously may be a bit of an oxymoron in Manitoba. But we, in fact, hope that the court will act quickly, and we know that sometimes it is possible. We also know that there have been long delays in vital statistics, and in spite of the recent statements from the Minister of Finance (Mr. Fielding), we are still experiencing and having letters from people who are experiencing delays.

I want to make a particular comment on what is essentially a two-day window of uncertainty from the time the child is born until the surrogate mother signs a consent form. And this is a window of time when it is uncertain as to who has the authority to make medical health-care decisions for the child, if there was emergency surgery for cardiac or lung or other problems. And we heard that the situation in Ontario, BC and Saskatchewan is a little clearer on this. I didn't investigate this personally, but I think that it is important that this clarity be there, and that it be clear that it is the intended parents who should have the responsibility for making such decisions when surgery is needed at a critical point in time like this. And so we are concerned about this two-day window, and we look forward, and hope, that the matter will not cause problems, but if it does, then we may be back in the future to make further changes to this legislation.

With those comments, I will complete my remarks, say thank you, merci, miigwech and let us proceed on to the next step with this legislation.

Thank you.

MLA Uzoma Asagwara (Union Station): So, I had the absolute pleasure and honour of being able to be at committee this week, in regards to Bill 3.

I have to say, it was a truly humbling experience to be able to hear directly from folks who have been impacted in some way, shape or form by this legislation not being as progressive, as modernised as it needs to be.

* (15:40)

We were able to hear from folks who are in same-sex partnerships who have kids and, you know, access surrogacy. We heard from folks who've been navigating infertility issues, and each and every person who presented—including, I think, a couple of folks who have actually been surrogates for others—each

and every story and experience that was shared was incredibly powerful and really insightful.

I learned a lot. I learned a lot from being present that evening, and so I want to thank all of those folks who took the time out of their very busy evenings. There's a couple of folks who you could hear their little ones outside of the room, making a lot of noise, and so really appreciate that they made the time and the effort to share their stories, to better educate us and—in the hopes that decisions would be made to improve this legislation, and to recognize the importance and the urgency around this legislation being moved forward.

So I wanted to highlight a couple of things that were raised during committee. One, that Manitoba lacks in this area where other jurisdictions have made it much easier for folks to ensure that the parentage over their children—of their children is respected immediately after that child is born.

I expressed to one parent that, while he had a good experience and we were happy to hear that, it was disappointing that he had to go Ontario for that experience. And that really, really resonated, his story. And, you know, it's so important for us here in Manitoba to recognize that when we have opportunities to become leaders, in terms of how legislation can look for families and how it needs to look, we should do so.

And I—that was what those folks were talking about. They were very generously sharing from a place of lived experience the ways in which Manitoba can be a leader in this country, in terms of this particular piece of law.

And, you know, for the sake of many families who are going to use surrogacy in order to grow their families, in order to have children, I think it's incumbent on us to do what we can to take this legislation as far as possible. We know that these areas of legislation are always evolving and why not have Manitoba be a leader and not a follower in this area.

I wanted to give a really—a special shout-out to one of the presenters, Lisa Davies McDonald. Lisa is an absolutely wonderful human being who I happen to know, and there was a lot about her personal story and her struggles that I heard for the first time at committee. I know she's been championing this issue from a place of a lot of pain and hurt for her, but it was something else to hear her share so honestly, and from such a raw place where she's still healing, that night at committee.

And so I wanted to say thank you, not only to all of the presenters but especially to Lisa, who I know has bravely shared her story on her platforms so that people can learn to destigmatize the experiences that many women, that many people who want to have children, that many parents experience and feel they cannot express because of, you know, any stigma attached to those challenges or because there's a lack of spaces where they're going to be held and cared for in expressing what they go through.

And she is breaking down those barriers and creating space for this important dialogue, and in making sure that people who navigate what she is navigating aren't alone, and in making sure that we do better by parents, and—you know, so that they can have more positive experiences when they have their children.

And, you know, one of the areas that she raised, that I, you know, had no knowledge of prior to committee, was around maternity leave. And I know that that's not an area that's for us really to get into here necessarily, but it certainly raised a level of awareness and I, you know, I look forward to providing support to Lisa and to other folks who are navigating those experiences well into the future, because this is an incredibly important issue.

And the last point that I want to make is around the critical importance of recognizing that this legislation affects all family make-ups, that when we talk about this legislation, it's important for us and it's our responsibility to not erase different and all kinds of families that are impacted by this law.

And I raised that previously to the Minister of Justice (Mr. Friesen) because, when he provided his remarks earlier this week in the Chamber, he didn't actually mention queer parents or 2SLGBTQ+ parents at all, and families. And yet, at committee, we saw a number of folks within that spectrum of identities present and speak on this issue.

And so, you know, when we talk about these pieces of legislation, it is our responsibility to make sure that we make visible all folks who are impacted. We can't erase the very folks who are at the core of driving the amendments, driving the progression of this law, to the benefit of all Manitoba families. All Manitoba families benefit from the advocacy of the queer and 2SLGBTQ+ families that have been fighting so hard for several years to see these changes.

And so, I celebrate the fact that there is a diversity and a beauty and a dynamic aspect of who this law

supports and it is incredibly important for us to do our best to make Manitoba a leader in this area. So, I'm going to conclude my remarks there and allow time for my esteemed colleague from St. Vital to also put some words on the record. Thank you.

Mr. Jamie Moses (St. Vital): Thank you very much, Mr. Assistant–Deputy Speaker. I am–Deputy Speaker. Pardon me. Apologies. Thank you very much, Mr. Deputy Speaker. There we go. No, I am really pleased to be speaking toward this bill, Bill 3.

