

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

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Forty-Second Legislature**

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

## LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, April 26, 2022

*The House met at 1:30 p.m.*

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

### ROUTINE PROCEEDINGS

#### INTRODUCTION OF BILLS

##### Bill 234—The Drug-Related Death Bereavement Day Act

**Mrs. Bernadette Smith (Point Douglas):** I move, seconded by the member from The Pas-Kameesak, that Bill 234, The Drug-Related Death Bereavement Day Act, now be read a first time.

*Motion presented.*

**Mrs. Smith:** I am pleased to present Bill 234, The Drug-Related Death Bereavement Day Act, as more and more Manitobans are touched by addictions and more and more families are left to grieve the loss of a loved one, but the experience of grieving an over death is viled in guilt, shame, stigma and discomfort.

Bill 234 seeks to normalize the experience of grief and proclaim the Sunday before Mother's Day of every year as drug-related bereavement day, a day to reflect on the impacts of drugs in Manitoba and to grieve.

I look forward to unanimous support of this bill in this House.

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

##### Bill 225—The Non-Disclosure Agreements Act

**Mr. Dougald Lamont (St. Boniface):** I move that Bill 225—*[interjection]*—oh, sorry.

I move, seconded by the member of Tyndall Park, that Bill 225, The Non-Disclosure Agreements Act; Loi sur les accords de confidentialité, be now read a first time.

*Motion presented.*

**Mr. Lamont:** Non-disclosure agreements, NDAs, in Manitoba and indeed around the world have been used to silence survivors of sexual harassment, intimidation and misconduct in many instances. Manitoba Liberals have heard from many folks in the community who

have been harmed because of being pressured into signing an NDA.

The legislation requires that an NDA can only be enforceable if it is the expressed wish and desire of the complainant. They must also have had an opportunity to get independent legal advice before they proceed with one. People who have signed NDAs may struggle because they cannot speak with family, friends or counsellors. When they can go to the police, they may be afraid to. We want to ensure that anybody who needs to is free to speak up.

We look forward to the support of all members towards Bill 225.

Thank you, Madam Speaker.

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

Committee reports?

#### TABLING OF REPORTS

**Hon. Audrey Gordon (Minister of Health):** Madam Speaker, I am pleased to table the supplement to the Estimates of expenditure for the Department of Health for the fiscal year 2022-2023.

Thank you.

**Hon. Andrew Smith (Minister of Sport, Culture and Heritage):** Madam Speaker, I am pleased to table the supplement of Estimates of expenditure for the Department of Sport, Culture and Heritage for the financial year 2022-2023.

#### MINISTERIAL STATEMENTS

**Madam Speaker:** The honourable Minister of Indigenous Reconciliation and Northern Relations—and I would indicate that the required 90 minutes notice prior to routine proceedings was provided in accordance with rule 26(2).

Would the honourable minister please proceed with his statement.

**Chief Dennis Meeches**

**Hon. Alan Lagimodiere (Minister of Indigenous Reconciliation and Northern Relations):** It is my distinct honour to rise in the House today and thank and celebrate the now-former chief of Long Plain First Nation, Dennis Meeches.

Chief Meeches served Long Plain First Nation for 26 years, with almost 20 years serving as an elected chief, and was the longest serving elected chief in Manitoba. He is also a talented singer, using his voice during ceremonies and events in tandem with his drumming. His community is also well known for its talent and events.

Long 'plais' First Nation hosts their annual powwow to celebrate their culture and traditions which began in 1876 and is Manitoba's longest running powwow with exciting events such as the Men's Midnight Fancy Dance and a showcase of the bands many talented dancers and singers. I myself have had the pleasure of hearing Chief Meeches sing on several occasions.

Retired Chief Meeches has served as the chairperson of the Treaty 1 governing council, the First Nations Finance Authority and the Dakota Ojibway Tribal Council. He still serves on the Tribal Council Investment Group of Manitoba and the Spirit Healthcare Group of companies.

