

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

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The Honourable Myrna Driedger
Speaker*

MANITOBA LEGISLATIVE ASSEMBLY
Forty-First Legislature

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, October 23, 2018

The House met at 1:30 p.m.

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

ROUTINE PROCEEDINGS

Madam Speaker: Introduction of bills? Committee reports?

TABLING OF REPORTS

Hon. Blaine Pedersen (Minister of Growth, Enterprise and Trade): It is my pleasure to table a 2017-2018 Industrial Technology Centre, Annual Report.

Madam Speaker: Ministerial statements?

MEMBERS' STATEMENTS

The Good Neighbours Active Living Centre

Hon. Cathy Cox (Minister of Sport, Culture and Heritage): It's an honour to rise in the Chamber today to congratulate the Good Neighbours Active Living Centre on their 25th anniversary.

As the MLA for River East, I would like to thank Good Neighbours, from the bottom of my heart, for providing a warm and welcoming place for seniors to connect, socialize, stay healthy and have fun.

While Good Neighbours can proudly boast that they are the largest seniors active living centre in the entire province, President Bill de Jong says that that was not always the case. In fact, they had a humble start in a church basement.

In 1999, though, thanks to support from the provincial and municipal governments, Good Neighbours had the good fortune to move into their brand-new home, a 28,000-square-foot location shared with the Bronx Park Community Centre.

And, Madam Speaker, Good Neighbours is a community. No matter where I go in North Kildonan—the mall, the bank or community events—people always talk about the amazing activities taking place at Good Neighbours. From pickleball to woodworking, yoga, line dancing or crib, there is something for everyone.

But most importantly, it's a place of friendship. Whether it's enjoying a cup of coffee at HobNobs or

just having a good chat, Good Neighbours is such a vital part of our community.

And what started out as a hope and a dream 25 years ago is now an important community resource with over 1,100 members and nearly 300 volunteers.

Madam Speaker, one of these invaluable volunteers is here today, and I would like to welcome President Bill de Jong.

Bill, you and the entire Good Neighbours team, both past and present, deserve all the credit for your commitment and hard work. I am honoured to congratulate you and all of the dedicated volunteers, the executive, the administration, for growing Good Neighbours into the warm and inviting community it is today.

Madam Speaker, I ask all members of the House to rise and congratulate Bill de Jong and Good Neighbours for all of the good work they do in our community.

Preservation of City of Winnipeg Archives

Mr. James Allum (Fort Garry-Riverview): I rise today to call attention to the abysmal circumstances surrounding the future of the City of Winnipeg Archives, which is widely regarded as one of the finest municipal collections in Canada but now is in jeopardy of being lost, owing to what one expert says is a story of misfortune, neglect and indifference.

For several decades, the City's archival collection was housed at the old Carnegie Library at 380 William Ave. until a heavy rainstorm in 2013 not only caused extensive damage to the building, but also damaged some of the City's most valued records.

Since then, this incredible collection has been stored in a warehouse without proper environmental conditions, while the building itself, a prized heritage institution in its own right, has been identified as one of the top 10 endangered buildings in Canada.

Recently a group of prominent archivists and historians have called on both the municipal and provincial governments to rescue the archival collection before it is too late, but to date there has been no response for this call to action. Likewise,

heritage advocates have demanded that the former Carnegie Library be restored, but yet again, their pleas have fallen on deaf ears.

Madam Speaker, this is more than just a political or professional matter for me, it is also deeply personal. I'm a proud former employee of the City archives—in fact I moved my family to Winnipeg to work there—and I cannot stand idly by while this prized collection is quite literally being banished to the dustbin of history.

Santayana once said that those who ignore the past are condemned to repeat it. He might also have added that those who fail to preserve the past will justly receive condemnation.

I call on the provincial government to take an interest in this issue. I cannot think of a better way to celebrate our province's 150th birthday than by preserving the history and heritage of Manitoba's capital city.

Thank you.

Garden Hill First Nation

Ms. Judy Klassen (Kewatinook): I would like to give a shout-out to my friends from Garden Hill First Nation. Currently, under the leadership of Chief Dino Flett, councillors Vernon and Lionel, 21 band members have made the trip from our isolated fly-in community of Garden Hill First Nation to Ebb and Flow First Nation to help and guide with the search for our missing young relation, Dwayne Lavallee.

The Garden Hillers are well known in our circles as compassionate and caring people. They have been recognized in efforts such as Drag the Red, in which they came out to teach our southern relations how to drag a body of water in search of missing loved ones. They fund these trips out of their own pockets and own resources. They are not as nicely equipped as our RCMP officers but always manage to come together and provide support to stricken families.

I would also like to recognize the many other persons, who have come from other First Nations across Manitoba, who are in Ebb and Flow at this very second, crawling on their hands and knees, in hopes of finding anything, hopes of finding something that would provide closure for the Lavallee family.

I've seen pictures of what they have found. And if that's wrong by RCMP standards and protocol, then I say, why wasn't it your officers that found those remains? Where are your officers? Why was

a new officer made to keep the site alone? The rumours are: was because he is a young, indigenous officer. I'd like to know if that's true.

And if those remains were, in fact, ancient remains, then why is there no announcement of opening up missing cases from when those bones were dated? How is that—how is it that our searchers found a human jawbone right there, lying out in the open?

Why, when it comes to our people, there is no action until we demand it?

Megwetch.

Corinne Delannoy

Mr. James Teitsma (Radisson): Persistence, dedication, volunteerism. These are just some of the words that come to mind when I think of the exceptional work done this past year by Radisson constituent Corinne Delannoy and the other volunteers with her in the Winakwa Community Garden.

Just over one year ago, Corinne came to my office looking for a way to do something positive for her community. Like so many others, she wanted to make a difference, and she resolved to get 'er done.

She decided that what her community of Windsor Park needed was a community garden, a place where students, seniors, community members of all ages could come together.

There were a lot of hurdles to overcome to see this project through to completion. She needed to get the 'computity'—community on board, a site needed to be selected, and Corinne persisted.

Funds needed to be raised and donations of materials sourced, and Corinne persisted.

The site needed to be prepared and garden boxes needed to be built, and Corinne persisted.

So this past summer, nine garden boxes were made available to community members and plans are in the works for—to add dozens of more boxes for the next growing season, along with ground-level plots for use by students in the adjacent high schools of Collège Béliveau and Windsor Park Collegiate.

Now, on their own, these accomplishments are definitely something to be proud of, but what sets Corinne Delannoy apart is that while pursuing this project and seeing it through to completion, she was losing her eyesight, waiting for cataract surgery. As

the project reached arguably its most critical phase, Corinne was declared legally blind and was unable to drive and work, but she did not let that slow her down.

Corinne persisted. She did not give up.

She has since received sight-saving cataract surgery. She has a new job.

Corinne Delannoy and fellow Winakwa Community Garden volunteer Kyle Schott are here with us in the gallery today, and I ask that together we show our appreciation for their service to our community.

Youth Participation in Sports

Mr. Rick Wowchuk (Swan River): Today, I rise to recognize all parents, coaches and sponsoring organizations that give youth the opportunity to participate in sports. Sports are the greatest tool we have in today's society to help youth develop positive character traits and life values.

Being part of a sports team helps develop crucial social skills. The challenges youth face in sports are building blocks to self-confidence. Children who participate in sports are less likely to drop out of school and become involved in alcohol and drugs. Playing sports provides the tools of teamwork, sportsmanship, perseverance, respect to authority and rules, and how to achieve success with class and failure with dignity.

*(13:40)

Everything gets better when you get active. The tremendous benefits of sports include building character and social skills like co-operation and leadership, developing higher self-esteem and body image, developing discipline, a positive attitude and learning to achieve goals.

A positive attitude developed through sports is something we look for in friendships and employers look for in employees. The friendships built from playing team sports often remain inseparable.

Pressure to meet deadlines is something we are all familiar with. Sports help kids learn techniques to deal with great pressure, such as learning to relax, focus and maintain confidence. This helps move a person one step closer to achieving success in high-pressure situations.

Playing and living by rules makes successful citizens because they make mistakes and learn from them one inning, one quarter, one period at a time.

Madam Speaker, the power of sports develop personal characteristics and performance characteristics. The guidance of coaches and parents and love for the game is something every child should get to experience.

Thank you.

ORAL QUESTIONS

Climate Change Reduction Initiatives

Mr. Wab Kinew (Leader of the Official Opposition): Madam Speaker, I have three sons and they will live to see the worst of global warming. We have a responsibility to stand up for that generation of Manitobans.

Fighting climate change really is a fight for our future. That's why I'm encouraged today to see the announcement from the federal government that there will be a price on pollution. Now, that's one part of the action we need to take to help the environment.

Now, fighting climate change will take more than just cheques in the mail. So I do have a number of questions, in particular: What programs will be there to help the average family reduce their footprint? What about jobs to help people protect the earth? And, of course, what is going to happen with big polluters?

Now, these are questions that I have as a leader, but as a parent, I'm glad to see that some action is being taken.

My question for the Premier is: Will he pull another flip-flop and join with us to help fight climate change?

Hon. Brian Pallister (Premier): Well, Madam Speaker, I know that the member is fond of throwing people under the bus from the previous NDP administration, but he pretty much just did with his preamble, because the fact is that after 17 years the previous NDP government didn't have a climate plan at all—17 years, no plan whatsoever.

Now their plan is to support Ottawa in taxing money away from Manitobans with the possibility they may get some refund, some percentage back. On the other hand, we've devoted ourselves developing a green plan for Manitoba, Madam Speaker, and we'll be working on that green plan.

We say no to the carbon tax; we say yes to green. The members opposite say yes to a carbon tax and they've always said no to green.

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

Federal Carbon Pricing Litigation Inquiry

Mr. Wab Kinew (Leader of the Official Opposition): You know, the Premier plans to hand the next generation of Manitobans a massive environmental deficit.

Now, you'd think that he would understand the importance of not leaving it to the next—*[interjection]*

Madam Speaker: Order.

Mr. Kinew: —generation to clean up this mess. You would think that he would understand that protecting the environment is a fight that requires all hands on deck.

But instead, the Premier has abandoned all responsibility to help protect the environment. He flip-flopped on a price on carbon just as soon as Doug Ford got elected, Madam Speaker. That meant ignoring the advice of his high-priced consultant from Ontario, Mr. McLaughlin, who he paid nearly \$85,000 to fly back and forth between Winnipeg and his home in Ottawa.

We learned through a FIPPA that the Province spent some \$250,000 promoting the plan that he's planning to gut at committee tomorrow night—doesn't sound like good value for money at all, does it, Madam Speaker?

Given the federal announcement today, Manitobans deserve to know whether he plans to waste more money, do another flip-flop and take the federal government to court.

Hon. Brian Pallister (Premier): I appreciate any question from an NDP member on value for money, Madam Speaker. And I appreciate any reference from an NDP member to the word deficit.

Madam Speaker, the NDP doubled our debt in just six years, prior to the last election, while they didn't have a green plan in sight—nowhere in sight. They raised taxes on working families, they raised taxes on seniors, they raised taxes on small businesses, too. They raised taxes every passing year, while increasing the deficits of our Province and the debt that our children would have to pay.

The member references his children. I have concerns about my children and his. I have concerns about making our government run sustainably and well so it doesn't hand an environmental deficit to our children or a fiscal deficit either. I wish that member would demonstrate some understanding of the importance of fixing the finances, services, and economy of this province. This government is focused on doing just that.

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

Mr. Kinew: Must have come up with a good line. The Premier's taken my talking points right out of my hand there, Madam Speaker. But it's very clear that this Premier is going to hand down a tremendous environmental deficit to future generations of Manitobans.

He campaigned, he tried to use and pretended to use his green card—*[interjection]*

Madam Speaker: Order.

Mr. Kinew: —when he was out there campaigning for election, but when the rubber meets the road, when it comes time to actually act to fight global warming, he backed away, Madam Speaker. It's that simple. He didn't have the courage to tackle this issue, which is the issue of our time.

Now, we know that this Premier has a propensity to launch frivolous legal challenges. He's spending money in Nova Scotia fighting teachers in Nova Scotia. He's in court here fighting teachers and nurses, trying to freeze their salaries. We know all about these frivolous lawsuits. He has threatened, in the past, to take the federal government to court over this issue.

So I'd ask him again: Will he just come clean with Manitobans and tell us, once and for all, whether he plans to launch another frivolous lawsuit against the federal government?

Mr. Pallister: I appreciate any reference from the member on courage, Madam Speaker. The courage to tackle difficult issues is something that I know this government is demonstrating and demonstrating well. That the previous government failed to do that is well understood. That he personally has failed to do that is equally well understood.

That being said, Madam Speaker, we are proceeding to clean our watersheds. We've developed a historic conservation trust. We are moving on a fuel efficiency program for our trucking

industry. We are going to be developing climate change adaptation projects and working with partners to make sure that we leave this province cleaner for the generations that follow, something the NDP can never claim they did in 17 misguided years.

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

Methamphetamine Crisis Need for Treatment Spaces

Mr. Wab Kinew (Leader of the Official Opposition): We know that there is a meth crisis in our city and right across our province, whether or not the Premier or his ministers want to admit it. We know that it's getting worse and worse and that it affects communities right across the province, whether it's in Lac du Bonnet, whether it's in Steinbach, whether it's in southwest Manitoba, Madam Speaker. We're hearing from front-line volunteers in the Bear Clan that they're discovering more needles and more drugs. We're—we've seen the video of the nurse being assaulted in the emergency room.

But now, through freedom of information requests, we've learned that the number of people who are entering treatment centres for meth use has increased by 700 per cent since 2012. Now that's a massive increase at treatment centres all across this province.

The Premier needs to acknowledge that this crisis is real and he needs to name it.

Does the Premier agree with the Winnipeg police, the children's advocate and other community agencies that meth is a massive and ongoing crisis in Manitoba?

Hon. Brian Pallister (Premier): Madam Speaker, the member makes—refutes his own points in his preamble by citing statistics showing an increase in this problem from—dating back to 2012, when the NDP were in government.

Madam Speaker, there was no action taken in the years 2012, '13, '14 or '15 when the NDP were in power. We're taking action now and the member should applaud that and should support it rather than attempting to score political points on the backs of irrefutable data that defeats his own case. *[interjection]*

Madam Speaker: Order.

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

Mr. Kinew: Madam Speaker, watching the Premier—*[interjection]*

Madam Speaker: Order.