You know, when you think about the changes that this bill proposes and the families and the lives that–it will be affected by this type of change, you can really understand the impact that this–these sorts of changes will have.

Now, I–and so I want to start off by thanking those people in our community who've been advocating for these types of changes for years because they face the impact, because they've faced the current system and the way that our system disproportionately–under today's conditions–disproportionately impacts parents who are in the LGBTQ-s-plus-two-plus communities, and who–those folks who are looking to become parents and add to their families here in Manitoba. They face a different type of barrier to becoming parents.

And so, unfortunately, because of that fact and that reality in our lives, they've been pushing, they've been advocating for stronger measures to make their families, their lives easier to become parents and to add to their families. And so I want to take the moment to thank them for pushing for this, for–you know, forcing this government to act and for building allies in–around our communities to push for this type of modernisation in our laws.

Now, you know, Bill 3 does advance conditions and legal rights and responsibilities for children and the way they're viewed in the legal system for the child right after they're born and their parents. And, I mean, there are still, you know, issues around this Bill 3–regards to, you know, decision-making in that two-day window when a child is first born.

And, you know, I think many advocates would say that you know, that it's the intended parents–you know, they should be the ones to make any critical decisions within even that first couple of days. Right?

And so when you consider this legislation we do see some, you know, really positive steps taken here, but also avenues where again, we might be left a little–leaving a little bit on the table for things that would

really enhance and make that quality of life for people who are going through this, you know–some–often joyful but also very stressful time.

And it is. You know, being a parent myself, you know, experiencing the joy of the birth of my two children, it is joy. It is a time–you've anticipated it. You've thought about it. You've planned for it. And it's a joyous occasion. And so as a government, as a community here in Manitoba, it should be on all of us to make that as easy a transition to becoming a parent as possible. It's joyful but it's also stressful, you know, being responsible for a young child. Whether you're a first-time parent or you've done it a couple of times before, that can still be very stressful in your life.

* (15:50)

And so, on top of that regular stress of becoming a parent to an infant, you are now putting on top additional stress by having to go through a legal system. And I know there are other jurisdictions which go about this–go through this process in a less legally–legal manner, which would, you know, look at decrease in the stress on people who are just trying to parents. They're just trying to raise a family in our province.

You know, many times heterosexual couples in our communities, you know, will, without a thought, start a family. You know, sometimes, it's simple, very easy. Sometimes it happens, you know, without planning. Whatever the situation is, it can–it happens very often for heterosexual couples.

However, for couples who are in the LGBTQ2S+ community, they also–they often don't have that luxury of just starting a family. It's often quite a process: a process of planning, a process of researching surrogates, a process of researching fertility, money–the additional costs of becoming a parent when you're in that community. And all these factors go into the reality of their situation. And considering that, us as a community, should take the steps that we can to make that as simple as possible so that those families have the same opportunity, just like every other couple in our province, to start and raise a family here in Manitoba–the province that we are all working to make better.

And so it's clear that the direction that we have–are taking in Bill 3 is a step in the direct direction. Although, as I mentioned, there are areas where it's clear we could make this–we could really tighten up this law to make it more accessible, break down even

more barriers for people who face them every day when it comes to parentage, childbirth.

I do want to also point out that this bill also affects families who are just simply, you know, struggling with infertility, and I know that's very common; whether it's infertility, whether you're looking at things like, as a couple, of surrogacy or IVF or other methods to raise a family. And these are concerns and the way this law is drafted will affect those families, too. And the way that we, you know, now being in 2021, near the end of 2021—almost in 2022, are looking at a society where, you know, there should be no barrier for a couple to start their family.

We've progressed so much when it comes to issues that affect raising a family, bringing up the family. We've come so far when it comes to issues that affect the LGBTQ2S+ community that we are looking at breaking those—all those barriers down. And, you know, as much as this bill goes—takes many steps in that direction, we would really honestly be looking at how we can go even further to just take all those barriers away and make it as much as possible a level playing field for all families who are looking to start a family in our province.

And so, again, I want to just, you know, conclude again by really congratulating the many, many advocates who have worked for so long to push for this type of legislation, who have gone through the work of advocating, letter writing, calling, emailing, protesting for this type of change because they've suffered—in many cases—the down sides, the impacts of the current law.

And so we are—we're very grateful to be taking some steps now in the positive direction to ensure that our province becomes a better place for all Manitobans to become parents and start families.

Thank you so much.

Mr. Deputy Speaker: Any further speakers on the bill?

Is the House ready for the question?

Some Honourable Members: Question.

Mr. Deputy Speaker: The question before the House is concurrence and third reading on Bill 3, The Family Maintenance Amendment Act.

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

Hon. Kelvin Goertzen (Government House Leader): I wonder if there's leave to present a motion

to the House despite the fact that it wasn't listed in the orders by the Government House Leader.

Mr. Deputy Speaker: Is there leave to—for the House to—sorry, I didn't catch the last part. For a government motion? *[interjection]* To consider a government motion on—that's not on the Order Paper.

Is there leave? *[Agreed]*

GOVERNMENT MOTION

Hon. Kelvin Goertzen (Government House Leader): Just as context before I read the motion: Over the last several weeks—*[interjection]*—apparently I should put the motion and then give my context after, according to our esteemed deputy clerk, who I never argue with.

I move, seconded by the member for St. Johns (Ms. Fontaine), that effective no later than December 15th, 2021, all current and future members of the Legislative Assembly must be fully vaccinated against COVID-19 to enter the Legislative Assembly Chamber, committee rooms and all other rooms under the jurisdiction of the Legislative Assembly within the Manitoba Legislative Building, including MLA and caucus offices, with this requirement to be reviewed before the completion of the Fourth Session of the 42nd Legislature.