In his career he has actioned incredible things, including work that is being accomplished in the planning of the former Kapyong Barracks, now set to become Naawi-Oodena. It is a historic, billion-dollar Indigenous development. Naawi-Oodena is translated as the centre of the heart and community and it will be an urban reserve right here in Winnipeg.

During his tenure and beyond, he tirelessly worked to create jobs and other opportunities for many Treaty 1 First Nations and advocated fiercely for economic development of Indigenous communities. Naawi-Oodena is a shining example of this work, and it's very indicative of how hard Chief Meeches worked for his community and all Treaty 1 citizens.

Madam Speaker, he was always someone who valued collaboration and partnership in everything we worked on together. Trust me when I say that we have exchanged many late-night phone calls working together on important actions. Never critical, always collaborative, Dennis is a fierce advocate for reconciliation, and I am so pleased to have been able to work closely with him on many aspects of this portfolio.

My colleagues and I look forward to continuing to implement these lessons of collaboration, partnership and engagement in walking this path to reconciliation.

While Dennis tells me he is going to retire to his Paint Horse Ranch, we all know that people like him do not simply retire, so I am certain our paths will continue to cross.

I will greatly miss our many texts, phone calls and emails, but knowing you, Dennis, I'm sure those won't stop as you take on future projects.

Dennis, thank you for your commitment, your passion and your hard work to build a better world for all members of your community, all Treaty 1 citizens and all Manitobans. I am incredibly grateful to have had the opportunity to work closely with you and build a friendship. I greatly admire all that you have accomplished, and I would like to extend my sincere congratulations and best wishes to you, your community and your future endeavors.

Miigwech. Philamayaye. Thank you.

I would like to encourage all members to join me in acknowledging and celebrating retiring Chief Meeches.

**Mr. Ian Bushie (Keewatinook):** It gives me great honour to share a few words with a great leader—about a great leader and my friend, Chief Dennis Meeches.

Madam Speaker, it's been said that great leaders know when to step aside, and Dennis Meeches is nothing if not a great leader. After two decades as chief of Long Plain First Nation, Dennis leaves behind a myriad of accomplishments, most notably his successful efforts to secure the former Kapyong Barracks for an urban reserve, but also an urban reserve in Portage la Prairie, a number of economic development projects for First Nations here in Manitoba and a residential school museum built on the site of a former residential school here in western Manitoba.

I had the privilege of serving as chief of my own community at the same time as Dennis, and can speak first-hand to his dedication and commitment to not only to Long Plain First Nation but also to all Indigenous peoples and communities on Treaty 1 First Nations, as well as all of Manitoba. I have many memories of his grass dancing and his singing under his stage name, Yoza, even as he served ably as chief.

As one of the longest serving chiefs in Manitoba, Dennis in many ways laid the groundwork for the reconciliation movement that we're experiencing today in this province. And during a period in which men often dominated the political landscape in Manitoba, Dennis was known to be incredibly respectful to Indigenous women and would use his

platform and privilege to amplify the voices of others, including mentoring the current chief of Long Plain First Nation.

Of course, although Dennis is no longer seeking re-election, those who know him will know he will never truly retire. He plans to run for council of the Long Plain First Nation to focus on drug prevention and economic development. But I hope he takes at least some time to spend with his family and his horses.

On behalf of the Manitoba NDP, I salute Dennis on 20 years of service, and look forward to working with him through many more to come.

I was honoured to have the opportunity to meet last summer with four generations of Dennis's family, including his father, son and grandson. And I have no doubt that I was in presence of past, present and future leadership.

And I hate to be the bearer of bad news, Dennis, but if you think you are retired, you have another thing coming. Your work, dedication, knowledge will be called upon for generations.

\* (13:40)

So again, Dennis, on behalf of our NDP team, myself and my family, I say *kitchi miigwech* for sharing your gifts and knowledge with all of us.