Mr. Kinew:—try and make points in question period is like staring at that diagram of Confusion Corner on the road map. It's pointing every direction but the right one.

Now, the facts of this meth crisis in our city and our province are staggering. We've heard that the number of 'patiments' going to hospital has increased by 1,200 per cent. We find now, through freedom of information, that the number of people accessing treatment has risen by 700 per cent over the past number of years, and that really shows the scale of the challenge and how this First Minister's actions are falling short.

He's announced that he's going to open a clinic two hours a day, three days a week, and even when you present at that clinic all you would get is a referral to treatment. But we find out now that the number of people accessing treatment itself is skyrocketing.

* (13:50)

So I'd ask the Premier again: Will he admit that the scourge of methamphetamine in our province and in our city is a crisis, and will he commit to expanding more spaces for treatment?

Mr. Pallister: One wonders at the absence of any evidence of action in the last four years of the NDP regime, when this problem was presenting itself on an increasingly regular basis. It is a serious concern.

Our thoughts are with the individuals affected. Our thoughts are with the people who've been affected by those individuals and their behaviours, including our front-line staff, our security personnel and nurses in ERs and so on.

So, this is a serious problem. It requires serious and thoughtful solutions. We're pursuing those.

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

Mr. Kinew: Madam Speaker, unfortunately, you know, thoughts and prayers has become a bit of a standard response from politicians right across North America, and it simply doesn't cut it when you face

something as serious as the meth crisis here in Manitoba.

We know, through freedom of information requests, that the number of people accessing treatment for meth use in Manitoba has gone up by 700 per cent over the past number of years since 2012. However, Madam Speaker, has the number of treatment spaces increased by 700 per cent over the same amount of time? Has there been a similar investment in treatment of drug use in Manitoba to keep pace with the ever-increasing scourge of methamphetamines in our province?

The Premier cannot say yes in answer to those questions, and since he can't say yes, he must act now. He should add a safe consumption site here in Winnipeg.

But will he go further than that and also commit to dramatically expanding the number of treatment beds here in the province of Manitoba?

Mr. Pallister: Well, apparently, the member wants to ask and then answer the questions without response, Madam Speaker. I will respond by saying there's no such thing as a safe injection site for meth. And I think his proposal is a myth and a simplistic one. And I think that anyone observing these debates and discussions would notice that.

As far as his assertion that thoughts and prayers are useless, they are certainly—most certainly not. And if they lead to action, and that is the action we are taking, then they are genuine. And when they are genuine and when action occurs, as it is occurring under this government, then it will be helpful. Nothing will solve this problem instantly, but the inaction of the previous government is indelibly etched in my mind, and the member should realize that he is speaking from a very weak platform when he advocates action belatedly.

Presenters at Committee Timeline for Presentations

Mr. Rob Altemeyer (Wolseley): I am compelled to begin today by conveying to all members of the House the intense feelings of frustration and disappointment that were felt by dozens of Manitobans who came here to the Legislature on their own time and dime to present to committee and were blocked from doing so.

For reasons known only to themselves, the Manitoba Liberals decided that procedural votes here were a more important thing than hearing the voices

of the people of Manitoba, and now this government has used that opportunity to schedule hearings on the same night as the municipal elections, when people will not be able to participate.

Can the Government House Leader please explain why he picked this date of all dates to call committee on these important issues, including climate change? *[interjection]*

Madam Speaker: The honourable—*[interjection]* Order.

Hon. Kelvin Goertzen (Government House Leader): Well, Madam Speaker, the member had it half right. Certainly I agree with him that the Liberal caucus's strategy to stop people from coming to the Legislature and having their voices heard on an important issue was absolutely disgraceful, unprecedented in this Legislature, that a party—it took them 20 years to get party status. It may get them 20 years to get it back when they lose it if they keep up those kinds of strategies.

But for the member opposite now to go further and say he wants to stall committees again, where the NDP don't want to hear from Manitobans, that's why those members will be in opposition for a long time. One wants to stop the committee from happening last week; one wants to stop it from happening this week.

We want to hear from Manitobans. They should too, Madam Speaker. *[interjection]*

Madam Speaker: Order.

The honourable member for Wolseley, on a supplementary question.

Climate and Green Plan Request for Reduction Initiatives

Mr. Rob Altemeyer (Wolseley): Well, the only people stopping democracy and the voices of Manitobans from coming here is this government, and that is going to change when people come down here and tell them first-hand what they think of these ideas.

Now, this government has had a horrible track record on the environment since the day they got elected. Their so-called green plan is a green—*[interjection]*

Madam Speaker: Order.

Mr. Altemeyer: –scam. Now, I will give the Premier (Mr. Pallister) every opportunity to stand up in this House—[*interjection*]

Madam Speaker: Order.

Mr. Altemeyer: –right now, today, and mention a single initiative, anything at all, that his government has done, which has actually reduced greenhouse gas emissions in Manitoba.

They raised the price of transit. They killed the electric bus. That's taking us in the wrong direction.

Has he done anything to take us into the green future our kids need? [*interjection*]

Madam Speaker: Order.

Hon. Rochelle Squires (Minister of Sustainable Development): Well, Madam Speaker, when he talks about a horrible track record on the climate—on climate in Manitoba, I'm afraid he must be quoting from the Auditor General's report, who issued a scathing report about his government's inactivity for 17 years to address climate change. In 17 years they failed to produce a plan that would bring down—[*interjection*]

Madam Speaker: Order.

Ms. Squires: –any substantial carbon emission reductions in this province.

We have a substantial plan to reduce the carbon footprint in Manitoba. I wish that they would get on board with a plan to have meaningful action for the next generation. [*interjection*]

Madam Speaker: Order. Order.

The honourable member for Wolseley, on a final supplementary.

Mr. Altemeyer: There's nothing to get on board with, Madam Speaker. There's no—

Some Honourable Members: Oh, oh.

Mr. Altemeyer: It's a complete work of fiction that this government has taken a single action. We just saw it again. She cannot mention a single thing. How about the wind turbines that were built in—oh, wait, no, that was us. How about the landfill gas capture operations at Brady landfill and in Brandon? No, wait, that was us.

Oh, what did they do? They cancelled Power Smart, froze it, painted over the mural on Portage Avenue, didn't replace it with anything and turned us

into the worst jurisdiction in Canada for incenting solar power.

Those are the facts; now let's hear the fiction. [*interjection*]

Madam Speaker: Order.

Ms. Squires: When it talks—when he talks about the worst record in history, the worst jurisdiction, that was the NDP legacy. They had the worst record when it came to the fiscal deficit, they had the worst record when it came to the environment. They had absolutely no plan, and they left our province in worse shape. [*interjection*]

Madam Speaker: Order.

Ms. Squires: Our government is committed—[*interjection*—I guess the truth hurts, Madam Speaker, and the members opposite are having a real hard time listening to that.

But we have a real plan to move forward that is better—[*interjection*]

Madam Speaker: Order.

Ms. Squires: –for the economy and better for the environment. Our government is committed to that. I wish members opposite would get on board or—and get out of the way while we move forward with action. [*interjection*]

Madam Speaker: Order, please. Order.

I have been asking for order now for a few questions and trying to hear the questions and answers, and even when I'm standing, people are still ignoring the Speaker, which is very disrespectful in any Legislature.

So I would ask for everybody's co-operation. We have guests that are listening, and I need to be able to hear in order to be sure that rules are being followed. So I would ask for everybody's co-operation, but I would also ask for everybody's respect for each other in a democratic institution like we have, in order to be able to allow full debate here with passion but with respectful behaviour. And I would ask for everybody's co-operation, please.

Methamphetamine Crisis Safe Injection Site

Ms. Nahanni Fontaine (St. Johns): Meth-related hospital visits are up 1,200 per cent. The number of people entering treatment is 700 per cent. This is a crisis, Madam Speaker, and clearly the Premier doesn't care.

The recent children's advocate report says leaving a safe consumption site out of a plan to combat drugs is, and I quote, an oversight as harm-reduction approaches, including supervised consumption sites, are considered best practice by international mental health experts.

Will the Minister of Health reconsider and commit to a plan that includes a safe consumption site?

Hon. Cameron Friesen (Minister of Health, Seniors and Active Living): The member doesn't acknowledge that under her previous government nothing was done and yet in the short time we've had in government, six new beds added to HSC, 12 new beds for women for in-service addiction treatment in Winnipeg. These are all parts of the investment that we continue to make in terms of addictions and enhancing that capacity to make real change in people's lives.

*(14:00)

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

Ms. Fontaine: Let's be clear: six and 12 beds is absolutely nothing. It's actually not a plan to address meth crisis.

And if anything, the FIPPA release—the FIPPA report released today provides insight into this growing meth crisis. Violence in our hospitals are rapidly increasing. More women are seeking detox treatment for meth than for alcohol, Madam Speaker. Injection of meth amongst intravenous drug users has exploded from 6 per cent to over 50 per cent, Madam Speaker. The Bear Clan has picked up more than 30,000 needles. The province is now staring down not only a drug crisis, but a rapid rise in HIV and hepatitis.

Will the minister face these facts and commit to a safe consumption site to address this crisis?

Mr. Friesen: The member is absolutely wrong when she dismisses the significant investment that we are making. She stands alone. I assure her that those who run and work in these facilities have called this a significant measure, a step forward. Let her understand that that bed capacity is able to actually treat more and more people based on the intervals on which they stay.

But look at other investments that we are making. The member for Thompson (Mr. Bindle) attended, last week, the opening at Eaglewood lodge

in Thompson for the newest RAAM clinic opened on the—October 18th. It's been serving the public for over three weeks, and he—she's happy to talk with him about the important contributions that is already making to make it better for people with addictions issues to seek treatment.

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

Ms. Fontaine: Meth rates are exploding, but the Pallister government is not putting robust and full resources to address this issue. Morberg House founder, Marion Willis, says trying to fight the meth crisis with existing resources, and I quote, is like fighting a war with a water gun.

It's clear small steps and half measures will not be enough, like what the Minister for Health just reiterated. Safe consumption sites are an effective way to manage the spiral of drug use and disrupt the risk of intravenous infection.

My question is simple, Madam Speaker: What more evidence does the minister need before taking action, and when will he commit to a safe consumption site?

Mr. Friesen: Well, the member is not acknowledging that this government is indeed taking action already in respect of the RAAM clinics, in respect of the receipt and contemplation of further measures through the VIRGO report.

One thing that we do agree on, however, is exactly something that the VIRGO point—VIRGO report points out, and that is that that report talks about how badly aligned our system has been over a vast number of years. It talks about being decades behind when it comes to the addictions system. That is why our government is acting and bringing meaningful change and enhancing our addictions system.

Provincial Finances Climate and Green Plan

Mr. Dougald Lamont (Leader of the Second Opposition): The government and the first opposition seem to spend all their time arguing about who did a worse job on the environment, on health care and so on. They both did a terrible job. Why don't we just call it a draw and move on?

It's not clear why the Premier abandoned his own carbon plan. His own comments suggest he was hurt the Prime Minister made him look bad in front of his friends by saying he had such a nice

green plan. The decision to cancel their own plan underlines this government's habit of making impulsive, reckless decisions on the fly with no thoughts as to the consequences.

As the Premier said in his first answer today, they're still working on their climate plan. This decision blows a hole in the Province's budget and the government's agenda.

When are we going to learn the financial impact on this Province's finances? Because it's not in anything we've seen so far.

Hon. Brian Pallister (Premier): I notice, Madam Speaker, that the new opposition leader is quickly becoming the expert on every topic, and I can't help but notice that he is not, despite his—the fact of the matter is that what he has come here to do thus far is advocate for more office space for himself and higher taxes for Manitobans. We don't support either of those things.

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

Income Taxes

Mr. Lamont: I will remind the First Minister that in—*[interjection]*

Madam Speaker: Order. Order.

Mr. Lamont: —in the first question I asked him, I asked him whether he would give me a straight answer to straight questions.

Madam Speaker, we still haven't passed a budget update, BITSA, that includes references to the Pallister government's carbon tax. This government has no idea what the cannabis revenue will be, and we were recently asked to vote on two—on a bill to borrow \$3.8 billion, on which questions and debate were forbidden.

Three point eight billion dollars in borrowing, more than ever happened under the NDP; hundreds of millions in lost revenue from abandoning his own carbon plan, but this government continues to cut taxes for the—*[interjection]*

Madam Speaker: Order.

Mr. Lamont: —wealthiest Manitobans while putting his own plan to reduce taxes for low-income Manitobans on hold.

How can the Premier justify putting tax cuts for the rich on everyone else's credit card while the Province is taking out \$3.8 billion in debt?

Mr. Pallister: Well, Madam Speaker, I'm willing to say that this government has led the fight against Ottawa raising taxes. If that's standing up for the rich, it's also inevitably standing up for the middle class and the poor as well. And so we're happy to say that we're going to stand up for leaving more money in the hands of working families, of seniors, of small-business people.

And it's clear the member has the position—he has taken it publicly—that higher taxes are good. So he can join hands with his friends in Ottawa and keep advocating for that if he wants, but on this side of the House we're going to advocate for lower taxes and more money left in the hands of working families in this province.

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

Manitoba Hydro

Mr. Lamont: Madam Speaker, in his response to the federal government's announcement on pricing pollution, the Premier has complained that the federal government did not take into account Manitoba's historic investments in hydro. What matters in what this Province—in—is what this Province intended to do that is new to reduce emissions, not just an investment 30, 50 or 60 years ago.

Has the Premier considered that he has continually undermined his case for a break on hydro when he says things like, the Manitoba government spent \$15 billion on unnecessary hydro projects, as he did yesterday in the House?

Mr. Pallister: Well, that's the very definition of silly, Madam Speaker, because the \$15 billion that the member wants us to not pay any attention to is \$15 billion that's going to be taken from Manitobans' pockets.

The owners of Manitoba Hydro aren't the member opposite; they're Manitobans. All Manitobans were forced to make a \$15-billion investment, by the previous NDP administration, that has zero payback for 40 years, and the federal government's proposing, the Liberal government's proposing, to introduce the same taxes on this green province as it is next door on a province that lies on a bed of oil. The same Liberal government, federally, that says it's fighting pollution is investing billions of dollars in a pipeline that ships carbon-spewing products around the world and raises the problem of

climate change, but is punishing a green province here in Manitoba.

Madam Speaker, this makes no sense, and I don't know how the member is going to explain it to his Liberal friends at his next meeting with them.