Mr. Deputy Speaker: It has been moved by the honourable Government House Leader, second by the honourable member for St. Johns—

An Honourable Member: Dispense.

Mr. Deputy Speaker: Dispense? So ordered.

Mr. Goertzen: For the context, Mr. Deputy Speaker, this in large part puts into the record, and I've been advised that it's wise to do so given our individual privileges in this House, what we've been operating under for a couple of months, anyway. There's been an agreement with all the three parties that MLAs that are attending in the Chamber would be vaccinated.

This goes a little further, but essentially it puts into the formalized record what has been operationalized over the last several weeks. Clearly, there's a time limitation on this. It has to be agreed upon by all members. Members will know that it is members of the House that set their own rules in the Assembly, it is specific to MLAs, and so MLAs themselves will make that determination on how they govern themselves, because it is specific to us as elected representatives. It's not—it doesn't go beyond that; this particular motion is specific to MLAs.

Mr. Deputy Speaker: Any other speakers on that motion?

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

CONCURRENCE AND THIRD READINGS

(Continued)

Bill 6—The Workers Compensation Amendment Act

Mr. Deputy Speaker: Okay, now we'll move on to Bill 6, The Workers Compensation Amendment Act.

Hon. Kelvin Goertzen (Government House Leader): I move, seconded by the Minister of Justice and the Attorney General (Mr. Friesen), that Bill 6, The Workers Compensation Amendment Act, 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.

Hon. Kelvin Goertzen (Minister of Legislative and Public Affairs): This bill, of course, is something that was a commitment in the Throne Speech just delivered a few days ago. I'm pleased to see that there seems to be all-party co-operation on this in ensuring that firefighters have some particular cancers determined to be presumptive as part of the work that they do so they could be qualified for benefits if they track those diseases.

* (16:00)

I want to thank all of those who've been involved in the drafting of this legislation, all those who supported it. There was representation, I understand, at committee from—Mr. Forrest from the firefighters union, who I know has been passionate in speaking about this, not just in Manitoba, but across Canada and, in fact, internationally. Manitoba has been a leader in these presumptive—having presumptive cancers on a list when it comes to firefighters to provide compensation benefits to them over the last number of years. This continues to make us a leader in the province of Manitoba.

As I mentioned earlier, my comments fulfil a commitment that was in the Speech from the Throne. So again I appreciate the co-operation of all members of this House to ensure that this passed in an expeditious way. Of course, it needed the co-operation of all members to move quickly through this House and ensure that that protection could be there as soon as possible. I suspect there are some regulatory issues

and other things that have to be determined, but the House has done what it can to move this as quickly as possible, and I look forward to it receiving royal assent within the next hour.

Mr. Deputy Speaker: Any other speakers?

Mr. Tom Lindsey (Flin Flon): Well, thank you, Mr. Deputy Speaker. I got your title right today, so we're off to a flying start.

Certainly, I want to commend Alex Forrest and the United Fire Fighters, strong advocates for their members, but also strong advocates for other firefighters that aren't necessarily their members.

Madam Speaker in the Chair

You know, this is something that this government seems rather late to realize that that is one of the really positive aspects of having strong unions, is they are strong advocates for all of their members and for all workers in Manitoba, and that's sometimes the downside of what we've seen with this government's unrelenting attack on working people in the province.

I'm certainly glad to see that they changed their mind, particularly when it came to firefighters and cancers. And certainly when we look at the number of firefighters throughout the province that have adverse outcomes from doing a job that helps keep the rest of us safe, then, really, it is something that all of us need to get behind to advocate and agree to this particular piece of legislation as being another step along the way.

As science progresses and as medical knowledge progresses, I have no doubt that we will find that there's more hazardous materials that firefighters, in particular, are exposed to in their line of work that form or cause cancers and we'll need to expand this list yet again.

I mean, we were the government that introduced the first presumptive coverage for firefighters based on the science that was available at that point in time. And the science has progressed and that's the good news about science, is it does that. It doesn't have all the answers right from the start. People a whole lot smarter than anybody in this Chamber continue to study cause and effect, continue to do the research that we all need to understand is important research that comes up with answers. But those answers change as our knowledge changes, as their knowledge changes, as they find new tools to do studies. I mean, once upon a time firefighters were dying of cancer and there was no causal link to that which they were exposed to.

The other part that comes into this, and we talked about it a little bit at the committee meeting the other night, was are there other things that we, in this Chamber, should be considering to protect firefighters as opposed to merely covering them for compensation once they've got cancer.

And, certainly, from my 20 years as a worker health and safety rep and looking at issues that were related to workplace health and safety, that knowledge was ever evolving, and this kind of protection for firefighters, we really need to look at the presumption of cause for other workplaces as well. I mean, a good place to start, I guess, would be—and I asked the minister about this the other night, is does this legislation cover industrial firefighters, and I'm not sure that we got a clear answer to that.

And industrial firefighters are somewhat different than what we traditionally think of as firefighters in that they are part of a workforce, in a lot of cases, that are already exposed to multiple hazardous chemical substances in their normal work environment, and then their also increased coverage, or exposure when they're there as firefighters.

One of the other questions that was asked, and I got a pretty clear answer that they're not covered under this, was underground firefighters—people that we traditionally call mine rescue people, and some jurisdictions call them dragger men because of the type of equipment that they use to fight fires underground, which is an entirely different atmosphere again than what a structural firefighter encounters. They're always in a confined space with limited, if any, ventilation. You're exposed to a lot of the same chemicals, because a fire underground involves things like massive tires on equipment burning; it involves diesel fuel burning; it involves all kinds of different compounds that they use in the underground environment. So we need to start looking at expanding the definition for presumptive coverage for cancers to outside of what we think as a traditional firefighter.