**Mr. Dougald Lamont (St. Boniface):** I ask for leave to speak to the ministerial statement.

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

**Mr. Lamont:** I rise to pay tribute to the many years of service by Chief Dennis Meeches of Long Plain First Nation.

Now, while we now make—at long last, make treaty acknowledgments in this Chamber, and at events across Manitoba and Canada, it is also worth recalling the ways in which the Crown has failed to uphold their end of the obligation of treaties, and how hard First Nations and other Indigenous peoples have had to fight just to get governments—federal and provincial—to fulfill commitments made in treaties that were legally binding contracts.

One of the people who were in charge of that fighting was, of course, Mr. Meeches.

Many of those promises include what are known as treaty land entitlements, where First Nations in

Manitoba have been waiting for decades, and sometimes for more than a century, for land to be returned to them that was promised them.

In pursuing these claims with tenacity and principle, Chief Meeches has made incredible strides on behalf of his community and many others. We've seen Kapyong Barracks rightly be signed over, in what will be known as Naawi-Oodena. We have seen long overdue investments in urban reserves in Winnipeg and Portage la Prairie.

You know, it is never too late to make progress, and I want to thank Chief Meeches on behalf of Manitoba Liberal MLAs for his contributions, not just to Long Plain for Treaty 1, but to his dedication to working in partnership in ways that make us all better, and make us all better off.

I would also like to offer the congratulations to the newly elected chief, Kyra Wilson, who ran as a Manitoba Liberal candidate in the 2016 election, and I look forward to many more years of his contributions.

Thank you. Merci. Miigwech.

**Madam Speaker:** Further ministerial statements?

The honourable Minister of Transportation and Infrastructure—and I would indicate that the required 90 minutes notice prior to routine proceedings was provided in accordance with rule 26(2).

Would the honourable minister please proceed with his statement.

#### Severe Weather Event Update

**Hon. Doyle Piwniuk (Minister of Transportation and Infrastructure):** Madam Speaker, Manitoba continues to battle the effects of a significant weather event this past weekend. However, our flood risk remains constant and our moderate to major flood levels. Some major roadways remain closed due to localized overland flooding, as well as two municipalities remain in state of local emergencies, being that the RM of Headingley and the RM of Cartier.

Our government, in collaboration with local governments, First Nation communities and our EMO, will continue to provide mitigation and recovery efforts. Maintaining the safety of Manitobans is our top priority.

Our Manitoba Emergency Coordination Centre will continue to host daily conference calls with various levels of governments and communities. In addition to the public outreach efforts, my office has

co-ordinated with non-political, technical flooding briefings, meeting this—later this week with the official opposition and the Liberal Party.

The morning I had the opportunity to speak to Scott Crick, the mayor of the town of Morris, to discuss flood preparationness and communication strategies.

The Red River Floodway and the Portage Diversion continues to operate, managing the water levels for the City of Winnipeg to approximately 13 feet. Provincial crews are deployed to a number of communities in the Red River Valley running pumping stations as well as preparing for and implementing partial dike closures, such as the in Brunkild dike on P-H 3, and full dike closures, such as the St. Adolphe at PR 200.

Crews have deployed 24,000 sandbags and sandbagging machine and two standard emergency response trailers to the town of Altona for regional use. In the town of Ste. Anne, 2,000 sandbags have been delivered. Pumping operations have begun at the intersection of two—oh—PR 204 Henderson Highway at the North Perimeter.

Along with the RCMP and the Transportation and Infrastructure provincial staff will also implement highway closures as required. Please remember to 'aphere' to highway closures, as safety is our top priority.

My colleagues and I are proud that—to call Manitoba home, and we are—will continue to protect our communities through mitigation efforts for severe weather events at all costs.

Manitobans, let's live up to our reputation and continue to be very friendly, 'resident' and Prairie province that Canadians know of us to be.

Thank you, Madam Speaker.