Northern Manitoba Airports Weekend Snow Clearing

Mr. Tom Lindsey (Flin Flon): Yesterday, the Minister for Infrastructure proudly insisted that his government is meeting the minimum standard when it comes to snow clearing at airports in the North. We think that the government should do better.

This government has lowered the standard when it comes to snow clearing, creating a riskier situation for people in the North.

Does the Minister for Infrastructure—
[interjection]

Madam Speaker: Order.

Mr. Lindsey: —think that someone who has a medical emergency on the weekend, who has to be medevac'd from the North should be happy with just meeting the minimum standard that may prevent the plane from landing when it's needed?

Hon. Ron Schuler (Minister of Infrastructure): I want to assure the House that runways are cleaned to a federal standard, according to hours of operation. Department of Manitoba Infrastructure will continue to clear the runways.

And, Madam Speaker, the runways are always in a condition and will always be cleared for an emergency.

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

Mr. Lindsey: The Assembly of Manitoba Chiefs' Arlen Dumas says that the Province's decision to cut northern airports borders on negligence. The government's new policy—and it is a new policy that belongs to this government—means that airports will only be cleared on the weekend if there's a medical emergency, maybe.

Manitoba Hydro crews often need to access remote communities to make repairs on the weekend, and northern airports are also vital for bringing in food and supplies.

Does the Minister for Infrastructure think that northern communities maybe should go without food

or power if there's too much snow on a runway on the weekend?

Mr. Schuler: Well, Madam Speaker, there the NDP go again. They're careless with their words and they say things like editorializing, like maybe.

* (14:10)

I think we should be very clear that the runways are always cleared when there's an emergency. That is always the case. We have staff that are trained to go up there. They have the equipment. They clear the runways.

And I would suggest to the member opposite he choose his words carefully, because what he's putting on the record is completely irresponsible.

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

Mr. Lindsey: Madam Speaker, we heard yesterday—
[interjection]

Madam Speaker: Order.

Mr. Lindsey: —that at least one flight has already been diverted because of the government's cuts, leaving low-income people to fend for themselves in the Thompson Airport.

We know that cuts to northern patient transportation people—mean that people who don't speak English are already suffering. We know that seniors who need support are travelling alone. More importantly, we know that Abraham Donkey died on a bus, when he should've been flying with an escort.

Will the government recognise the harm their policies are doing to northern Manitobans and reverse their cuts to northern airports and also to the Northern Patient Transportation Program?

Mr. Schuler: Well, Madam Speaker, there the member goes again. He speaks about a flight. He doesn't mention an airline. He speaks about a flight, he doesn't say a flight number. There are a lot of flights that go up north. There is no way to identify which flight he's speaking about.

But I do want to talk about emergency cases—
[interjection]

Madam Speaker: Order.

Mr. Schuler: —and I'd like to be very clear. When there is an emergency up north, we have the staff and we have the equipment that will right away go clean an airport. They will clean a runway to ensure that

there is access to that community by an emergency flight, Madam Speaker.

And I would suggest to the member again that—be very careful how he chooses his words.

Stopping the Spread of Aquatic Invasive Species Public Awareness and Enforcement Campaign

Mr. Alan Lagimodiere (Selkirk): Madam Speaker, protecting waterways has been one of the key goals of our PC government, which is in sharp contrast to the previous NDP government. Last week, the Minister of Sustainable Development announced some additional steps our government is taking to limit the spread of aquatic invasive species.

Can the minister please inform the House about these additional steps?

Hon. Rochelle Squires (Minister of Sustainable Development): I am delighted to finally take a good question from the environment, and I'd also like to thank my colleague from Selkirk for his work on protecting Manitoba waterways.

In addition to failing on the environment, the NDP also failed to stop the spread of aquatic invasive species and stop the prevention of—prevent—failed to prevent them coming into our province. Last week, our government took serious action.

We're moving forward with an aggressive awareness campaign and an enforcement initiative so that everybody in Manitoba knows how to stop the spread and when they fail to adhere to our regulations, there will be stiff consequences. And we believe that protecting our waterways is incumbent upon us and that is what our government is doing.

Missing Persons Case—Mr. Lavallee Family Support Services

Ms. Judy Klassen (Kewatinook): I have had the absolute privilege of being able to afford to travel across our province to go and visit with communities, whether it was in times of celebration or in times of need. I want to humbly thank my constituents for giving me that privilege.

Dwayne Lavallee has been missing for a month today, and his family remains optimistic.

Can the minister tell me if she plans to reach out to the Lavallee family, and if she has already, what types of support or supports has the department offered to them?

Hon. Cliff Cullen (Acting Minister of Indigenous and Northern Relations): I certainly appreciate the question from the member. Obviously when these situations arise, our hearts go out with—to the families of those involved and certainly the friends of those involved.

I will certainly take this situation under advisement, have a discussion with the department and see what resources have been allocated to this particular situation.

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

Missing and Murdered Indigenous Women and Girls Government Representation at National Inquiry

Ms. Judy Klassen (Kewatinook): The brutal theft of our culture over the last centuries is evident all around us. Hurt people hurt people. That is quite clear. It is this cultural genocide that has caused our great demise.

Today, slowly, my people are revitalizing our culture, but just as it took decades to eradicate, it will take time for it to fully flourish. But I have great hope. We all do.

Can any minister tell the House, tell the province, if they presented and what they said at the national murdered and missing indigenous women's inquiry on behalf of our murdered and missing Manitoba women and girls?

Hon. Cliff Cullen (Acting Minister of Indigenous and Northern Relations): I do appreciate the question from the member.

Clearly, we're going through a process, and I think we're all involved and engaged in this particular process. We obviously hope there will be positive outcomes to this particular committee. I know there's been a lot of discussions across the country, especially in the prairie provinces, of what we can do. I know members have been—from all parties have been engaged in this particular process.

So we certainly look forward to positive outcomes from this particular commission, and we look forward to providing results for people across our province as well.

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

Government Action on File

Ms. Klassen: It's a metal bar about a metre wide with about six foot-long fish hooks on the ends tied to a rope. You take that device, you go out on a boat and you literally fish for a human body.

I've never been biologically related to anyone they've been looking for, but merely seeing those pictures of those remains was surreal. To my sister, the member for Point Douglas (Mrs. Smith), you are an inspiration and a tower of unimaginable strength. Thank you for being here. I don't know how you do it.

I ask the minister: Has she taken any action on this file since becoming the minister?

Hon. Brian Pallister (Premier): I appreciate the heartfelt words of the member. Reconciliation is a goal that this government, and I know all members, share. We recognize the importance of fostering a genuine understanding of both past and present relationships between indigenous and non-indigenous peoples.

We need to identify needs and priorities of indigenous communities. We need to determine actions. We have been taking actions to resolve Treaty Land Entitlement at record rates. We have introduced a process to arrive at a duty-to-consult framework, which we consider very important. We've proceeded and enhanced the Northern Healthy Foods Initiative.

We just received recognition, as a government, from the United Church KAIROS Canada report, which marked Manitoba as the leading province, and excellent province, in terms of proceeding on reconciliation education. We're continuing to take these issues very seriously, and I welcome the member's comments and look forward to working with those members willing to work in a co-operative manner on these issues.

Recreational Facilities Investments Needed

Ms. Flor Marcelino (Logan): Many recreation facilities in Winnipeg are at the end of their lifespan. Pools, arenas and community centres are deteriorating so fast that service disruptions are inevitable, that is, if this government does nothing.

This government's cuts to municipal funding have already made it harder for children to find a place to play, to play sports, to make new friends and to avoid gangs and meth crisis.

Will the government reverse its cuts, stop the austerity and work with the City to revitalize its recreation facilities?

Hon. Jeff Wharton (Minister of Municipal Relations): First off, I'd like to welcome the new—my new critic to her new role and remind that side of the House, Madam Speaker, that, you know, we work and we continue to work with municipalities right across Manitoba, including the City of Winnipeg. And I can tell you that the City of Winnipeg has the biggest unconditional funding basket anywhere in Canada, where they apply money where they feel best fit.

Where they got it wrong, Madam Speaker, the City of Winnipeg's going to get it right.

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

Ms. Marcelino: The Norwood pool is a vital community asset. The pool was slated to close, but last month, the council's Protection, Community Services and Parks committee voted to try to save it. They know that the pool is worth fighting for, that they're not willing to give up.

The one obstacle they face is this provincial government's austerity and mean-spirited government that only yesterday laughed at children in the gallery who spoke of having to practise their musical instruments in a closet.

* (14:20)

Will this government stop making light of serious issues and commit to saving the Norwood pool?

Mr. Wharton: Well, Madam Speaker, again, I remind the member and members opposite that we've continued to collaborate and work with our municipal partners. I mean, we've had more discussions and more dialogue and more positive movement with our relationship with our municipalities than they had in 17 years.

I can tell you that we are moving forward at lightning speed, comparison to the 17 years they had government, Madam Speaker.

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

Ms. Marcelino: Last summer, I urged the minister to invest in recreation centres in south Winnipeg. Unfortunately, the people of south Winnipeg are still

waiting. We know that recreation facilities in south Winnipeg were removed from the City's funding forecast because of changes to provincial-municipal funding arrangements, in other words, this government's austerity and bottom-line approach.

Will the government reverse course and commit to investing in a new recreational complex for south Winnipeg?

Mr. Wharton: Again, I'd like to remind the member that we were making investments right across the city of Winnipeg, Madam Speaker, in community, in recreation and Neighbourhoods Alive!, Community Places. We have made more commitments, *[interjection]* matter of fact—

Madam Speaker: Order.

Mr. Wharton: —13 per cent higher in community development programs, Madam Speaker, right across Manitoba and including the city of Winnipeg.

Madam Speaker, where they failed in community development, we will get it right.

Madam Speaker: The time for oral questions has expired.

Speaker's Ruling

Madam Speaker: And I have a ruling for the House.

During orders of the day on Wednesday, June 6th, 2018, the honourable member for Tyndall Park (Mr. Marcelino) raised a matter of privilege indicating that he had attempted to electronically receive a copy of the letter of the emergency recall from the Speaker's office and was told he would have to personally go to the Speaker's office to review a copy of the letter.

At the conclusion of his remarks he moved, and I quote: that the issue of my privilege being breached, in accordance with what I said before in those statements, be examined by the office of the Speaker and be ruled accordingly, as today is the only day I could raise it. End quote.

The honourable member for Assiniboia (Mr. Fletcher) also offered advice to the Chair on this matter. I took the matter under advisement in order to consult the authorities.

There are two conditions that must be satisfied in order for the matter raised to be ruled in order as a prima facie case of privilege. First, was the issue raised at the earliest opportunity, and second, has sufficient evidence been provided to demonstrate

that the privileges of the House have been breached, in order to warrant putting the matter to the House?

Regarding the first condition of whether the matter was raised at the earliest opportunity, the honourable member did not give an indication as to when his interactions with the 'speakers'—Speaker's office took place. He did not indicate if it happened on a previous day or on that day, and if so, when. Therefore, I am not able to rule on the issue of timeliness.

On the second condition of whether a prima facie case of privilege was established, Joseph Maingot advises on page 222 of the 2nd edition of Parliamentary Privilege in Canada that the activity in question must involve a proceeding of parliament.

This concept is supported by numerous rulings from Speakers Rocan, Hickes and Reid. As noted by Speakers, debate in the Chamber constitutes a proceeding of parliament, but events taking place outside of the Chamber, such as asking the Speaker's office for information, does not fall within the scope of a proceeding of parliament.

In addition, many issues that are raised as privilege are ones that would be better raised as points of order or raised privately. Joseph Maingot also advises on page 220 of the same work cited earlier that, and I quote: Questions of privilege are frequently raised but few are found to be privilege. Furthermore, members have a tendency to use the rubric privilege to raise what is generally a matter of order, or in the words of the Speaker of the House of Commons, a grievance. End quote.

I would therefore, respectfully rule that a prima facie case of privilege has not been proven and that the matter raised is not in order as a matter of privilege.

I do thank the honourable member for Tyndall Park for raising this issue, though, and I would encourage him and all honourable members to contact the Speaker directly, in the future, if there are issues arising due to interactions with the Speaker's office and I would be happy to address any concerns raised.

PETITIONS

Seven Oaks General Hospital Emergency Room

Mrs. Bernadette Smith (Point Douglas): I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

(1) The provincial government has announced the closure of three emergency rooms and an urgent-care centre in the city of Winnipeg, including closing down the emergency room at Seven Oaks General Hospital.

(2) The closure come on the heels of the closing of a nearby QuickCare clinic, as well as cancelled plans for ACCESS centres and personal-care homes such as Park Manor, that would have provided important services for families and seniors in the area.

(3) The closures have left families and seniors in north Winnipeg without any point of contact with front-line health-care services and will result in them having to travel 20 minutes or more to St. Boniface Hospital's emergency room or Health Sciences Centre's emergency room for emergency care.

(4) These cuts will place a heavy burden on the many seniors who live in north Winnipeg and visit the emergency room frequently, especially for those who are unable to drive or are low-income.

(5) The provincial government failed to consult with families or seniors in north Winnipeg regarding the closure of their emergency room or to consult with health officials and health-care workers at Seven Oaks to discuss how this closure would impact patient care in advance of the announcement.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to reverse the decision to close Seven Oaks General Hospital's emergency room so that families and seniors in north Winnipeg and the surrounding area have timely access to quality health care services.

Signed by Ariel Colorado [*phonetic*], Patricia Ajimah [*phonetic*] and Luz Aljara [*phonetic*] and many, many other Manitobans.

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

Tina Fontaine—Public Inquiry

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

These are the reasons for this petition.

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

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

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

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

Madam Speaker, this petition is signed by Brian Chudy, Ron Dunsmore, Howard Lavitt and many other Manitobans.

* (14:30)

Vimy Arena

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

The background to this petition is as follows:

(1) The residents of St. James and other areas of Manitoba are concerned with the intention expressed

by the provincial government to use the Vimy Arena site as a Manitoba Housing project.

(2) The Vimy Arena site is in the middle of a residential area near many schools, churches, community clubs and senior homes, and neither the provincial government nor the City of Winnipeg considered better suited locations in rural, semi-rural, industrial locations such as St. Boniface Industrial Park, the 200,000 acres at CentrePort or existing properties such as the Shriners Hospital or old Children's Hospital on Wellington Crescent.