And I certainly don't want to take anything away from what firefighters do. It's certainly not a job that I would personally want to do. I spent many years working closely with our industrial firefighters and with our mine rescue people, not as one of them but looking at part of their training and things that they did, and it was certainly an interesting experience for me to help them be better at what they were doing. So now it falls on all of us in this Chamber to help all those people that are exposed, all those firefighters,

workers, to help them with the exposure to chemicals that they have.

Now, one of the things this government did shortly after they came into power was they changed the automatic adoption of threshold limit values. Now, I'm sure most people in this Chamber have no idea what a threshold limit value, what a TLV is, but it's a number that's arrived at through the American Conference of Governmental Industrial Hygienists after years of study on the effects of chemical substances on humans.

It's not something that they snapped their fingers and come up with a number; it's a community of scientists working in conjunction that set these threshold limit values, and the whole point of threshold limit value should be to protect a worker, because anything above that value increases the risk of a worker getting very specific diseases, cancer being certainly one of them, but not the only one.

And so we need to look at really when the government thinks that they shouldn't automatically adopt those scientifically-derived-at threshold limit values, why is that?

Well, I sat on the subcommittee of the minister's advisory committee on workplace health and safety, which no longer exists, to look at the mine safety regulation at the time, and that subcommittee no longer exists either, thanks to this government. But the argument always was from the management side and sometimes from the government side, was, well, the cost of meeting those limits would be prohibitive. But as we've seen from the firefighters and the study that gets air, and everybody loves firefighters, but they don't understand other workers that are exposed to those things.

* (16:10)

What—but they decided—was the cost was too expensive to meet the scientifically derived threshold limit values. Well, imagine, Madam Speaker, the cost to workers, the cost to workers that we don't know the number: how many are dying from exposure to these very same chemicals that firefighters are exposed to?

One of the big concerns underground has always been diesel emissions as they switch from electric equipment that they used to use once upon a time and went to more diesel mobile equipment. The benzenes and everything that's nasty in diesel exhaust is killing workers. Now there's been a lot of studies to try and come up with cleaner diesel equipment when, in reality, what they need to do is go back to using

electric equipment that—it was smaller but in today's technology that can be changed.

But the point is, those workers were exposed to the emissions from diesel that caused them to have cancers and lung conditions. And so the presumption under the WCB needs to be expanded. And I was somewhat encouraged when we talked to the minister at the committee about the potential for having those conversations. Course, I was encouraged with the previous act review that we did when, at the committee the minister seemed to indicate that there was a potential for other changes but then that never happened. So it'll be on us, I guess, to make sure that we follow up with those changes to make sure that not only are firefighters protected but all workers in this province need to be protected.

And, certainly, that is one of the strong points that I talked to earlier about what the unions bring to the table because they spend a lot of their dues-paying dollars on studies, as well, and on figuring out ways to keep workers safe.

I mean, one of the huge killers of workers is asbestos exposure, and yet workers still have to fight to get compensation in a lot of cases, meanwhile—because did they get their exposure at work or did they get their exposure at home? And, certainly, in the modern world, exposure to asbestos at home is reduced dramatically, but many workplaces there's still that huge exposure level, and the other confounding part of that is, of course, whether it's asbestos or a lot of the other chemicals.

The result of the exposure doesn't show up for 20 or 30 years, so then for the worker to try and establish where all they worked and where all they were exposed becomes a challenge when, in reality, they should be afforded the same consideration as a firefighter; that we know so many of those chemicals, we know so many things like silica dust and asbestos were exposures that workers suffered and succumbed to. So the same presumption of coverage can be applied to those workers as well.

And I strongly encourage this government to look at expanding the definition of presumptive coverage beyond what we've seen here, and I strongly encourage unions throughout the province to start demanding again that the government looks at presumptive coverage for all workplaces where exposure to chemicals is known to cause certain, very specific types of cancers in a lot of cases, Madam Speaker, that the chances of you being exposed to something that cause that specific type of cancer anywhere else are very slim,

such as 'mesothelioma,' which is very specific type of disease caused by asbestos. Chances are, you're not going to get that disease anywhere else, so the presumption of coverage should be expanded to include them as well.

One of the things we talked about at the committee was, is there other things that a government can do—looking at building codes, for example—because prevention is certainly a whole lot better than merely paying a dead worker some money for their exposure—or, a dead firefighter.

So there are things that I would hope that whatever committees members of this government sit on when it comes to looking at things like building codes. And certainly, one of the comments that Alex Forrest made in his presentation and in response to questions was, United Fire Fighters sit on many of those committees that look at building codes that can do some of that prevention, that can offer some of that protection for not just firefighters, but for workers, for anyone that may be exposed to the hazards.

So I want to make sure that we start doing some of that, more of that, constantly. Can it be things like automatic sprinkler systems that start extinguishing fires before the firefighters get there, and incorporating more of that into building codes. And, certainly, that would go a long way to not just protecting firefighters but also protecting residents and workers in those workplaces.

So we need to look at the prevalence in home construction of man-made products now that, when they burn, cause a lot more exposure to firefighters. Once upon a time, building materials were pretty simple—they were concrete, they were trees, they were wood. But now, there's a lot of plastics and resins and different materials that are incorporated into engineered building products.

And the engineered building products are certainly better for building but they're not better when it comes to a catastrophic fire. On a few different fronts, they're not better, and certainly the exposure to the off-gassing, when they're burning is one of them; but the other is that they tend to collapse quicker in fire conditions than what traditional heavy wooden beams would've. So there's different hazards there.