**Mr. Matt Wiebe (Concordia):** Madam Speaker, I want to thank the minister for updating the House on the unfolding flooding situation.

I also want to once again thank all those provincial, municipal and Hydro employees who are working around the clock on the front lines to protect our communities.

Manitobans continue to struggle as those crews work to restore power to 3,700 customers in Dauphin and homeowners in many communities continue to check their basement for water damage. Likewise,

crews are addressing overland flooding across the province, including those who are working to keep Highway 75 open as long as possible. In places like Morden and Winkler, crews have been aided by concerned citizens and producers from the area, who are using their own equipment to clear culverts and pump water over roads.

In areas which the immediate threats have been addressed, municipalities are now turning to the work of repairing the damage that has been done. The RM of Stanley released a statement yesterday that while the water has receded, the rural community infrastructure has been devastated, adding that it will take considerable time to bring everything back to normal. We urge the government to continue to providing assistance to Stanley and other municipalities as they begin this work.

We also know that the danger has not yet passed. In fact, right now there is rain scheduled for 10 of the 12 days beginning this Thursday. We urge Manitobans to continue monitoring their basements and this government to continue to provide support with—to residents with emergency housing issues and those seeking to prevent further flooding on their properties.

As we did yesterday, I join with the rest of this House in continuing to commend all those working to restore power across our province and to protect Manitobans from flooding. Our caucus promises to keep listening to the concerns of local governments and, in particular, those rural municipalities as they begin to rebuild after the damage caused by this weather system.

**Hon. Jon Gerrard (River Heights):** Madam Speaker, I ask leave to speak to the minister's statement.

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

**Mr. Gerrard:** Madam Speaker, the sun is out today, which is a good thing after several days of wet and snowy weather. With today's clear skies, we're in a better position to have a look at what's happened, to assess the damage and to plan for the days ahead.

I had hoped that the government would've provided the best and worst projections of the likelihood of flooding in the next two weeks, with many days of projected rain ahead. We need to be prepared for what could be the worst and make sure that people are ready.

I'd hoped for a more detailed accounting of what's happened with the hydro outages. I gather from the Hydro website today that there's still more than 3,000 people who are out of hydro service, and hope that that can be restored soon.

We don't really know how many basements have been flooded. That could have been helpful. But, certainly, in view of the serious problems of basement flooding in part of Manitoba, I would ask the government to look at restoring the basement flooding protection program, which has been so important and useful in the past.

I want to thank all those who are helping to address issues which have arisen from the flooding and the weather that we've received in the last few days, and to thank them sincerely for all that they're doing. It takes a province when we've got a weather storm like this.

Thank you, Madam Speaker.

#### MEMBERS' STATEMENTS

##### Anne Penonzek

**Mrs. Cathy Cox (Kildonan-River East):** Volunteers are the heart and pulse of our Manitoba communities.

Madam Speaker, as we celebrate National Volunteer Week, I am honoured to rise in the House today to shine a spotlight on one of North Kildonan's most dedicated and invaluable volunteers, who is joining us this afternoon in the gallery.

Anne Penonzek epitomizes the meaning of volunteerism. Anne is a remarkable woman who has served our St. Anne Ukrainian Catholic Church for over 61 years. She's been described as God's gift to the church. And while Anne is a woman small in stature, her contributions, guidance and leadership in our community is immeasurable.

I am privileged to call Anne my friend. She is sincere, humble and always warms my heart with her kindness and beautiful smile.

\* (13:50)

Madam Speaker, Anne's accomplishments are many. She has served on the St. Anne Ukrainian Catholic Women's League for 60 years, and as the president for two terms and also as the treasurer. She's guided the Kildonan seniors horizon club during her time as president and is highly respected as a role model and mentor within our community who has dedicated her life to helping others. She's pinched thousands of perogies, baked too many pies and cakes

to count and prepared hundreds of meals at our church dinners.