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

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

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

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

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

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

(9) The community has been misled regarding the true intention of Manitoba Housing as the land is being transferred for a 50-bed facility even though

the project is clearly outside Manitoba Housing responsibility.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to take the necessary steps to ensure that the Vimy Arena site is not used for an addiction treatment facility; and

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

This has been signed by Ashley Arnett [*phonetic*], Jeff Arnett [*phonetic*], Mary Anne Gieg [*phonetic*] and many other Manitobans.

Gender Neutrality

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

The background to this petition is as follows:

Gender, sexuality and gender identity are protected characteristics of human rights, both federally and provincially, in Manitoba, in Ontario, Alberta, British Columbia and soon will be in Saskatchewan, Yukon and other places in Canada. These governments have realized the need for this option on identification for the benefit of people who identify or who are identified by others as intersex, third gender, transgender, genderqueer or non-binary.

Identification and government documents should reflect gender neutrality to prevent issues that may arise from intentional bias on gender, and misgendering. The people described above face anxiety and discrimination in many aspects of day-to-day life, such as: interactions with health-care professionals, interactions with persons of authority, accessing government services, applying for employment.

Gender neutrality describes the idea that policies, language and other social institutions should avoid distinguishing roles according to people's sex

or gender in order to avoid discrimination arising from impressions that there are social roles for which one gender is more suited than others.

Many newcomers to Canada may already have gender-neutral ID. Many indigenous persons are coming to identify as two-spirit as the effects of colonization are lessening, and this needs to be addressed in the process of reconciliation.

Being forced to accept an assigned gender affects children and newborns as they grow and become part of society. There are many psychological benefits for transgender and non-binary people to be allowed to develop without the constraints put upon them by having their gender assigned based on purely physical attributes.

The consideration to have a third option like X or Other on documents was on the previous provincial government's radar for several years, but the current provincial government has not taken steps to implement it.

The City of Winnipeg is actively making its forms reflective of gender neutrality in respect to all persons who work for or come into contact with that government.

The federal government now issues passports and is educating personnel about the correct language and references—[*interjection*]

Madam Speaker: Order. Order.

Mr. Gerrard: —for non-binary persons.

An Other option existed on enumeration forms for Elections Manitoba in 2016, was easily accepted and provided a framework to provide accurate statistics of those who do not identify under the current binary system.

The foresight, along with training and making changes on required forms, acknowledges and accepts persons who fall outside the binary gender so that governments and people can more effectively interact with one another and reduce the anxieties of everyone involved.

We petition the Legislative Assembly of Manitoba as follows:

(1) To urge the provincial government to immediately begin implementation of plans to convert systems and forms to be more inclusive of two-spirit and other non-binary individuals, whether it be to include a third gender option or no requirement for gender on forms unless medically or

statistically necessary, including health cards and birth certificates.

(2) To urge the provincial government to immediately instruct the Manitoba Public Insurance Corporation to offer a third gender option or no gender requirement for licences or any other form of provincial identification.

(3) To urge the provincial government to instruct Manitoba Health, Seniors and Active Living to offer the option of Manitoba Health cards with no gender in order to reduce the anxieties of transgender and non-binary persons accessing the health-care system as a first step.

(4) To consider revisiting legislation that may need updating to meet the needs of its citizens in this regard.

Signed by Brigitte Schirle, Cameron DeJery, Rebecca Ladd and many more.

Madam Speaker: Grievances?

ORDERS OF THE DAY

(*Continued*)

GOVERNMENT BUSINESS

Hon. Kelvin Goertzen (Government House Leader): I request that you please call the motion to concur in the report of the Rules Committee, and then following the resolution of that motion, please call Bill 36, The Highway Traffic Amendment Act (Impaired Driving Offences).

Madam Speaker: It has been announced that the House will consider the House rules motion, followed by resuming debate on second reading of Bill 36, The Highway Traffic Amendment Act (Impaired Driving Offences).

We will start, then, with the House rules motion.

* (14:40)

GOVERNMENT MOTION

Hon. Kelvin Goertzen (Government House Leader): I move that the first—seconded—I move, seconded by the Minister of Justice (Mr. Cullen), that the First Report of the Standing Committee on the Rules of the House, received on October 4th, 2018, be concurred in.

Motion presented.

Madam Speaker: The floor is open—oh, the honourable—yes, the floor is open for debate.

Mr. Goertzen: First of all, a few thank-yous to begin. I want to thank a number of the people who were involved in ensuring that we could get to this point, in terms of bringing forward some changes to the rules of our House.

I want to thank, of course, the former House leader and the current—so, the Minister of Justice (Mr. Cullen) and the current House leaders for both of the opposition parties. I want to thank the independent member who attended the committee of the rules and the discussion that we had there.

Of course, I want to thank the Clerk's office who puts in all the hard work of drafting the rules once we sort of formulate the ideas of how we'd like to 'thay'—say things go.

This is a continuation of a commitment that was made prior to the last election to more vigorously and certainly more often review the rules of the House. Members will know that the sessional calendar that we have now is put together by the member for River Heights (Mr. Gerrard), who was involved in the negotiations, former House leader Dave Chomiak, with the assistance of former member Steve Ashton and, of course, the Attorney General.

As a group, we got together to work on rule changes prior to the last election. And a number of changes happened from then. But one of the things that we committed to as a group to the extent that we could make that commitment for those of us who've returned, was to have more regular updates of the rules—both because we knew that there would be significant things that would have to be altered because of the significant changes that happen within the rules, and we couldn't foresee everything that wouldn't go as well as we'd hoped, despite all of our years of legislative experience and our combined efforts. And, certainly, we as legislators take full responsibility for that. And now that we've seen some of the things that haven't worked as well, or maybe there were unintended consequences, this helps to alleviate some of that and the—continue on with changing some of the rules.

And I hope that all of us are committed to continue to have that process, the—continue to look at the rules to better how this institution operates. Obviously, we all have a vested interest to make sure that it works well. Opposition has a duty to do their best to raise issues and to oppose things that they feel should be opposed. And they not only have that duty, they should have that right. And these rules, as we've

drafted them, protects that right. And, of course, government has a mandate to proceed on legislative change, as it's mandated to do. And I think that this strikes a fair balance that we have here in the Legislature.

So I appreciate very much all the input that's come from the members who were involved with the rule changes. I look forward to continued discussion as we work to ensure that this House works better, but also that the respective roles of members in this House continues to be upheld and that we can all do the roles that we are elected to do and that we are assigned to do as members of the Legislature.

Thank you very much, Madam Speaker.

Ms. Nahanni Fontaine (Official Opposition House Leader): Just a—I'm pleased to get up just to say a couple of words on the record.

So—[interjection]

Madam Speaker: Order.

Ms. Fontaine: So, first and foremost, as I did say several weeks ago in the rules committee, first and foremost, I just want to say miigwech to the clerks.

Often—in fact, I was just in Alberta, in the Alberta Legislature, attending a Commonwealth parliamentary women's gathering, and I happened to meet one of the clerks there who knew both of you. And I could not just continue to say how much I just love and have so much respect for all of you for the work that you do on behalf of all of us.

None of us would be able to do the work that we do in this House, and certainly I would suggest the Government House Leader (Mr. Goertzen) and myself and the Second Opposition House Leader (Mr. Gerrard) wouldn't be able to do the work.

So, again, from my heart, miigwech for all of the hard work that you do.

I also, like the Government House Leader, just want to say miigwech to the House leaders, all of us, for participating in the review. And it's a nice day when we can all kind of come together and work as a collective to make the House operate and run better. So I actually enjoyed that and actually had the opportunity to learn quite a bit. And so I want to say miigwech to both the House leaders—the Government House Leader and the Second Opposition House Leader.

As I said, I was glad to participate in that. I learned a lot. I'm committed to, as the opposition—the

Official Opposition House Leader, committed to participating as needed. I think that we can all agree in the House that things can't be foreseen, as things shift and ebb and flow in this House. And so I would welcome, you know, a more consistent rules committee so that we can review these things and we can ensure that the House works effectively and equitably for everybody.

And I look forward to these new rules taking place and having the House run effectively.

Miigwech.

Hon. Jon Gerrard (Second Opposition House Leader): Madam Speaker, I want to start by thanking the Clerk and the members of the Clerk's office, particularly Rick, who spent a tremendous amount of time in going through the rules and looking over the wording step by step, and being helpful even as we battered back and forth—or, bantered back and forth in terms of changes or what changes should be made or shouldn't be made.

So I think that what I can say is that the round of working group meetings and the rules committee meeting, it was a good step forward, following the last election, to recognize that there were some additional changes that needed to be made. And I think we made some important progress.

So thank you to the Government House Leader (Mr. Goertzen) who was an important leader in this effort, to the opposition House leader who played a very important role in making suggestions as we proceeded, and to the independent member who was at our rules committee meeting.

So I think this is an important step. I think we need to recognize not only that rules are vital if our Legislative Chamber and Assembly is going to function well, but that we do need to update them on a regular basis. So I look forward to ongoing meetings of the rules committee and to making sure that we can keep them up to date.

Thank you. Merci. Miigwech.

Hon. Steven Fletcher (Assiniboia): The rules committee meeting the other day went remarkably well. And certainly appreciate the effort that must go into putting these rules together. I can only imagine what it must be like because the independent members were not asked or consulted or part of the background of meeting when these rules were proposed.

Like, I think my colleague, the member from The Maples, and myself and maybe additional independent MLAs would have appreciated the opportunity to lay the foundation for an even more successful rules committee meeting. And a more successful rules committee meeting could have consisted of a number of items, including the letter that I sent to all the MLAs on April 23rd of this year, where a number of issues were outlined, but none were addressed or are addressed in this motion. And, as we speak, I'm going to hopefully have in my possession the letter, which I will table just for everyone's reference.

*(14:50)

The—in the letter, to enhance the rules, it reflected on the fact that the substantial number of MLAs that this Legislature has had, and now there have been—there are six MLAs who have, at one time or another, been independent MLAs, and not all independent MLAs are treated equally. There are—and that in itself is a challenge.

We have had three MLAs that seem to have—are, outside of this place, associated with a political party. Now that a fourth MLA has been added, that—those three are now part of a political party and are—and have a House leader and so on. But for the remaining independent MLAs, of which there are now three, there is no voice to express the points of view of this significant group of individuals at LAMC, legislative management committee, or at even House leader meetings.

Madam Speaker, when these rules were developed, or debate occurred, there were two House leaders involved: the one for the government and one for the official opposition. I'm not sure if there was one there to represent the five independent MLAs or not. And if there was, it was likely a member from the group known outside of this place as the Liberals. But in any case, not all the MLAs would be represented. And this is an important part of the rule process, because there are fundamental issues when it comes to fairness.

And, Madam Speaker, I will now table the letter to which I am referring, and I may even take a look at it. The fairness of rotation during question period is a rule which I hope can be enhanced. The fact is, the member from The Maples and myself, in regular sitting, have had two questions between us in as many years. And that's it. The other independent members, sometimes known as Liberals outside of this place, seem to have questions every day—at least

one of the three. And within those questions, they would have up to three questions. So nine questions—or, well, we sit for four days, so 12 questions a week for the three independent Liberal MLAs and no questions for the two other independent MLAs.

One—we'll call that group of MLAs that are independent, for the sake of discussion, the freedom caucus, and that's all we're asking for, is freedom, freedom to ask questions during question period. And I would hazard to guess—and I think everyone on this side of the House and everyone, probably, in their inside voice, would agree that questions coming from the opposition or independent MLAs on the opposition side are probably going to be more relevant to the interests of Manitobans than government MLAs in the backbench reading questions prepared for them by interns, I guess, to ask the government softball questions.

You know, for example, what we're basically hearing in question period from the government side is a question. Why is the government doing this so well? Well, and then the minister will say, oh well we're doing it so well because dot, dot, dot, dot. But in reality it's usually a file that's a big screw-up and it would be much more apropos and, I think, timely if that spot was given to one of independent MLAs, of which there are three now, which is exactly the same number that existed when the Liberal party received it's allotment.

The composition—there's a duopoly in the way the rules are made in this place for a long time between the government and the opposition. In many ways it's designed to ensure that a third party doesn't appear. And against the odds, shall we say, a third party has appeared. And now there's a duopoly plus one when it comes to setting the House rules.

I suspect that, had we not seen the creation of a new party over the summer, the freedom caucus over here, myself and the member from The Maples, would be seated probably somewhere in the gallery behind the pillar up there as the rules would have been potentially amended to such an extent that we would be so far down the Speaker's list we might as well be in the gallery behind a pillar.

The—Madam Speaker, I'll just be 20 more minutes and I'll be done.

When it comes to the rules, there is some give and take that I think can be helpful. And I've proposed this in my letter to everyone in this place and the table officers, where give and take can

happen. When a ministerial statement, for example, is asked for, the members on the—each recognized party gets—you know, has the opportunity to speak to that minister's statement. It has been the custom in this place to allow one of the three Liberal members—when they were independent—to speak to a ministerial statement. And then—but that tradition has changed just recently.

As recently as last week, I'm celebrating the day of woman histories month. There was an ask for the opportunity to speak to a ministerial statement by the person of the perpendicular pronoun, which is me, and was denied. And that's well within the rules, but it doesn't allow the opportunity for people like the independent MLAs to express their views on that minister's statement or future ministers' statements because it requires unanimous consent because independent MLAs do not have party status.

*(15:00)

And, okay, the way the system works is a House leader stands up and says a statement on behalf of their caucus. That's why not everyone goes up. But in the case of the independents, we don't have a caucus chair or a designated individual. As much as this freedom caucus is strong and united over here between the two of us, we often vote in different directions, not only because we believe in freedom and democracy, but we also have different points of view on a variety of issues.

So when a ministerial statement occurs, the independent members may have different points of view on that statement, and that is why, rightly or wrongly, the custom has been to allow the independent MLAs to stand up and respond to the ministerial statement. That's the way it was with the Liberals, and that's the way it should be with the new group of three independent MLAs.

Now, I will concede, Madam Speaker, that there are occasions when the unanimous consent is asked for and needed and probably shouldn't be given notice, and we saw one of these events earlier—or, two weeks ago. The member from Selkirk brought forward a worthwhile private member's motion dealing with an issue that is important to the member from Selkirk, who's an excellent MLA, but because of a lack of notification and a variety of reasons, the default for the freedom caucus was to say no to the unanimous consent.