So there's things that we need to look at. And it'll—in some cases, even the chemicals that are used to provide fire resistance on materials, once they do start

burning they off-gas even more dramatic, bad, harmful chemicals than what would've been. But it does allow people a chance to escape from the fire.

It was interesting to listen to Alex Forrest talk about their personal protective equipment. Of course, you could make it impermeable to all these chemicals; but then the suit doesn't breathe properly, so firefighters would very quickly succumb to the build-up of heat within the confines of their personal protective equipment.

And I don't know how many members present have ever actively tried to fight fires or work while wearing some of that heavy, heavy protective equipment, but that in itself is a unique challenge, more so for firefighters but for other workers as well that are faced with those kind of issues.

So I'm not sure if the minister was serious in his comments that he made about sitting down and talking about some of these other potential ways to reduce the hazard. I hope so, and—I mean, it doesn't have to necessarily involve me, there's certainly people from the MFL, from various unions, that are more knowledgeable in the hazards and the way to protect workers than what I am. I mean, I haven't been in that field for a number of years now and the world has progressed since I was there, as it does.

* (16:20)

So, I hope that one of things that this minister will really consider is reinstating some of those advisory committees that this government did away with, particularly when it comes to things like workplace health and safety, because the benefits were enormous for working people.

And keep in mind, Madam Speaker, that the average working person doesn't have the time or the wherewithal to be out there advocating for themselves, nor do they understand most of the hazards that they're exposed to in the workplace.

And that's one of the benefits that a union brings, is they have that expertise, and they also have the expertise, in a lot of cases, being the ones that do the training for workers in workplaces. That was always one of the benefits of a project labour agreement—that this government has done away with, again too, right—is they were the ones that provided the training for workers. Whether they were union workers or non-union workers, it didn't matter. The important part was the workers were trained how to do their jobs properly, what the standards were, what the precautions needed to be.

So, again, I encourage this government to really relook at some of the policies and things that they put in place so far, so maybe we can back that bus up a little bit and do things again.

Having said those few things, Madam Speaker, certainly we are in support of this particular piece of legislation. It's another step in the progression of protecting firefighters and workers, as a whole.

Thank you.

MLA Malaya Marcelino (Notre Dame): It is my pleasure to virtually stand up today to put words on the record in support of firefighters and their loved ones in Manitoba, in support of firefighters who have had to fight cancer and other illness and injury due to the hazards they've encountered in the course of their duty saving fellow Manitobans from harm. Our NDP caucus proudly stands with firefighters and all members of the Legislature today as we look forward to unanimously passing this important bill and seeing royal assent on this bill later this afternoon.

Madam Speaker, Bill 6 is The Workers Compensation Amendment Act. The Workers Compensation Act lists specific illnesses and injuries presumed to be caused by firefighting, unless the contrary is proven. This bill expands the list to include primary site thyroid, pancreatic, ovarian, cervical and penile cancers.

To begin, Madam Speaker, I would like to extend my heartfelt gratitude for firefighters in Manitoba, and for all they do to protect the rest of us. My own late, paternal grandfather was a firefighter and fire chief. As a teenager during World War II in the Philippines, my grandfather fought as a soldier first and later fought fires on behalf of the Americans in decades of wars in the South Pacific; in Vietnam; in Guam, before permanently being stationed at the Clark Air Base. And, also, he was a volunteer firefighter for the barrio.

As my own father would say about his dad, it's a special person that runs towards an emergency when everyone else is running away from that emergency. My grandfather was that type of special person, and the Manitoba firefighters we are showing our support for today, with the passage of this bill, are, indeed, special people, and we are grateful to them.

During high school, I interned with the Winnipeg Fire Department when it was housed in the Public Safety Building across from City Hall. My job, first thing at 7 a.m. was to make coffee for the fire chiefs. I was an assistant to the office manager and helped

with her daily work. I was also charged with counting supplies at fire halls across the city. I got to ride in fire pumpers and got to have hearty breakfasts at fire halls with the firefighters and got to see how they lived in the hall.

I remember them all being a very warm, tight-knit, fun-loving group, from the administrators and fire chiefs to mechanics. It's quite concerning to hear of all the health concerns that this group faces in the line of duty, in addition to all the obvious personal safety issues that they face at work.

These past two decades, we've had numerous concerning studies that show that cancer is a huge health risk for firefighters. One such study is Canadian Firefighter Fatality and Injury: Trend Analysis of Association of Workers Compensation Boards of Canada Fatality and Injury Claims 2006–2018.

This was published in 2018 by Rachel Ramsden and her coworkers at the Injury Research & Prevention Unit at the University of British Columbia, in collaboration with Len Garis, a retired fire chief at the University of the Fraser Valley.

Ramsden was then a doctoral student at the UBC School of Population and Public Health. She examined a series of Workers Compensation claims forwarded to fallen Canadian firefighters or their families over a 10-year span between 2006 and 2015.

The study conducted in 2018 on the association workers compensation boards of Canada data presents a detailed analysis of injury claims for professional and volunteer firefighters so that the priorities could be defined for targeted health promotion and injury prevention interventions.

One such important finding was that nearly 90 per cent of firefighter fatality claims are caused by cancer, and this is an increasing trend over the previous years. Nevertheless, thankfully, the evidence also demonstrates a slowing down now of the increase of these fatalities, but not on the incidents.

The analysis provides evidence for increased mortality from cancer among firefighters in comparison to the general population, suggesting that the healthy worker effect, unfortunately, does not play a preventive role in relation to cancer mortality.

Another major study was from the United States. Since 2010, researchers from the National Institute for Occupational Safety and Health conducted a multi-year study to assess job-related risk of cancer for fire-

fighters. The study included almost 30,000 career firefighters from multiple cities in North America between 1915 and 2009, and it found that, relative to the general population, the firefighters in the study had a modest increase of 9 per cent and 14 per cent in cancer diagnoses and cancer-related fatality, respectively.