Prior to COVID, Anne served as a volunteer at Concordia community hospital where she not only provided love and support to patients but also administered the Holy Sacrament to patients and housebound parishioners. While COVID presented many challenges for St. Anne parish, Anne's determination shone through when she took on the responsibility of ensuring COVID-19 protocols were in place so parishioners could safely participate in the liturgy.

To quote Father Mark, Anne works tirelessly to raise funds, collect food and furniture and prepare for newcomers arriving here in Canada to escape the brutal war in Ukraine. At 88 years old, Anne's dedication is a credit to the community and a great example of what can be accomplished by being involved in the church, the local community and following a moral creed to love one another.

Madam Speaker, I ask all members of this Chamber to rise to wish Anne a happy belated 88th birthday and continued happiness, good love, good health, love and God's blessing. Mnohaya lita. *[Many more years.]*

**Madam Speaker:** The honourable member for St. Johns (Ms. Fontaine)—oh.

##### Early Childhood Educators in Union Station

**MLA Uzoma Asagwara (Union Station):** I'm honoured to rise today during early childhood educator week to recognize the ECEs in Union Station and to thank them for their ongoing efforts to educate and care for children and families in our community.

Early childhood educators have navigated enormous challenges during this pandemic and continue to show us how invaluable they are to our communities. Each and every time I visit a centre, I'm greeted with kindness, smiles and very happy and cute kids who are eager for me to read them a story, or to share their own stories with me.

In Union Station, daycares have been facing increased challenges due to the lack of funding and no strategy from this government to ensure that we can retain and recruit early childhood educators. This despite the federal government providing hundreds of millions of dollars for this sector, Madam Speaker.

Recently, I wrote the minister to alert him of difficult circumstances faced by the Niigaanaki Day Care Centre in Union Station. This centre, in addition to

flooding for which they've had limited support in rectifying, has experienced multiple break-ins, including one while the centre was open and a staff member was attacked with a weapon.

Thankfully, no one was physically injured, but they have yet to hear from the minister as to what steps he and his government are taking to provide the necessary support that they need and that so many other centres do.

Early childhood educators need, want and deserve action to be taken by this government, action which respects their training, education and their expertise as they care for our children and our future generations, Madam Speaker.

Today we're joined by the executive director of Niigaanaki Day Care centre, Lois Coward, and educator Kaitlin Fitzmaurice.

Please join me in recognizing them and all Union Station early childhood educators for their deeply appreciated artwork.

Thank you.

#### **Gimli New Horizons 55+ Centre**

**Hon. Derek Johnson (Minister of Agriculture):** Madam Speaker, I rise today, to recognize the Gimli New Horizons 55+ Centre. The centre was incorporated as a non-profit organization in 1974. From humble beginnings, their membership has grown to 700 community members since.

Their mission statement says, and I quote: The centre will be an asset to the community by providing a pleasant place for recreation, relaxation and companionship and by encouraging all members to remain active and socially connected while maintaining their physical and mental health.

Gimli New Horizons staff, board of directors and volunteers have gone above and beyond to fulfill this statement. By 2019, an amazing 11,250 volunteer hours had offered for 40 different activities. The activities are many and diverse, from painting and photography, tai chi, canasta, fibre arts, woodcarving, ballroom dancing and even kayaking, Madam Speaker. Every year members come forward with novel ideas and new enthusiasm and volunteer to try something new.

Hearing clinics are held four times a month, while flu clinics are held annually. The organization also puts together trips for special activities.

They operate a commercial kitchen on-site staffed entirely by volunteers to provide members an opportunity to have a hot and wholesome \$6 lunch. The kitchen is utilized for some of their major fundraising events such as a pancake breakfast during the Icelandic Festival, fall supper and ongoing monthly perogy making.

Madam Speaker, it is with pride and pleasure that I applaud the Gimli New Horizons 55+ Centre for the integral role they play in the community and surrounding area.

Thank you, Madam Speaker.