So, then, what happens is a chain of events. That member doesn't get the bill brought forward, and

then all the bills on the order paper are asked to be voted on or debated—which I have eight on the order paper at the moment—they're all denied by various people. Usually it's one party or the other, and then we go through all the resolutions and they're denied because of the need for unanimous consent, and then the morning's done.

There must be a better way, and I believe that one way would be to allow independent members to respond to ministerial statements, if they so choose, and in exchange, recognize that as long as there's notice, that unanimous consent would not be needed for a opposition or government member to bring forward a resolution.

Even this morning, the member from Richmond brought forward a very worthwhile issue around fetal alcohol syndrome, but that needed unanimous consent to even get to the floor, and it was provided, but it could have been prevented.

Now, in the—when we get into the procedural issues, Madam Speaker, these things can go back and forth and 'esculate' and it's because of fundamental problems in the rules, not the least of which is in the—it's as if it was never contemplated, when the rules were developed, that there would ever be six independent MLAs in a legislative sitting. As far as I know, that may be the most independent MLAs that have ever existed in the Manitoba Legislature at any particular time. So that leads to other issues around votes, on division.

Mr. Doyle Pivniuk, Deputy Speaker, in the Chair

You know, on division, well, usually that requires, you know, a House leader to say on division, so that means people that the House leader represents are counted. But what does it mean for the independents? Well, the independents may or may not agree with the House leaders. But they're simply ignored. So, in that process, it's as if the individuals are not allowed to vote and there's a conceptual—not only does that, you know, through representation—representational democracy mean that the constituents are put aside, but in this House, the rules state you can't abstain. So—or you can, in effect, if there's a vote on division, you're an independent and you're sitting in your seat, you're not counted one way or the other. That seems to be the parliamentary equivalent of an abstention which is against the rules. So these are the types of things that we can help address.

In the April 23rd letter, 2008, which I have tabled, I also speak about the rules in itself, the committee. It was a duopoly, now I guess it's a triopoly—*[interjection]* A triumvirate, a great Roman term. That didn't turn out too well for the Romans. Augustus ended up beating Lactivius *[phonetic]* and Mark Antony. But—*[interjection]* Yes—we started at the end of the republic—oh, yes—*[interjection]* So the minister from—member from Minto correctly described the triumvirate of House rules, but history tells us, that's bad news. You need independents to be part of the discussion, otherwise you end up with a dictatorship. And I'd like to thank the member from Minto reaching back there. I'm not sure if he's—he might be of that time. Certainly older than I am. But he does raise the important issue of participation. And, so long as there are independents, they need to be able to participate on the legislative management committee, or rules committee, or—well, these are all and/or—and committee.

Committee, now that's an interesting one, Mr. Speaker. Last Thursday there was an ask by the government to run two standing committees and do it at the same time as the House sits. It was—they needed—the House needed unanimous consent for that, and I said no. It wasn't the Liberals, which they'd been getting some heat for, it was me.

* (15:10)

And I want to be clear about that and the reasons why that happened. It happened because it was a cynical ploy by the government to give 48 hours' notice for a committee, and they could've done it three months beforehand. You know, it was the first week we were back. They could've given months ahead of time. But no, it was 48 hours. The people were asked to come on short notice. Witnesses who wanted to be on the list would—were not going to be on the list. And two committees and the House were—would've happened at the same time with serious legislation being brought forward at committee and billions of dollars being debated in the House, billions of dollars. And we're just, oh, yes, just—no, it doesn't work that way. It's not supposed to work that way. You're supposed to be able to ask questions, thoughtful questions, both in the Chamber and separately at committee.

And it's difficult when you're an independent MLA to be in three places at the same time. A political party has a little bit more ability because they can delegate. We have to think about these things in practical terms. And when it comes to—so it,

yes, people—the government seems to be laying on the Liberals for—the Liberals did exactly what they should've done because it allows more people to attend. It provides more notice for the meeting.

And, yes, it's unfortunate people came and then have to go home in some cases, but now more people are able to present, including those who couldn't present before and those who could present. Like, that is the way it goes sometimes in our system. But what you can't do in any good conscience is run, in a small place like this, committees concurrently. You know, you could do it in the House of Commons because there's 338 MPs, but you can't do it here, especially on the kinds of bills that were going to be discussed at committee, and after the massive flip-flop on the carbon tax, which has a huge impact on the budget, which was one of the bills that we're going to—we were going to be discussing that night.

When it comes to committee membership, independents have no rights. They can attend, but they—that's about it. Can't really ask questions without permission. They're on a rotation. But some of the—all the—all MLAs, as the opposition House leader said, have things to contribute, but independent MLAs are not provided that opportunity. And I think that—and I hope the government and the NDP will prove this statement wrong, but it would seem that the only group that has protected the independent, the freedom caucus, from the tyranny of the rules of the House leaders is the third House leader, the member from River Heights who has been an independent himself for a very long time but also has the added experience of being a Cabinet minister in Ottawa. And I think that experience is invaluable, especially when taking the best of what Ottawa has to offer and taking the best of what this place has to offer.

I've—I also make the observation that the member from Elmwood-Transcona has seen first-hand how both operate, and there is a role for independent MLAs as there's an important role for independent MPs. We hear a lot about Elizabeth May, who's a friend of mine, and we—and she even supported some of my legislation, one of the first people to support my bill on medical assistance in dying. But she is an independent MLA—or, independent MP.

Another independent MP who was very helpful was a member from Montcalm; she was an independent MP and she was also very helpful with my legislation.

So independent MLAs or independent MPs do have an important role, but they haven't in this context. It's as if the rules have been compiled without independent MLAs even being considered, and this is a double-edged sword. And I'm sorry, Mr. Speaker, the time has disappeared, oh it has now reappeared. And what happens when you don't consider all the scenarios is you get extreme circumstances where independent MLAs can shut down the proceedings in some cases, but in many more they can't participate in the proceedings.

And, when the Speaker suggests, well, talk to the House leaders, which is reasonable except the House leaders have no obligation to you, and they can change the rules without any consultation to the independent MLAs.

The other observation with the limited time left I would make, Mr. Chair, is the time in question period is a simple rule. If the Speaker has spent a lot of time admonishing people for heckling each other, and that rules out—but that's a political tactic, that to run down the time so that there are fewer questions for the government to answer, and guarantees, guarantees that the member for The Maples (Mr. Saran) or myself will not be asked or had the opportunity to ask a question because the rotation goes back to zero.

So, Mr. Speaker, that's a simple rule which I encourage you to consider. It's in your power, that whenever the Speaker's talking, the clock should stop, especially in question period, so that it can't be used as a political—

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

Any other speakers?

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

I declare the motion carried.

DEBATE ON SECOND READINGS

Bill 36—The Highway Traffic Amendment Act (Impaired Driving Offences)

Mr. Deputy Speaker: Now we'll move on to, debate here of, bear with me here, of Bill 36, The Highway Traffic Amendment Act, and the honourable member for Flin Flon has 28 minutes left remaining.

Mr. Tom Lindsey (Flin Flon): Just 28 minutes.

It's been a while since I rose to speak on this, so you'll have to forgive me, Mr. Deputy Speaker, if I perhaps go over some of the same material that I spoke about before, you know. It was a long two minutes last time, so please forgive me.

You know, the amendments to The Highway Traffic Act with the impaired driving offences also reflect changes to the driving-related provisions of the Criminal Code, and, well, generally, we're supportive of these changes, you know. It really speaks volumes once again about this government's inability to actually govern to, inability to actually come up with the proper regulations.

You know, they talk about red tape reduction and then they make a regulation and then, gee, they got to all of a sudden turn around and change it because they forgot something, they missed something, they did something wrong. So, you know, we spent a lot of time debating things that should have been debated the first time that they introduced it rather than having to come back and revisit these things.

*(15:20)

So, you know, I don't want to belabour the point too long about the government's ability to get things right the first time or, for that matter, get them right at all, I guess.

Certainly, we support the fact that everybody that's on our roads should feel safe. Certainly road workers need to feel safe, and certainly there's been a history of that not really happening, so there was regulations put in place to protect workers, particularly flag persons. And you know that some of the red tape that this government thinks is superfluous, that maybe they don't need those kind of regulations to protect people, well, clearly those are the kinds of things that do need to have rules in place.

And, you know, just to talk a little bit about standards and minimum standards. The regulations, of course, are the minimum standards, and we should always strive to exceed those minimum standards. What we see from this government with some of their more recent actions, particularly, you know, things like, I don't know, plowing snow on weekends in northern airports, their intention is to merely comply with the minimum standard, not to do the right thing, not to do the safe thing, not to do the best thing, but merely to say, well, we didn't make any changes in any standards or regulations; we're just

going to step back what we're doing, put people's lives at risk, cause people hardship because we only want to comply with the minimum standard.

And then, you know, Mr. Deputy Speaker, they wonder why we often get concerned when they talk about reducing those standards, doing away with regulations, changing regulations. The minimum standards, the minimum regulations, are generally not enough. They generally don't protect people, whether it's people in a workplace or people on a highway.

There needs to be greater, more comprehensive, rules, regulations, but along with that, of course, then there needs to be somebody actually checking that those rules and regulations are followed from time to time.

This particular amendment, you know, is going to impact police ability to enforce laws. Now, I can't speak to the police resources that might be available in the city of Winnipeg, but I can speak to some of the police resources that are available in some of the more remote areas of our province, where there really aren't any. One of the issues that has come up many times is the community of South Indian Lake, the O-Pipon-Na-Piwin Cree Nation, where there is no police detachment, no police detachment for many miles and hours of travel.

So, while this government talks about making some changes that may be good changes with what they've proposed with some of these amendments, how does that play out in some of the northern communities where there's no one available to actually check and see if anybody's following those standards, keeping in mind again that we certainly believe that driving while impaired is an extremely serious issue.

I guess some of the things that we can be proud of, that the former government can be proud of, the NDP government that—can be proud of is that they actually did some things that saw the number of accidents caused by impaired driving in the province of Manitoba decrease somewhat dramatically from somewhere around the neighbourhood of 230 per year in 2011 down to 145 in 2016.

So I guess the question will remain that, if this government starts changing those regulations to take things out, which would be a concern even with this amendment that they've suggested to the highway 'traffic' act, is they have some kind of goofy rule that

they've developed—might even be a regulation, speaking of red tape reduction—that says that if they introduce a new regulation, they have to cut two.

So then the question becomes, well, if they introduce this, what are they going to cut? What are they going to take away? What are they not going to comply with? What is going to be lessened? What protection is going to be less available for Manitoba's citizens on our highways?

Those are some of the concerns that, certainly, we have. You know, we recognize that, certainly, accidents on highways can be quite troubling, quite serious. They impact people's lives. They impact people's ability to earn a living. They impact people's ability to feed their families.

The other thing that impacts people's ability and causes accidents is the condition of some of our highways. I know I just had a conversation with several members of the community up in Snow Lake that are very concerned with the state of the highways in their area.

Truck traffic has increased dramatically. The repairs have decreased dramatically. If you can imagine, Mr. Deputy Speaker, six-inch-deep ruts in the pavement because of the number of trucks that are driving over a road that was never designed for the weight and the frequency of the trucks that are driving over it.

Then the question gets asked: well, what about those same bridges that amount of trucks are driving over? When were those bridges built? Some of them maybe in the '50s, '60s. What's that condition? Because this government has probably also cut out some of the bridge inspections, which would be a concern.

So, you know, we need to look at the whole picture. We're talking about impaired driving and the consequences that may come about because of people impaired with cannabis. Interesting that—to hear this government tell us the world was going to end the other day when cannabis became legal.

And here we go, a couple of days later, a few days later, the world is still going. Didn't end, contrary to some of their 1960s-era scare-tactic advertisements that they paid gobs of money for that, really, most people that have looked at it see it as a joke. They don't believe that it's actually a serious ad campaign.

So, in all, the government does need to make sure that there are laws in place that can protect people. They need to make sure that the laws are there, that they're reasonable, that they're sensible and that they're enforceable. And they need to make sure the resources are available to enforce them.

Now, I'm not sure exactly where the province stands on supplying roadside test equipment. I understand that Dräger has developed a roadside test piece, but I'm sure I read somewhere that the police in Manitoba don't have access to those because there was no money in a budget from this provincial government to supply that kind of equipment.

So it is about more than just adding a regulation or changing a regulation. It's the whole gambit of what's required to protect the citizens of Manitoba. And, in this case, the government—as usual—comes up a little short. Well, sometimes they come up a lot short, but maybe in this case we'll find out that they've come up a lot short, too.

*(15:30)

So, when we look at the roadside testing, police are now expected to conduct roadside testing using an oral fluid screening device. Well, we just talked about that. They don't actually have those available, so they're going to do the same as what they've been doing. They're going to judge by some tests that they use, whether it's alcohol or drugs, to determine someone's sobriety, someone's impairment, and then they will react accordingly, whether it's to take them to a police station for a breathalyzer, or I guess they're going to take them to a hospital to have blood tests.

I guess the good news for the potentially impaired driver is, when they get to an emergency room, they're going to be sitting there waiting for quite a while. Certainly, if they get to an emergency room in my neck of the woods, they could be waiting for many, many hours before that test ever gets administered, unless, of course, they're going to jump the queue with these tests and leave sick and injured people to wait for the police to conduct these kinds of tests.

So I think the government says that, well, the federal government rushed to bring in these laws, and they weren't ready, and oh, the world is falling down; the sky is falling. I don't know. It seems to me that pretty much everybody in the world, not just in Manitoba, knew that the Canadian government had actually planned to legalize marijuana quite a while

before they actually did. There was some legal legislative changes that held things up in the federal Parliament, which actually gave this government even more time to bring in the appropriate equipment, the appropriate testing. But, again, the government, which seems to have a habit of sitting on its hands, that's kind of what they did here, is they weren't ready when legalization came into being.

And, in fact, they're still not ready. Through nobody's fault but their own, they introduced the act, and then they've got to change it after the fact. How many times have we seen that where they've had to amend their own legislation because they didn't get it right the first time? Sometimes they were dragged kicking and screaming to the table to get it right. Certainly, I sat through some committee hearings where the newspaper industry dragged the government to do the right thing, to make amendments to the legislation that they'd put forward, and there's more cases of that going to come up to committee sooner or later again, that they didn't get it right. They won't listen to try and get it right, which is very unfortunate.

So, just before I vector too far off on what I'm here to talk about today—so we've talked a little bit about a driver's licence could be suspended depending on the level of THC per millilitre of blood in their system, and while we certainly support safe driving on roads as well as holding impaired drivers accountable, well, we're somewhat concerned about this government's testing and their accuracy based on the platform put forward by the government.