Despite the modest increases, they must be considered in the context of the baseline cancer risk faced by general—faced by the general North American population. So, for example, if in 2019, the average Canadian has a 44 per cent risk of developing cancer over their lifetime, the number increases to 53 per cent for Canadian firefighters. And if the average Canadian has a 30 per cent of risk of dying of cancer, the mortality rates increase to 44 per cent for a person with a career in firefighting.

Epidemiologist Dr. Robert Daniels and his associates at the National Institute for Occupational Safety and Health at the—and the University of California Davis, they were responsible for that study. And in 2015, this research team published the most thorough, ambitious and 'authoritative' study to date on the subject of cancer in firefighters.

So why is there a risk for cancer? My colleague mentions so many, but again, it's modern homes and buildings contain many synthetic and plastic materials which create more smoke when burning than natural materials, and when materials burn, they release a number of carcinogens, or cancer-causing agents, including polycyclic aromatic hydrocarbons, or PAHs; and that's a group of more than 100 chemicals.

And we know that firefighters have up to six times greater exposures to carcinogens than the rest of the populations: carcinogens such as PAHs, also benzene, diesel engine exhaust, ethylbenzene, solar radiation, formaldehyde and polychlorinated biphenyls. And exposure to some PAHs can cause cancer.

Firefighters may also encounter other known carcinogens, such as asbestos and diesel exhaust, and these carcinogens can be inhaled or absorbed through the skin. Wearing the proper personal protective equipment, or PPE, including self-contained breathing apparatuses, offers protection and lessens exposure. However, toxic chemicals can still penetrate the turnout gear and expose the skin to toxins.

* (16:30)

It is well understood that firefighters are exposed to contaminants, and those contaminants soil firefighter PPE and the soiled PPE cross-contaminates

everything it comes in contact with, and, as a consequence, turnout clothing is being cleaned more frequently. However, it is still not known if current or new cleaning procedures adequately remove such contaminants from PPE.

While 30 years ago, firefighters were most often diagnosed with asbestos-related cancers, today, the cancers are more often leukemia, lymphoma, myeloma, officials say. Fire departments in Boston, New York, Chicago, Seattle, Los Angeles, San Francisco, Houston, Toronto and Calgary all report elevated cancer rates, and the most aggressive of these are oral, digestive, respiratory and urinary.

Now, fire departments nationwide are ordering their firefighters to take the danger from chemicals much more seriously. No longer is a firefighter's soot-covered face a badge of honour. Departments are buying air tanks that provide oxygen for 45 minutes rather than the standard 30 minutes.

Fire chiefs and incident commanders are ordering firefighters to keep their masks on until they're out of the smoke and washed down by decontamination teams on the scene, and back at the station, firefighters are being told to change into a second set of turnout gear while industrial washing machines clear-clean the dirty equipment.

Sadly, protective gear isn't always enough right now to keep firefighters safe. Cancer is the leading cause of fatalities across firefighters in Canada. It's estimated that about 50 firefighters out of 100,000 die of cancer each year, and that's 50 too many.

While advancements have been made to The Workers Compensation Act throughout the years, many women firefighters found that the cancers that they were being diagnosed with were not recognized, forcing them to fight for coverage while they are ill. But fires that these firefighters fight don't know gender. It affects whomever is exposed to the toxic smoke, and that's why it's so important to grow a list of presumptive coverage and to continue to grow that.

Saskatchewan, Yukon, BC, Ontario, Alberta have all brought forward legislation to recognize cervical and ovarian cancer in recent years and also penile, thyroid and pancreatic.

Bill 6 will do the same in Manitoba and we're happy, again, as the NDP to be supporting this bill. While protecting women currently in the field, expanding coverage could make firefighter a more appealing career to enter for women, knowing that if one day they become diagnosed or, sadly, succumb to

cancer, they would be rightfully recognized and compensated. And during my time as an intern, there was only one female firefighter, Madam Speaker, and I noticed at the Legislature, when the firefighters came this past week for a photo opportunity, there are much more women firefighters now.

Our firefighters face hazards every single day, and Bill 6 shows that we recognize these hazards and are committed to all firefighters' long-term health as they continuously work to keep our province safe.

And while this is a positive step forward in providing protection to firefighters and their loved ones if they fall ill, it's important that more continues to be done, including funding research into developing protective gear for first responders so that no one falls victim to cancer.

This is an important day for firefighters across Manitoba and I'm very happy and proud to see us all come together collectively, unanimously, to expedite the passage of this bill.

Thank you, Madam Speaker.

Hon. Jon Gerrard (River Heights): Madam Speaker, a few words on this legislation.

First of all, Manitoba Liberals support Bill 6, which provides for five additional types of cancer: thyroid cancer, pancreatic cancer, ovarian cancer, cervical cancer, and penile cancer to have presumptive nature that they are due to the occupation for firefighters.

This is important legislation and it will certainly support firefighters. I am very pleased to see that it includes cancers which are cancers of women, I mean, reproductive tracts, so that's an important step forward as there are more women who are becoming firefighters, and they, too, should be covered as are men for cancers in men.

This is an important and significant step in occupational diseases to have an acknowledgement that where a condition is much more likely to occur in a particular occupation whose condition being specific cancers and the occupation in this case being firefighters, that there should be a presumption that the cancer is due to the occupation.

And in the initial discussions that we had quite a number of years ago now, and the initial legislation in the early 2000s, to make the coverage presumptive for firefighters for the first series of cancers, that presumption was based on there being a relative risk of

two or more for firefighters compared to the general population.