#### **Sexual Assault Awareness Month**

**Ms. Nahanni Fontaine (St. Johns):** We near April's Sexual Assault Awareness Month.

Sexual assault and sexual harassment includes rape, unwanted sexual conduct, sexual innuendos, jokes, threats, arranging opportunities to be alone. It can occur between partners and families at home, colleagues at work, on the bus, in the club, walking down the street, online, between friends, acquaintances and strangers.

In Canada, more than 60 per cent of Indigenous women have been sexually assaulted.

Reflecting on that statistic, it's important to acknowledge that for several years Indigenous women have courageously come forward sharing experiences of sexual harassment by a leader in our Indigenous community. They weren't believed. I believe them and continue to believe them.

Often, complaints against predators are dismissed or minimized, with predators allowed to remain in their roles. This particular individual was supported and given the benefit of the doubt, allowed to return back to his leadership role.

Last month, another courageous Indigenous woman came forward, filing complaints to the WPS and human resources. I believe her. She is an immediate family member. It kills me to see her navigate this, but I am so proud of her coming forward in an attempt to protect other Indigenous women.

These experiences are not solely confined to just this one individual, but to many men in our communities. But to be clear, overall—no matter the community—the majority of sexual assault offenders are men. This is a men's issue. Men of all backgrounds must stop this.



I know our women will not be silenced or shamed or put up with abuse. My deepest respect and love to every single woman who's come forward or yet to come forward. Please know that there's a community of matriarchs standing with you.

Miigwech.

**David Barber**

**Hon. Jon Gerrard (River Heights):** Madam Speaker, growing up in Dauphin and helping build the Fort Dauphin Museum, fishing at a cabin on Waterhen Lake and canoeing to Fort York and Churchill, David Barber developed a love of the Arctic and became one of the foremost Arctic scientists in the world. He had an ability to connect with people who were not scientists and an ability to write grants and to conceive big projects that was remarkable.

Several years into his Arctic research, he recognized an extraordinary decrease in the size of the permanent ice in the Arctic, and it was the result of global warming. He found that the Arctic was warming faster than other parts of the planet. He was at the forefront of understanding the impact of climate change on the Arctic. He also organized and led Arctic expeditions to give us a broader understanding of life in the Arctic both above and below the ice.

Educated initially in physical education at the University of Manitoba, after travelling to the Arctic, he switched careers and studied the Arctic and Arctic ice at the University of Waterloo. He later returned to Manitoba to champion changes at the university which led to bringing together a wide range of researchers to study what was and is happening in the Arctic.

Over the course of his career, he was responsible for bringing about \$200 million in grants to the University of Manitoba—the largest amount brought by any researcher in the physical sciences.

\* (14:00)

An extraordinary individual; not only a scientist, he was dedicated to his family and to ensuring each of his children had their own experiences on an Arctic expedition starting when they were nine years old. Lucette, Jeremy, Julien and Jamie were a vital part of his life, and they of his. It was a family partnership.

I ask for a moment of silence to recognize this important Manitoban who brought so much to our province and to our world.

**Madam Speaker:** Is there a leave for a moment of silence? *[Agreed]*

Please stand.

*A moment of silence was observed.*

**ORAL QUESTIONS**

**Infrastructure Spending  
Funding for Road Repairs**

**Mr. Wab Kinew (Leader of the Official Opposition):** Potholes, potholes, potholes, Madam Speaker. People all over Manitoba are talking about it. Everyone is noticing. There are potholes all over the place right now, and it seems like they're worse than ever.

Now, I hope that Manitobans also keep in mind the PCs' responsibility for this. We know that they have underspent infrastructure ever since that—they took office, and they've frozen funding for municipalities. At the end of the day, it's costing you more because there's a PC government in power.

Will the Premier reverse course and provide more money to fix roads and potholes that are killing us right now?