A defence lawyer, fellow by the name of Danny Gunn, raised the issue that this could mean people who have built up a tolerance to marijuana, such as medical users, Mr. Deputy Speaker, could be considered legally impaired as soon as they get behind the wheel when, in fact, they're not, because of course marijuana does react differently to people than what alcohol does.

So Mr. Gunn stated, and I quote: We want to try and limit the amount of people who are impaired on the road. And I agree with that. But part of the challenge is we don't really have serious connection between levels of marijuana in your blood in terms of nanograms percentage like we do in terms of alcohol.

So now with what the government has proposed and without the proper test equipment and all the rest of it, the courts will now potentially—hopefully not, but potentially the courts will start to take on a

greater role of trying to determine exactly what that is which—again, the court system is already backed up because not enough resources have been applied there to move cases along.

So lawyers have made it clear that marijuana-impaired driving cases are currently relatively rare in Manitoba, in—contrary to what the government would have us believe with their scare-tactic advertisements that they had out. That probably isn't going to change. They don't have a very good connection rate because the effects of impairment are more difficult to detect and vary dramatically between users.

Again, we are well aware that the government had plenty of time to develop regulations, to develop testing equipment, to bring in testing equipment, but they didn't do that. They thought, I guess, that the government just wouldn't—the federal government just wouldn't bring things to bear. And they did. So we—you know, again, I have to reiterate that we are very supportive of efforts to make roadways safer and to reduce any kind of impaired driving that may make things less safe.

So just another—defence lawyers who have labelled—excuse me, who have handled marijuana-related impaired driving cases in Manitoba are raising concerns about a lack of scientific clarity. So I suspect we can see more of these landing up in court because the lack of scientific clarity about how drivers' intoxication levels will be measured before provincial sanctions are imposed. So, I mean, the government has set some limits—or will, once this legislation eventually passes. But, again, we're not sure that they're going to be taking the right people off the road. And that certainly is a concern when it comes to things like due process and innocent until proven guilty.

So, again, I just want to reiterate that because we value and prioritize the safety of Manitobans on our roads, our NDP caucus is very concerned that the Premier's (Mr. Pallister) cutting of public safety officers and crime prevention programs will have a significant impact on our police forces' ability to enforce this legislation. And we've talked a little bit about that already—that, you know, we know that, certainly, policing costs are a concern for municipalities. And we know that this government's funding ability for municipalities—while they talk about how wonderful the funding basket that they've come up with is, I think a lot of municipalities are already concerned with things, well, like the

50/50 transit funding that they've done away with. So now those kind of funding things come out of the same basket, if you will, that the policing and other things are going to come out of, which actually makes it harder, particularly for smaller municipalities, to have the resources available to do the right thing—including education on marijuana.

And I don't mean the kind of education that we've seen in the great big posters from the '60s that the government came out with that are designed to, I don't know, scare little kids, I guess. Didn't work then, it's not going to work now. We need real education so that young people begin to understand what impairment means and what effects it has on their abilities and how it's going to relate to their abilities to—not just to driving, but also, work and all the rest of it.

* (15:40)

And that's been an issue all along with alcohol that probably hasn't had enough resources put in it to cover that off. I mean, we look at the Crown corporation, liquor, lotteries and cannabis, and they have a fund that they are supposed to put money in every year to fund addictions issues and education, and they've been grossly underspending that fund now for a while. So, in the interests of cutting costs, I guess, and being able to provide money back to the government, they're not really doing that which they've been mandated to do, which kind of flies in the face of what this government seems to be so very afraid of, that marijuana is somehow going to change the world.

Some of the issues, I guess, that will be of some importance to my constituency, for example, will be the differing rules that may very well be in place between different jurisdictions. Not many members of the government are aware of this, but Flin Flon is a border town in that it straddles two different jurisdictions. And we already know that for some things there are different rules. For example, I can go five minutes across the border and I can grow four marijuana plants in my house; can't do it on the Manitoba side, but Saskatchewan has said, yes, makes sense to let people grow their own. Well, that seems, you know, maybe in Winnipeg, nowhere close to a Saskatchewan border, maybe it doesn't matter, but certainly, when the jurisdictions come up with different rules for the same thing, when you are living right on the border, it does make a difference. It's a difference of confusion. It's a difference of which side of the line I'm standing on when

something's happening. I know one person in Flin Flon whose house is directly on the border. So does that mean he can grow four plants in the bedroom but none in the living room?

So, you know, there's those kind of anomalies that, once again, the government has, potentially, in their fear of what may happen, they've come up with some rules that are dramatically different from jurisdiction to jurisdiction, and that will no doubt lead to problems down the road. I can see that coming already because I'm sure there's more than one house in Flin Flon that's directly on the border.

So will there be differing rules for determining impairment, depending on which side of the border I'm on? Has the government looked at what other jurisdictions are doing as they've stumbled their way along to come up with their own set of rules for determining impairment and changes to the act?

So what have they done? We don't know the answer to that, Mr. Deputy Speaker. We don't know if they've studied other jurisdictions. You know, it'd be nice to think that they looked at all jurisdictions across the country and perhaps even some jurisdictions outside of the country that have had legalized cannabis for a number of years—and their world didn't end either, by the way—to determine what's the best set of regulations that they could come up with. You know, this government doesn't really have a strong history of consulting with the right people, all the people. They consult with some people some of the time to come up with policy that they've already determined a lot of times. And the illusion of consultation is not really the act of consultation.

So those are some of the things that we are concerned with, with the introduction of this. I mean, it ties into the whole concern that we've always got, that this government mentality of cuts isn't really going in the right direction. So we don't want people to drive while they're impaired with either alcohol or any other substance, but then this government in the city of Winnipeg makes it more difficult to take public transportation because they reduced funding levels to Winnipeg Transit. They make it harder, then, for the City to provide that kind of service so that people don't have to drive. They come up with all kinds of goofy rules that, basically, you can't smoke marijuana anywhere except in your car, but then you're going to be in danger of being charged with impaired driving, because they've made the restrictions so strong of where you can't legally enjoy

a product that's legal, that it forces people to potentially do things that are on the borderline of not being legal while they try and partake in a substance that is legal.

So, you know, when the Premier (Mr. Pallister) rails on about the safety and all the rest of this, he needs to look at the bigger picture to make sure that everything that this government is doing is actually designed to provide the opportunity for people to enjoy a perfectly legal product in a safe and responsible manner, and while they're continuing to cut things like transit, that limit people's ability, they really need to look at where they're going in the big picture.

So, with the very few seconds that I have left, Mr. Deputy Speaker, I'll wrap up my comments, and I look forward to seeing what some other people may have to say on this impending piece of legislation, and I thank you very much.

Mr. Deputy Speaker: Any other further speakers?

Mr. Rob Altemeyer (Wolseley): Thought my honourable colleague there on the other side was standing to speak, but looks like it was an email or grocery list, or something had to be answered instead.

An Honourable Member: Going for coffee.

Mr. Altemeyer: Yes, exactly.

So thank you, Mr. Speaker. It's interesting, I will say, to put a few thoughts together for this bill before the House, Bill 36, The Highway Traffic Amendment Act. It could probably more accurately be described as the highway traffic amendment to the amendment to the amendment act, because the government attempted to do something on this front previously, and lo and behold, didn't really work out so well. And here we are, back again. For a government that claims to know all there is to know about red tape, efficiency, all those other buzzwords we hear from the other side, this is like a big déjà vu all over again. Hit the reboot button, as it were.

This legislation, quite simply, is trying to correct a legislative mistake that the government made previously—*[interjection]*

One—yes. As my colleague from Flin Flon very correctly observes, one of many, many mistakes this government is making in legislation and in policy and in finances and in the interests of this Province. Most Manitobans would agree their lives are getting harder, more difficult, their future becoming more

and more uncertain because of actions and inactions that the Pallister government is taking.

Of course, I would hope that all members of the Chamber do share the priority that everyone, when they are using the roads in Manitoba, that all of us deserve to feel safe, that we all know that a good set of laws are in place to ensure that that safety is intact, and of course impaired driving of any type is completely unacceptable.

And I was actually quite hopeful, Mr. Deputy Speaker. Just yesterday, I had a chance to visit a local school that had invited me in to talk about elections, with the civic election happening tomorrow in our province, and was answering the students' very, very good questions over there at Wolseley School. And we were talking about one of our roles as legislatures, is the power that we have to decide what's legal and what's illegal in Manitoba. And so the students had asked me for a few examples, and I said, well, it used to be legal for people to be smoking a cigarette in an automobile when there is a minor—when there is a child also in that same automobile. And that's no longer allowed. And the kids were appalled that that was ever allowed in the first place. And I take that as a very hopeful sign, the—this coming generation gets it.

* (15:50)

And, on the same front, I asked, you know, is it legal to be texting or be on your phone in Manitoba when you are also driving a vehicle? And every single one of them knew the correct answer to that. The answer is, no, it is not appropriate to be texting or reading or looking at your phone or having a phone conversation while on the road.

Madam Speaker in the Chair

And so I also pointed out to the students when it comes to using the safety of the road, and it certainly applies with relevance to the act here, it's not just other automobiles and people in automobiles that can be very seriously hurt or, heaven forbid, killed in an accident involving impaired driving. There are pedestrians that can be hurt. There are cyclists. I mean, any time I am a—using the roads, whether as a cyclist or as a driver, always looking to obey the rules and be as safe as I can. And, as a cyclist, there's times where you have to take extra measures. And my colleague from Fort Garry-Riverview will know that, because a cyclist may well be in their legal right to be riding on the road in a certain way and they could be so right that they can end up, unfortunately,

being dead right. And we just always, always have to be cognizant of that.

So all of us, I would hope, are of the view that everyone, when you're on the road, no matter how you are using the roads in Manitoba or in what fashion you are using them, all of us—all of us—deserve to feel safe. And that requires all of us to be responsible. And it requires government to establish reasonable laws and safety measures to help enshrine that and encourage it in our society.

And I'm very pleased that some significant progress was made in reducing the number of accidents that were caused by impaired driving in Manitoba when the NDP government was in power. The stats are quite clear: In 2011 there were 230 incidences of impaired driving leading to an accident, and five years later, in 2016, that number had dropped to 145. That is 145 more accidents due to impaired driving than there should be; the goal on this front has to be zero. But that is, nevertheless, a reduction of 37 per cent, almost one third.

And I think, for a lot of citizens, for a lot of people outside of the bubble that we all live in down here at the Legislature, it is unusual for them to hear of a situation where things have improved, and yet there is yet one more example of how concerted action can actually lead to a better society, can make people more safe and improve the lives of many.

Of course, we have to now add to our considerations when we're talking about road safety the potential impacts of the legalization of marijuana and the potential for people to get behind the wheel when they are, in fact, impaired. This is not, however, at the current time, as clear-cut an issue based on the science that is available as we may perhaps expect from impaired driving due to alcohol consumption or impaired driving due to texting or distracted driving of some sort or driving while a person is sleep deprived. And these concerns extend, of course, not just for those of us who may use our vehicles primarily to commute or for—but also for anyone who has as their workplace—is their vehicle; they are a driver, a courier, a long-haul trucker. Whatever the case may be, all of us deserve to feel safe.

And, at the moment, the types of tests that are available to enforcement agencies, be it local police or be it the RCMP, the local tests that are available are not nearly as clear-cut as may be the case with a blood alcohol or breathalyzer examination can

establish when it is, for instance, alcohol that's involved.

The test that, as I understand it, that is available involves using an oral-fluid screening device which will attempt to measure the presence of the THC in the saliva of the person suspected of impaired driving due to use of marijuana. And then based on those results, the police are going to have to decide whether to do a further drug recognition evaluation or take the driver for a blood test.

And one of the areas of potential complication, of course, is that many people, be they cancer survivors, be they people who live with chronic pain, the folks with sleeping disorders use marijuana and have used marijuana for many, many years on a medical basis. This is, of course, well established; it is legal practice in Canada, even predating the full legalization of marijuana in Canada. And so how do you properly determine that someone who—someone has a certain result on a test, if they have been a user of medical marijuana for quite a number of years, how do you then make the conclusion that they were, in fact, impaired? It's certainly possible that they were, but it does not become as clear-cut a case.

And a number of defence lawyers have now made it quite clear that this is a real area of challenge within law and within the current practice. There have, in fact, been cases, you know, someone builds up a tolerance to marijuana use such as the medical users; they could be considered legally impaired as soon as they get behind the wheel. And yet, they are clearly not impaired in the operation of their vehicle.

The same situation could also arise for someone who perhaps used marijuana some time ago and there is still trace amounts in their blood, and so that could trigger a test that would say this person is impaired and in fact, the last time that they had ingested the marijuana could have been a long time previous to being pulled aside by enforcement agencies.

So the government's approach here, it remains to be seen what the end results of this are going to be. I do think it's very important to put these comments on the record for the government's consideration to let everyone know that, of course, marijuana use is now legal in Canada. Based on some of the answers we've been receiving in question period for the past months, it's clear that some members of the government have been using it well in advance of legalization, I would have to say. But one would

hope that it would give us an explanation at the very least.

But all of us should be united in our concern for safe roads in the need for all of us to take a strong stance and to support each other in minimizing the number of accidents, and certainly the number of serious injuries and fatalities that can and do occur due to impaired driving of any type, and the government is going to have to be judged on its future behaviour on that front in the days ahead.

Thank you very much, Madam Speaker.

* (16:00)

Ms. Flor Marcelino (Logan): It is a pleasure to put in a few words as we deliberate on this important bill, Bill 36, The Highway Traffic Amendment Act. As we know, this bill—the purpose of this bill is to amend The Highway Traffic Act with the Impaired Driving Offences Act to reflect changes to the driving-related provisions of the Criminal Code.

I don't know about the rest, the other colleagues in the House, but I was personally affected by a death in—death of a relative due to impaired driving. My niece's daughter, several years ago—she was the breadwinner of the family. The siblings were still very young. She was the second to the eldest of my niece. And she was a very obedient, diligent, loving daughter. And she was coming home from her work, and it was back in the Philippines—if you don't have connections, you'll be only working for low-paying jobs; nevertheless, it helped put food on the table—and she was coming home one evening when, apparently, it was found out, an intoxicated young driver, obviously—*[interjection]*

Madam Speaker: Order, please. Order.