I was disappointed that the Minister of Finance (Mr. Fielding), in presenting this legislation, did not provide this data or confirm its presence in his presentation. But I believe that this work has been done, and I'm certainly ready to support this, as are all our Manitoba Liberal caucus.

In fairness, it is important that we look at other occupations as well, and my colleague from St. Boniface has referred to the fact that burnout may be much higher in certain health-care occupations, particularly at the moment in Manitoba, and that that might be a condition which could be considered for presumptive coverage.

I haven't personally looked into the statistics in this regard, but I do believe that it's important to recognize that we've got to treat people in different occupations fairly, and that where the relative risk of, whether it be a cancer or other disease, that will cause serious disability or injury, that it should be recognized on a presumptive basis.

Certainly, we have a lot more to do in this area in Manitoba, as do other jurisdictions, and it is something that we need to look at carefully. I am very pleased that I can speak today in support of firefighters, in support of firefighters having this presumptive coverage for these five additional types of cancer.

This is a major step forward in acknowledging the presence of the risk of cancers among firefighters, and it is important that Manitoba, in fact, has led the world in providing this presumptive coverage initially, and it was good to see this presumptive coverage now being present in other provinces and increasingly in other jurisdictions around the world.

I would like to say a particular thank you to Alex Forrest who has been a champion at this initiative all the way through. And I understand that he's stepping down as president of the Winnipeg firefighters, but still staying very involved in the firefighters' movement in other positions, including internationally. I want to wish him well in his continuing efforts on behalf of firefighters internationally and provincially. It is important work that is being done and we, certainly, all of us, owe a big thank you to all firefighters and to the leadership that has happened.

I think it is, as I've said and the MLA for St. Boniface has said, it is really important that people are treated fairly and equally and that we now need to

reach out to other professions and make sure that there are not other professions where we should have presumptive coverage where we do not yet have it.

*(16:40)

So with those few words, I look forward to this becoming law in the very near future. Before we depart this evening and thank all MLAs for the co-operative work that has come together to get this passed, as well as Bill 3 passed.

Thank you.

Mr. Matt Wiebe (Concordia): It's an honour to rise today to speak to Bill 6, to indicate our caucus' support of this important legislation and, really, to carry on the work that started long before many of us were in this Chamber, certainly on this side of the House but really is work that was important then and it continues to be important now.

As many folks know, I had an opportunity before I was elected, in my elected life, to work alongside Gary Doer, when he was our premier, and I know this was legislation that was very important to him at that time. It was important work that he was invested in and that he was able to move forward here in this province and he was very proud of that; and the record of the NDP in government really shows the dedication that we had to this particular legislation.

We know that in 2002, the NDP government introduced landmark legislation to ensure adequate benefits and compensation would be paid to firefighters who contracted cancer on the job by legislating a list of presumptive occupational cancers for firefighters.

This Bill 6 builds on that legislation, takes us one step further but it really is a continuation of work that began and continued through the NDP's term in office. It was first introduced by Becky Barrett in this Legislature back in 2002, and the original list was the first of its kind before similar legislation was then adopted and undertaken in other parts of the country, and as we were reminded of last night in committee, around the world.

At that time, the legislation ensured firefighters who have suffered from brain, bladder, kidney and also non-Hodgkin's lymphoma or leukemia would be presumed to have contracted the disease of—from their occupation unless proven otherwise.

It was so very, very important for us to take that first step and to show leadership in Canada because it

was just a year later when, in 2003, the NDP government in Saskatchewan and other jurisdictions then followed suit and began to have that coverage.

In 2005, it was expanded. The NDP expanded the list of presumptive cancers and expanded benefits to part-time firefighters in 2005, under then-labour minister Nancy Allan.

That was extended, as we said, to those part-time firefighters, so we had folks like the fire chief in Dauphin, who were pleased to see that government recognized the danger of the service that volunteers and paid firefighters provide.

Then, again, in 2009, Madam Speaker, another expansion of that presumptive list. Again, Nancy Allan bringing forward an expanded list and finally in 2011, the third expansion and extending of coverage to the OFC personnel. The NDP once again expanded the list and extended coverage to workers of the Office of the Fire Commissioner under then-labour minister, Jennifer Howard.

It's a proud history that we have in this party of standing with firefighters and it's a proud history that I'm happy to be a part of here today. Finally, this government is moving forward on expanding this list and extending coverage. So I applaud them in that.

I'm also proud because I'm happy to call many firefighters my close personal friends. I know many who entered the fire service a number of years ago and they continue to give me, you know, sort of a on-the-ground view of what it's like to be serving in that role.

And of course, you know, the work of Alex Forrest—again, I'm proud to call him my friend and to hear from him on a regular basis about these important issues, and to work with them, along with so many of his colleagues at the UFFW to make sure that we're listening and we're reacting and doing the right thing here for them.

And finally, Madam Speaker, I'm also proud to be a part of this legislation passing here today because this—because cancer for firefighters has touched my own family.

My uncle contracted cancer when he was a firefighter. He was a firefighter for many years in west Winnipeg and quite frankly all over the city. And he contracted cancer, he had heart issues, he suffered from the effects of this kind of occupational hazards that we're talking about here today.

And his son-in-law is—continues the tradition and is a firefighter and so I'm always pleased to hear when

we can—as legislators, we can react and take action, real action, to get something done.

So, this legislation is good. It's the kind of legislation that we want to move forward with. And I do believe that there's always room to listen to our friends at the UFFW in the fire service and learn from them and understand how we can better help them to do their jobs.

It's the kind of work that really makes what we do here come home. It's the kind of action that actually makes a difference, and the fact that we can get this done now, we can get this done before Christmas, I'm hoping the minister will move forward quickly to bring this legislation into effect. And that's just so important because we know that the effects continue.