**Hon. Heather Stefanson (Premier):** Well, this coming from an NDP government, when they were in power, that underspent the budget several years in a row and then, right before an election, they came up with millions and millions and millions of dollars, Madam Speaker.

We have given predictability when it comes to infrastructure in Manitoba. We've given a three-year plan of \$500 million a year. We're working closely with those in the heavy construction and so on, Madam Speaker. We'll continue to work with municipalities.

Of course, the member opposite knows that potholes—when it comes to the cities and municipalities, it falls under the municipalities, but we'll continue to work with those municipalities.

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

**Mr. Kinew:** Madam Speaker, making sure that roads don't have car-sized potholes in them is a basic function of government, yet it's a basic function that this government is failing at. We know that municipalities have a role to play here, the City has a role to play here, but they can't do it alone.

There's no way that they can do it with the PC cuts to infrastructure spending that happen every year after they announce a budget. They run back to the Ministry of Finance, the Ministry of Infrastructure, and they reduce the amount of money that'll actually get spent on roads. And then, on top of that, they freeze the transfers to municipalities.

Manitobans are paying more than ever. They're paying with stress. They're paying with dollars for car repairs. The one person in Manitoba who's not stepping up right now: the Premier.

Will she reverse course and will the PCs start to fund road repairs so we can fix these potholes?

**Mrs. Stefanson:** Well, the member opposite will know that we inherited a significant infrastructure deficit from the previous NDP government, Madam Speaker, and we will continue to clean up the mess of the previous NDP government.

But the member opposite will also know that we—yes, we absolutely do fund and work with our municipalities. But the municipalities are responsible for where that money is spent, Madam Speaker. We do not dictate to municipalities how to spend their money. *[interjection]*

**Madam Speaker:** Order.

**Mrs. Stefanson:** They know best where that money goes as the local government for the area, Madam Speaker. Now, we will continue—*[interjection]*

**Madam Speaker:** Order.

**Mrs. Stefanson:** —to invest record investments in infrastructure throughout Manitoba, Madam Speaker—\$500 million a year for the next three years. We're giving predictability for those industries.

We will continue to work with municipalities. We'll continue to work with all those involved in infrastructure, Madam Speaker, to ensure that we fix our roads for Manitobans.

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

**Mr. Kinew:** Madam Speaker, the PC Premier continues to deny responsibility for the terrible state of our roads and, just like Brian Pallister, wants to pick fights with municipalities and with the city.

We know what they've done with their time in office. Every single year, they've underspent the infrastructure budget. Every single year, they've frozen funding to municipalities.

Imagine the cumulative impact of inflation since 2016. Now add to that the increasing weather events and it's no wonder Manitobans out there are paying more: paying more to repair your cars, paying more because you're getting bad gas mileage, and paying more in the form of stress because roads decay under the PCs.

Will they simply reverse course and start to invest in roads so that we can fix these potholes? *[interjection]*

**Madam Speaker:** Order.

**Mrs. Stefanson:** I'll remind the member opposite again about the infrastructure deficit that was left to our government by his government, the previous NDP government, Madam Speaker.

Billions and billions and billions in deficit in our infrastructure throughout Manitoba, and there was nothing there for predictability for the future in terms of spending, Madam Speaker. *[interjection]*

**Madam Speaker:** Order.

**Mrs. Stefanson:** We know, under the previous NDP government, is that they underspent their budget several years in a row—a low—a row, and then right before an election, they mysteriously came up with all this money for infrastructure, Madam Speaker.

We won't do that. We'll work with our municipalities. We'll work those who deliver these services for Manitobans to ensure they have the predictability for the next three years.

Thank you, Madam Speaker.

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

### **St. Boniface Hospital ER Services**

**Mr. Wab Kinew (Leader of the Official Opposition):** The only thing predictable with the PCs that the—is that the potholes are worse than ever. And they're only going to continue to get worse.