Ms. Marcelino: —obviously belonging to a higher social-economic status, because the young driver could afford a car, driving the car himself, and was intoxicated, and he hit the young relative of mine and even left the scene of the accident. She died, and probably for—the guy was—felt the pangs of conscience, showed up to the police station one day and admitted to the situation.

But anyway, the breadwinner was already gone, and it caused so much grief, to the mother, especially, because at that time, the other breadwinner of the family, the husband, who was a taxi driver, died of an illness. So it was quite tragic.

And we, on this side of the House, and I'm sure every colleague in this House, would want impaired driving offences be a thing of the past. We want all families to feel safe on the road. Another instance—although I don't know the particulars of the case—but several years ago, two families from Winnipeg were driving to the east, to Toronto, to attend a wedding. And the two vans were full of family members. Unfortunately, somewhere in Highway 1, close to their destination, there was a collision and both vans got involved in the collision. I can't remember now how many family members perished, but many from both families. I—we came to know of this tragedy because my daughter was—my daughter's classmate was one of the relatives of the two family members. The classmate of my daughter was not in that van, so she was spared from the tragedy, but the rest of her family were there. So it was a very tragic, tragic situation for those families. And again, not knowing the cause, but—if it were due to impaired driving, but definitely it's a big tragedy.

Our NDP team understands that impaired driving is extremely serious and can cost millions in damages and, more importantly, innocent lives. Just recently, cannabis, or marijuana, is—has become legal. Medical as well as recreational use of cannabis is now allowed, and certainly many are rejoicing. And there could other be people not so thrilled about it. I personally would appreciate the medicinal values of marijuana and appreciate why some people have resorted to this plant or herb.

I may not be very thrilled about the recreational use, but I respect those who would like to avail of this plant. However, it's just my hope that the regulations to be put in place will make sure that no one using cannabis for medicinal or recreational purposes will be driving a vehicle needlessly. We still don't know the dosage that would lead to, you know, some changes in the mind or in the brain or in judgment of the person taking or smoking it. So, until then, some strict regulations should be in place to protect—or avoid possible mishaps as a result of the use of cannabis.

In June, the government passed the impaired driving offences act, and now, only a few months later, it needs to be amended. Why? Well, clearly the first bill was hastily created, meaning that we now have to use the important time of this House to 'fis'—fix mistakes. We do, however, believe that repercussions are an important part of deterring people from driving while impaired by drugs such as cannabis.

Incidentally, I wouldn't even know—with the regular cigarette, I know what it smells like, but with cannabis I don't know; I really didn't go out of the Legislative grounds during April 20 days, when there's smokers there. So I wouldn't know if—what the smell of cannabis is. So I just wish those who are smoking cannabis would be respectful as well of people who are allergic to smoke, be it cigarette smoke or other kinds of smoke that causes irritation to the lungs.

*(16:10)

We want to protect the workers and families and seniors of Manitoba who may be harmed or killed due to impaired driving, and we know that vehicle-related accidents are serious and can be life-threatening. This is specially true when accidents take place around crosswalks, playgrounds and schools.

Thankfully, now there's strict regulation that during school hours, up to 5:30 in the afternoon, the roads leading to the schoolhouses are—the rules are very strictly enforced that the max driving speed would be 30 kilometres per hour. And there's very strict—or there's a heavy fine to those who break these rules, and I'm fine with that. Let those rule-breakers pay.

And there was one time several people I know broke the rules, and while I commiserate with the hole in the—in their pockets that it created, but I did tell them that that's what you get for breaking the rules. So school—so speed limit on school grounds are really good and really have to be strictly enforced.

We believe Manitobans deserve the right to feel safe and to avoid the threat of drivers who are paying attention to their phones instead of paying attention to the road. On this particular situation, we do know, have read and have encountered, many stories and met people who have been harmed by distracted drivers.

There was even one very strong—had a very strong effect on me. When I read this particular story of a young woman who was texting, and her text was apparently sharing her sentiments of joy, but in that particular time—at that particular time, she got distracted and she hit an oncoming big vehicle and she died. And so that situation was even used as a poster case for distracted driving.

So the penalty now will even be three times the usual penalty. It used to be over \$200. Now it would

be over \$600 for texting while driving, and again, I support that. And whoever will not heed or not follow that rule needs to pay, but we just hope there's no untoward tragedy that will result from driving distracted.

Under the NDP educational programs and advertisements, we were fortunate to see the number of accidents caused by impaired driving in our province decrease from 230 per year in 2011 to 145 in 2016. This is a significant statistic to see.

Unfortunately, many are expecting this number to rise with an increase in public marijuana consumption. Through legislation, we need to show Manitobans that this is a serious issue, that it is—better stay off the roads if you're high and find a different way home.

On roadside testing, police are now expected to conduct the roadside test using an oral fluid screening device to measure the presence of THC in saliva, THC being the chemical responsible for most of marijuana's psychological effects.

Based on the results of the roadside test, the police will have to decide whether to do a drug recognition evaluation or take the driver for a blood test. A driver's licence should be suspended if they have between two and five nanograms of THC per millimetre of blood in their system.

While our NDP team supports safe driving on the roads as well as holding impaired drivers accountable, we are worried about this government's strategy of roadside testing and their accuracy. Based on the platform put forward by this government defence lawyer, Danny Gunn, raised the issue that this could mean that people who have built up a tolerance to marijuana, such as medical users, could be considered legally impaired as soon as they get behind the wheel.

Gunn stated: We want to try and limit the amount of people who are impaired on the road, and I guess with that, part of the challenge is we don't really have a serious connection between levels of marijuana in your blood in terms of nanograms percentage like we do in terms of alcohol.

Lawyers have made it clear that marijuana-impaired driving cases are currently relatively rare in Manitoba and that they don't have a very good connection rate because the effects of impairment are more difficult to detect and may vary dramatically between users.

There have been cases of driving while impaired by a drug that have resulted in acquittal at the courts because the judge decided there was not enough evidence, despite the police officer's evaluation and the scene.

While a test showing more than five nanograms would be considered high-level impairment, meaning they would have their licences suspended for three months and their vehicle impounded for at least 30 days, the impact on their driving could be dramatically different.

There is also an issue of THC still being found in a user's bloodstream long after effects have dissipated. This individual should also have to undergo a mandatory addictions assessment at the Addictions Foundation of Manitoba.

We all know driving while impaired jeopardizes the safety of the person and others. Studies show it as one of the leading causes of death in vehicle accidents. We—I mentioned earlier driving while distracted has cost—is costing lives, and many have perished because of it. We need to end impaired driving, protect Manitoban families and ensure that our roads are safe to drive on.

Defence lawyers who have handled marijuana-related impaired driving cases in Manitoba in the past are raising concerns about a lack of scientific clarity about how drivers' intoxication levels will be measured before provincial sanctions are imposed. These are really of concern to us. Therefore it is crucial to make sure we are getting the test right and taking the right people off the road.

* (16:20)

On cuts to police service, because we value and prioritize the safety of Manitobans on the road, our NDP team is very concerned that the Premier's (Mr. Pallister) cutting off public safety officers and crime prevention programs will have a significant impact on our police forces' ability to enforce this legislation.

Manitobans deserve to feel safe and they deserve investments in public safety, especially when we have issues of rising crime here in Winnipeg. The Premier's budgets have forced the Winnipeg Police Service to cut staff and programs designed to keep our communities safe. The Premier has cut 15 police officer positions in places like the Integrated Organized Crime Task Force and the Warrant Task Force. This was reported in the Winnipeg Free Press

in June of last year. Likewise, \$75,000 in annual funding from the Gang Action Interagency Network have been cut, which helped youth access supports to exit gangs.

The Spotlight unit, an intensive anti-gang project that supports youth at risk of gang involvement have also been cut and the Auto Theft Suppression Strategy, which reduced office staff in Winnipeg by 86 per cent from 2004 to 2011.

Because of the Premier's cuts, communities won't be able to pay for the cost of inflation nor the cost of new services. The result is poorer service and higher taxes.

When this legislation is passed, it will require more dedicated work from our police services to ensure that Manitobans will be safe on the road. We do not want this to come at the cost of other vital public safety services.

The Winnipeg Police Service is responding to more and more addictions-related incidents, yet the Premier had taken no action to address the growing crystal meth and opioid crisis.

We are also concerned with an increase in drivers who are on the road while under effects of marijuana after pot legislation comes in—has—now that the pot legislation has come into effect. Because of the Premier's cuts, communities won't be able to apply for the cost of inflation, nor the cost of new services.

Our NDP team believes that public safety must be top priority. The Premier can cut his way out of protecting our streets and making sure our roads are safe.

On public transit, while we support this legislation to improve the safety of our province's roads, our NDP team has some serious concerns about the current situation of Manitoba's public transit system. Many Manitoba workers, families and seniors rely on the public transit system as their way to connect with others, go to work, travel to school or is their only way to get to their local grocery store.

Mr. Doyle Pivniuk, Deputy Speaker, in the Chair

Public transit is also an essential component to Manitoba, hitting its carbon reduction goals as it keeps thousands of commuters off the roads, reducing traffic and emissions.

Better transit improves the lives of all Manitobans, whether they are students, workers or

seniors. However, in the disinterest of Manitobans, this government has failed to improve transit and has made it less affordable for Manitobans to use.

The Premier (Mr. Pallister) broke Manitoba's long-lasting commitment to fund 50 per cent of operating funds for public transit services to municipalities. Manitobans know that this is a choice that will hurt them. Instead of investing in a modern transit system to meet the growing needs of our province, the Premier has decided upon a regressive action that will make public transit less effective in a time where it is even more important. The Premier is reducing funding investments for transit when he needs to be expanding it.

The Premier's funding helped keep 623 buses on the road in Winnipeg and helps pay for the operation of rapid transit's expansion. They ensured accessibility through Handi-Transit. Ending the 50 per cent agreement means cuts to service, cancellation of projected and increased fares. The Province's decision to freeze Winnipeg Transit leaves the City of Winnipeg alone in a \$10-million hole.

The Premier cuts force the mayor to increase transit fees for Winnipeggers in order to cover the shortfall. The mayor said, quote, this left us with a significant gap to fill and something had to give in order for us to balance the budget, unquote. Now, transit fare has increased by 25 cents, the largest jump in fare rates since 2008. It will now cost \$110 for adults to buy a bus pass. This fare increase does not take into consideration the needs of Manitoban families and seniors who use the bus to get to work and school.

Instead of supporting municipalities, the Premier is freezing funding and forcing city residents to make up the difference in rates—in rate and fee hikes. Freezing transit means that communities face tough choices on what to provide and that—who still don't know what this means for Handi-Transit and rapid-transit expansions.

The transit cuts are hurting Manitoba's most vulnerable. Bus riders and poverty advocates warn against Winnipeg's proposed rate-increased rate to transit fares, as well as the cutting of 23 routes. This will make life harder for the city's most impoverished families and seniors.

One young adult who takes the bus as their only means of transportation said there will be no extra

anything. It's going to be food and transportation, that's it.

Poverty advocate Josh Brandon worries that asking more from transit drivers forces them to make sacrifices they shouldn't have to.

Mr. Deputy Speaker: Order.

I just want to remind the member for Logan (Ms. Marcelino) that if you can be a—relevant to the bill.

So I'll get you to continue.

Ms. Marcelino: Thank you. I am speaking about public transportation, here, which is also part of this bill.

And it's possible riders may put off medical appointments or decline job interviews across town.

Josh [*phonetic*] Kornelson, of Functional Transit, is worried that once they say there's no longer a specific amount for transit, then that money could just be slipped away and lost into other programs. This would mean less funding to assist providing transportation for Manitoban families and seniors who need it. He also said we're seeing that routes are already so bad that people aren't necessarily considering them; if they're becoming worse, then the whole network is becoming worse.

*(16:30)

Green economy means transit. In addition, cutting funding to transit will hurt our province's commitment to addressing climate change. It is a time when there is increasing need for more people to use accessible, carbon-cutting rapid transit. The Premier is crippling the future of public—

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

House Business

Hon. Blaine Pedersen (Acting Government House Leader): Mr. Deputy House Speaker, on House business.

Given that the new rules package has now been adopted by the House and given that this rules package includes a rule change regarding private members' business first proposed by way of a motion on the Order Paper last year, could you please canvass the House to see if there is leave to withdraw from the Order Paper the government motion listed in the name of the Minister of Justice (Mr. Cullen) regarding changes to rules 23 and 24?

Mr. Deputy Speaker: Is there leave to withdraw from the Order Paper the government motion listed in the name of the Minister of Justice (Mr. Cullen) regarding changes to rules 23 and 24? Agreed? *[Agreed]*

* * *

Mr. Deputy Speaker: I have another announcement for the House.

I would like to table a letter received by the Speaker indicating that the resign-resignation of the honourable member for Fort Richmond (Mrs. Guillemard) as Deputy Chairperson of the Committee of the Whole House.

Okay, now we'll go on to continue with the debate.

Any other speakers?

Ms. Nahanni Fontaine (St. Johns): Well, I'm pleased to put some words on the record in respect of Bill 36, The Highway Traffic Amendment Act.

Certainly, I—certainly, we're in a new kind of realm here in Canada in respect of the legalization of cannabis. And I think—I know for myself, personally, I literally have been trying the last week or so to kind of wrap my head around that for—that cannabis is now legal in Canada. Those of us that have always grown up with it being illegal—and it's certainly a different way of thinking about cannabis. And it certainly means that we have different conversations now. And I, you know, give a little example of just a conversation that I had on the—I guess on—just a couple of days ago with my son, Niniichaanis, who is 16 and a half.

And I was driving home from an event and, you know, everywhere you go there was huge lineups the day that cannabis was legal. And so he had seen some of that. And we just started talking about that. And it—I was aware that the conversations that I've typically had with my two boys kind of shifts now because cannabis is legal. And so I think that we're all in a new kind of space in Canada, and certainly legislation should—must obviously reflect that. And we know that The Highway Traffic Act is to deal with impaired driving offences, to deal with this new legalized regime in Canada. And certainly, you know, on this side of the House, and I—obviously, everybody in this House understands that all families should feel safe on the roads, but certainly should be safe on the road.

I actually got into a car accident on the way to work here yesterday, and my vehicle—I'm driving

around with a smashed vehicle right now, which is kind of embarrassing, but both myself and the woman who I actually hit—we were just shaking. We were trying to—we couldn't even talk to each other. We were shaking and trying to take pictures of each other's driver's licence. And so, certainly, I think that when we're talking about the legalization of cannabis in Canada we have to ensure that our roadways are safe. And I don't think that anybody would dispute that.