So thank you very much, Madam Speaker, and thank you to all the firefighters out there who are doing your work and who are bringing these issues forward for us so that we can work with you to get this done.

Thank you very much, Madam Speaker.

Madam Speaker: Is there any further debate on this bill?

Is the House ready for the question?

Some Honourable Members: Question.

Madam Speaker: The question before the House is concurrence and third reading of Bill 6, The Workers Compensation Amendment Act.

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

The House will now prepare for royal assent.

* (16:50)

ROYAL ASSENT

Deputy Sergeant-at-Arms (Mr. Cam Steel): His Honour the Administrator.

His Honour Richard Chartier, Administrator of the Province of Manitoba, having entered the House and being seated on the throne, Madam Speaker addressed His Honour the Administrator in the following words:

Madam Speaker: Your Honour,

At this sitting, the Legislative Assembly of Manitoba has passed certain bills that I ask Your Honour to give assent to:

Clerk Assistant (Ms. Monique Grenier):

Bill 3 – The Family Maintenance Amendment Act;
Loi modifiant la Loi sur l'obligation alimentaire

Bill 6 – The Workers Compensation Amendment Act;
Loi modifiant la Loi sur les accidents du travail

Clerk (Ms. Patricia Chaychuk): In Her Majesty's name, His Honour assents to these bills.

His Honour was then pleased to retire.

Madam Speaker: As we are nearing our adjournment hour, I would just like to take a moment here and ask everybody to help me wish Monique Grenier—this is her last time in the Chamber before she retires—and we all want to wish her the very best.

Our clerks all work very hard, and sometimes under a great deal of pressure and, as you can see, there's much appreciation for the work that Monique and all of you do.

Just before we rise, I would once again remind members, if you have not already done so, to remove the contents of your desks before you leave the Chamber.

And before I adjourn the House, I just would like to take a moment to wish everybody the very best—

The honourable Government House Leader.

Hon. Kelvin Goertzen (Government House Leader): Proceeding to Bill 7, Madam Speaker.

Madam Speaker: Please be seated.

SECOND READINGS

Bill 7—The Police Services Amendment Act (Enhancing Independent Investigation Unit Operations)

Madam Speaker: As has been announced, we will now move to second reading of Bill 7, The Police Services Amendment Act (Enhancing Independent Investigation Unit Operations).

Hon. Cameron Friesen (Minister of Justice and Attorney General): Madam Speaker, I move, seconded by the Minister for Sport, Culture and Heritage, that Bill 7, The Police Services Amendment Act (Enhancing Independent Investigation Unit Operations), be now read a second time and be referred to a committee of this House.

Madam Speaker: It has been moved by the honourable Minister of Justice, seconded by the honourable Minister of Sport, Culture and Heritage (Mrs. Cox), that Bill 7, The Police Services Amendment Act (Enhancing Independent Investigation Unit

Operations), be now read a second time and be referred to a committee of this House.

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

Mr. Friesen: I thank the members of the Chamber for allowing Bill 7 to proceed in second reading. It's an important bill for Manitoba. It's an important bill for the Legislature. It's an important bill for Indigenous rights holders, organizations, for Indigenous and non-Indigenous people in the province of Manitoba.

It's been six years since the Independent Investigation Unit, also known as the IIU, was established. When the IIU was established in its present form, it was wisely praised as a—widely praised as a step forward in how police oversight and accountability took place in Manitoba.

As a matter of fact, it was the member for St. Johns (Ms. Fontaine) who said, this is the model that we have and I support it. It shows that it was lots of support for the model. But I think that all members of the Chamber would say that over time our institutions need to be looked at again. They need to be measured to see how well they are responding.

Madam Speaker, I would want to put on the record that in January I became aware that there were changes necessary to the IIU because the work was not reflecting well enough the constituents and the communities that it was there to serve.

And so I'm pleased to be bringing forward changes that will 'allilow' modernization of the IIU, a strengthening of its mandate, but most importantly—I think one of the most important features—the establishment of a brand-new director of Indigenous and community relations that will be in the IIU, not reporting to the director of the IIU, and be there to act in some capacities like liaising with communities, sharing information, keeping people apprised of development.

We need that level of trust; Manitobans have a right to expect that level of trust from their institutions. And we believe that this will be injecting trust and accommodating people in that way.

So I know there will be more debate when this House returns. I look forward to the debate on this bill. I look forward to all members undertaking to understand better how the IIU can be modernized, can be changed.

There'll be important changes here that bring a new level of accountability from police forces. The amount of time that it will take to report an incident

will be shortened. The number of police agencies who can be investigated by the IIU will be strengthened, will be greatly expanded.

There are many changes that we'll be able to describe when the House sits next, but I would want to say that over the last couple of months, it has been my pleasure—it has been my honour—to do this work with Indigenous rights holders, organizations, with the grand chiefs of Manitoba, AMC, MKO, Southern Chiefs Organization.

It has been as much about the process as it has been about the substance of this work. There were times where we had to think again how we were proceeding, come back to the table, but it's been a process that's relied on trust, a process that has relied

on sharing, a process that relied on listening, and I'm pleased for those results.

Madam Speaker: Order, please.

When this matter is again before the House, the honourable minister will have unlimited time.

The hour being 5 p.m., this House is adjourned and stands adjourned until March 2nd, 2022, or to the call of the Speaker.

And I would just want to take this moment to just wish everybody the very best of the season in however you celebrate it. I hope you have a chance to catch up with family and constituents.

And, just wish everybody to be safe and stay well, and I look forward to seeing you all in the new year.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, December 2, 2021

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<http://www.manitoba.ca/legislature/hansard/hansard.html>