And I think that everyone in this—in the House is on the same page with that, because certainly everybody could agree and certainly everybody understands that impaired driving is extremely dangerous. It's extremely serious. And, you know, on top of costing millions of dollars every year, it costs lives, right? And, you know, none of us want to have our families, our children, in a position where they're unsafe when they're driving.

So we know that this bill is just a legislative gap in respect of legislation that the bill—that the government previously put on the books here.

I do want to talk a little bit about—in respect of impaired driving. I want to share a little bit of a report that the University of Toronto put out, and I think that it was geared towards their students. And so it was meant to kind of, like, unpacked impaired driving with cannabis. And I actually think it's quite important to put on the record here. You know, the report—or the article goes on to talk about, you know, THC and CBD and what each of those different things do to an individual. So, you know—and I'm sure everybody knows, but THC is the substance that gives you the high or the euphoria, and CBD reduces the psychoactive effects of THC. And obviously everybody knows that cannabis has been used for, you know, medical purposes.

But what's interesting is, you know, the effects of cannabis in the brain are different than alcohol. And what the article goes on to share is that drivers under the influence or impaired by alcohol tend to drive faster, and they tend to drive closer to the cars that are in front of them, and while those under the influence of cannabis tend to have slower reaction times, and they drive at slower speeds and keep a larger distance of the car ahead of them.

And back in the day I remember hearing a story from one of my relatives who thought that this was quite funny. I didn't think it was funny at all; I thought it was quite dangerous. But they were talking about how they had just consumed cannabis and then

drove. This was in the '70s. And, you know, this individual thought that he was driving perfectly well, driving, didn't think anything. And then, all of a sudden, he felt like his car was flying; then he kind of brought his car down, and he was stopped by the police. And, you know, the—this individual said, you know, I wasn't speeding. And the police officer said, no, you definitely weren't speeding. He says, you're driving 10 kilometres an hour.

And so, when, you know, you read this about the effects of cannabis, I certainly, you know, think that there's a lot to be said about the differences in alcohol and cannabis.

So we also know that the brain effects of cannabis also vary in how the drug is absorbed. So it can be absorbed via the lungs, obviously, digestive tract or the skin. And so the 'effectst'—the effects of smoked cannabis can be felt within minutes, and while the effects of ingesting cannabis is only apparent after about 30 minutes. But the concentration of THC within the blood also determines the size of the effect.

So here's a piece that I think is very important when we're talking about The Highway Traffic Amendment Act and the ability of policing to use instruments to gain an understanding of—if you stop an individual, where they're at. So we know that regular use of cannabis leads to a level of tolerance, so some have suggested that those that use cannabis regularly do not—are not generally impaired. So—but it could be also a consequence of the cannabis that they're using and whether it has low concentrations of THC or greater concentrations of CBD.

* (16:40)

So then the question becomes, Mr. Deputy Speaker, so when it comes to cannabis use and driving, how do we measure impairment? And I think that that's what jurisdictions all across the country, including the federal government, are trying to grapple with right now, because what my level of tolerance, if I did that, would be different than maybe say a man, a bigger man than myself. And so are we—do we use the same level of analysis on what constitutes my impairment versus some other man's impairment?

And so—sorry, Deputy Speaker—so some people are talking about, you know, the length of time then, if you partake in cannabis, what's the—a length of time that you should be driving? And some people are saying if you've—if you have partaken in

cannabis, perhaps to wait six hours or even more. But again, that—those effects vary in different individuals.

So there have been several legal analysis that have suggested that perhaps Canada and other jurisdictions are on their way to challenges within the courts to—against any kind of impaired driving offences that are levelled against individuals.

So, you know, all of that to say, we understand that it is important. Certainly, I want to just put on the record that, you know, we know that in June the Pallister government did pass the impaired driving offensive—offences act, but here we are again, only a couple months later, attempting to look at another bill, or debate another bill because I think that there was a gap and I think that the bill was too rushed. We know that there's been a gap that was identified in The Impaired Driving Offences Act, and so now here we are, when we could be debating some other bills, we are just debating this bill that has to be actually amended.

So, you know, again, I think that it's so important to recognize and put on the record that we want to be able to protect in concert with the government; nobody in this House wants to put anybody at risk. And so we want to protect workers and families and seniors of Manitobans and ensure that nobody is harmed or killed by impaired driving. And certainly want to create legislative driving regime in respect of cannabis legalization around schools and playgrounds and crosswalks, and ensure that, you know, all citizens are safe and, yes, that we can create that.

So, you know, I would suggest that it's important through legislation that we show Manitobans that, you know, driving while impaired with cannabis is a serious offence. It is not something to be taken lightly. And, you know, to that end I think that we must do a better job at public education and a public awareness campaign because, again, as I stated when I started my piece here, is I'm actually trying to learn now with my 16 and half year old son how to talk about the legalization of cannabis. It's a completely different discussion that I've had for the last many years, right. So I'm trying to figure out how that conversation goes, and so I'm sure I'm not the only parent that is kind of trying to figure out this new language of talking about cannabis with our children.

And certainly, you know, I still use the narrative of, you know, first off it's still illegal for him, he's not 19 and I have to make that perfectly aware, that

it's illegal for him to—he can't participate in that. But certainly I've already been talking about that if he ever chooses to do cannabis, which again is legal now, that, you know, he has to understand the effects that it does on the brain and how it impairs his driving, so everything that I just spoke about now.

Now, obviously he's a teenager, he thinks I'm super annoying and doesn't want to talk to me all the time. But we just, like I said, in the last couple days we've been having these conversations and I think that it is incumbent on this House and the government to ensure that we have, like, a more comprehensive curriculum on the use of cannabis because it is legal now.

And yes, so, I think again, I want to go back a little to roadside testing. We know that the Winnipeg Police Service are, and all municipal policing institutions across the province, including the RCMP, are now going to be charged with this additional, you know, oral fluid screening. And I—and, you know, we want to make sure that there is the proper training and the proper instruments to be able to do that.

And I—and in respect to training, I think it's, again, like what I said in the effects of cannabis on individuals. So it will be important that police have the training that they need to be able to decide, you know, whether or not they need to do a drug-recognition evaluation or to take that individual, that driver for a blood test. So certainly that's new as well.

And then we know some of the consequences of that, Deputy Speaker, is that a driver's licence could be suspended if they have between 2 and 5 nanograms of THC. So—and so, again, while we support safe driving and certainly the ability to hold drivers accountable for the decisions that they make when they get on our roadways, we're a little weary of this government's strategy of roadside testing and their accuracy.

So—and I know we've discussed this before, but I think it's important to bring it back in the House here—that defence lawyer Danny Gunn has raised this issue that it could mean that, and I quote: People who have built up a tolerance to marijuana, such as medical users, could be considered legally impaired as soon as they get behind the wheel.

So that's really problematic that if you've built up this tolerance and you're stopped, you will be considered legally impaired. He goes on to say, and I

quote: We want to try and limit the amount of people who are impaired on the road, and I agree with that, but part of the challenge is we don't really have a serious connection between the levels of marijuana in your blood, in terms of nanogram percentages, like we do in terms of alcohol.

So, again, a whole brand new realm again here. And we know, Deputy Speaker, that lawyers, as I said, across the country, have been—have just a flurry of analysis on here, and they have made it clear that cannabis-impaired driving cases are currently relatively rare in Manitoba, and that they don't have a very good connection rate because the effects of impairment are more difficult to detect and vary dramatically between users.

Which goes again to the public education discussion that I was talking about with my son, was, you know, sometimes my son, you know, tends to drive my car—which I'm actually quite pleased about that when he goes out with his friends, because that means that he's not drinking when he goes out with his friends and if they go to parties or whatever like that.

But we have had the discussion that if he's not driving and he is with other friends, to make sure that he—and we've always talked about this in respect of alcohol. I've always told him, I don't care what time it is in the middle of the night, it could be—you know, I don't care what the scenario is, always call Mommy and I will come and pick you up.

But the same scenario exists for cannabis. He does have some older cousins and a couple of older friends, and I've told him that you have to be kind of aware of whether or not people have been—are impaired, and never get in those vehicles, that Mommy will come and pick you up no matter where you are, no questions asked. All I care about is that you're safe.

And so we're having those conversations at home as well, but I think that it's important to recognize that among police and judicials, that there are probably different—or there is different impairment levels among people and those that have different tolerance levels.

We also know there have been cases of driving while impaired by a drug that have resulted in acquittal at the courts because the judge decided there was not enough evidence despite the police officer's evaluation on scene.

So defence lawyers also who have handled cannabis-related impaired driving cases in Manitoba are raising concerns about a lack of scientific—and I quote: Scientific clarity about how driver's intoxication levels will be measured before provincial sanctions are imposed. That—so therefore, it's important that we get the right test, again, and taking the right people off the road.

*(16:50)

So all of this—and I think that everybody in the House would agree that it puts a lot of extra pressure or responsibilities on our policing institutions across Manitoba. And so those resources have to be recognized in respect of policing and that our policing institutions should be adequately resourced for this new, additional responsibility that they have.

And so, you know, we're concerned. While at the same time that we are now operating under a cannabis legalization regime with more responsibilities on the WPS, let's just say we know that the government, the current government, has actually cut some pieces of the WPS. So they've cut some staff—*excusez-moi [excuse me]*—and programs that have been designed to keep our communities safe.

So, for instance, the Premier (Mr. Pallister) cut 15 police officer positions in places like the Integrated Organized Crime Taskforce and the warrant task force. They—the Premier of Manitoba, the government, the current government cut \$75,000 in annual funding from the Gang Action Interagency Network, or GAIN, which helped youth access supports to exit gangs. The Spotlight unit, an intensive anti-gang project that supports youth at risk of gang involvement, and, of course, Deputy Speaker, as you know, also cut the Auto Theft Suppression Strategy, which reduced auto theft in Winnipeg by 86 per cent between—during our years in 2004 and 2011.

And so we're seeing that while there is additional responsibilities to policing institutions in Manitoba, they're having to do it with less resources. So I would suggest to you that perhaps the result could potentially be reduced service or poorer service and higher taxes. And, when this legislation is passed, as I said, it will require more dedicated work from our police services to ensure that Manitobans will be safe on the roads.

The WPS, as you know, Deputy Speaker, is responding to more and more addiction-related

incidents, and yet, as was evidenced in QP today, in question period today, we have seen an increase in 700 per cent more accessing treatment. And with little—I would suggest to you, very, very, very, very minimal or little support to be able to combat the meth crisis that we have occurring here in Manitoba and certainly that I would suggest and most people would suggest has really kind of grown exponentially in the last two years, and with little support.

So, while we now operate within this legalized cannabis regime, at the same time—so, more responsibilities for the—let's say just—let's just concentrate on the WPS, so more responsibilities for the WPS. At the same time, there's this huge increase in respect of meth use and the effects that come with that.

So we've seen, as we said today in QP, an increase in violence in our hospitals. We've seen front-line services, those that are on the front-lines trying to deal with these issues, not even having the resources or the capacity—literally the capacity to be able to deal with meth-induced psychosis. And so then what ends up happening? You call the police. So the police—the WPS are getting stretched by all—everywhere with little—you know, not an increase in funds to be able to help deal with that.

And so—sorry, Deputy Speaker. And then we know that Mayor Brian Bowman says that funding changes in respect of those cuts that have been forthcoming from the government will mean, and I quote, pain for Winnipeg taxpayers.

And so, you know, when I say that I'm sure that all of us agree that the safety of Manitobans is all of our concerns, the concern becomes when the Premier is cutting his way out of ensuring that there's the resources to protect our streets and make sure that our streets and our roads are safe during this new regime and at a time when the meth crisis is growing exponentially every single day.

So the other piece that I would like to note for the record—so, again, while we support the legislation, we have serious concerns with the government's lack thereof support of Manitoba public's transit system. And we know that so many Manitobans, you know, Manitoba workers and families and children and students and seniors rely on public transit as a way to connect with others or to go to work or to go to school or to go shopping or to go out for the evening, and we know that it is an essential component to Manitoba hitting its carbon-

reduction goals. Certainly, as I'm sure you know, Deputy Speaker, it keeps thousands of commuters off the roads, which obviously reduces traffic and our admissions.

And so, you know, I think we've made ourselves pretty clear in this House that it's been—it's very disheartening to see the cuts to transit, to public transit, and the effect that it's having on individuals, these rise in costs for transit. In fact, I know that the member for Point Douglas (Mrs. Smith) and myself get many, many calls and many, many messages, actually, looking for bus tickets. And, of course, we don't give out bus tickets from our constituency offices, but I certainly do give out bus tickets on my own, and I know that the member for Point Douglas has done that, as well, because a single bus ticket is extremely expensive when you're on a very fixed and limited income. And so you can imagine if you're searching for a job, to try and be able to take the transit to be able to go look for a job or go visit your mom or family or go to school, that's a huge, huge piece of your budget that is come out from your limited budget.

So it's really disheartening that—really, I would suggest to the House it's been an attack on those low-income Manitobans to, you know, force the City of Winnipeg, force Mayor Brian Bowman to, you know, increase bus fares and at a time, again, where we have now this legalized cannabis regime here in Manitoba. And so we've made it very, very clear that we're—we think it's incredibly

disheartening and disrespectful, really, to break Manitoba's long-standing commitment to fund 50 per cent of the operating funds for public transit service. And, like I said, we've already seen the consequences of that. And it just—it doesn't make any sense. Like, why wouldn't you invest in a modern transit system? I—there are cities that I've had the absolute privilege of attending or visiting, that their transit system is so amazing that you literally don't—you can walk or you can take a tram or you can take a metro or the bus, and everything is so comprehensive that there's actually no need to take a car.

And, obviously, you know, we can do better in respect of transit and we can do better to be able to support some of the concerns that this legislation is bringing up, and that is the safety of our roads and our highways now that we're operating within this new legalized cannabis, but the government's not. Like, it's not investing in that robust, comprehensive transit—public transit system that would ensure that, you know, folks that choose to use cannabis could take a bus instead of driving, if they wanted—

Mr. Deputy Speaker: Order.

When this bill's before the House, the honourable member for St. Johns (Ms. Fontaine) will have two minutes remaining.

The hour being 5 p.m., the House is now adjourned and stands adjourned 'til 1:30 p.m. tomorrow.

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, October 23, 2018

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