Now, we know when it comes to health care, things are also worse than they've ever been, particularly in our emergency departments. Wait times are the worst that they've ever been. Doctors are saying that the system is worse than it has ever been. Physicians who've worked in ERs for 30 years are saying that, Madam Speaker.

There's no plan from the PCs to fix this crisis at emergency rooms like HSC, where waits are 10 hours

long; at emergency rooms like St. Boniface, where people are waiting longer than ever before. Their only answer so far from the Minister of Health (Ms. Gordon) yesterday was we broke it, you fix it.

Why has the Premier refused to offer a plan to fix emergency departments in Manitoba?

**Hon. Heather Stefanson (Premier):** Well, Madam Speaker, I appreciate the question from the member opposite because, just earlier this morning, the Minister of Health and I were over at St. Boniface Hospital, announcing \$141 million for a new emergency room. So, Madam Speaker, that is clearly our plan.

What's unfortunate is that members opposite yesterday had an opportunity to vote in favour of that, Madam Speaker. Instead, they chose to vote against it.

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

**Mr. Kinew:** Madam Speaker, you know me, I'm all about the facts.

It's a fact that this government did announce an emergency room at St. Boniface. *[interjection]*

**Madam Speaker:** Order.

**Mr. Kinew:** They announced an emergency room at St. Boniface in 2017. I'll table this, Madam Speaker.

So, again, I'll table the announcement that they made for the St. Boniface emergency room in 2017. I'll table the announcement that they made again 2019 when they announced it twice: in August and then again in December. And then, of course, I'll table the announcement that they made in 2021 for an emergency room in St. Boniface.

Madam Speaker, there's still a crisis at St. B, no matter how many times they hold an announcement.

After five announcements in five years, who can believe that this government is going to do anything for the St. B ER?

**Mrs. Stefanson:** Madam Speaker, \$141 million for a new emergency room at St. Boniface Hospital.

\* (14:10)

I was very pleased to join our Minister of Health there today—*[interjection]*

**Madam Speaker:** Order.

**Mrs. Stefanson:** —along with many officials, including the St. Boniface Hospital research foundation

as well, contributed, as well, \$10 million that they announced today towards that initiative, Madam Speaker.

That's how we partner with the community to ensure that we deliver those services for Manitobans when they need it, Madam Speaker.

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

**Mr. Kinew:** Madam Speaker, the PC approach to health care is we broke it, now you fix it.

Well, of course—no, sorry; that's not the whole thing. It's also to hold a misleading press announcement before you blame the system and blame the health-care workers.

I laid it out, Madam Speaker. They announced the St. B emergency room in 2017. Then they came back; they did it again in August of 2019. Then they came back again and re-announced the same emergency room in December of 2019. Then they came back last year in 2021, announced the same ER again.

Now they're back again today, re-announcing the same emergency room at St. Boniface.

Madam Speaker, who can believe this government when it comes to health care? After five announcements of the same emergency room in five years under four failed Health ministers, who will believe that the Premier will finally do something for the St. B ER now? *[interjection]*

**Madam Speaker:** Order.

**Mrs. Stefanson:** Well, Madam Speaker, this coming from the Leader of the Opposition that has absolutely no plan at all, no vision for the future of health care in our province.

I am very excited to—*[interjection]*

**Madam Speaker:** Order.

**Mrs. Stefanson:** —have put out this announcement this morning, Madam Speaker: \$141 million, plus another \$10 million from the St. Boniface foundation. We thank them for their partnership in this.

It was an exciting announcement—ER doctors there, Madam Speaker. Everyone is excited—*[interjection]*

**Madam Speaker:** Order.

**Mrs. Stefanson:** —about this initiative. They're happy that it's in this budget. They asked for it to be in this budget. And that's why, yesterday, we voted in favour

of that, Madam Speaker, while members opposite voted against it.

Shame on them.

### **Health-Care System Consolidation Impact on Staffing and ER Services**

**MLA Uzoma Asagwara (Union Station):** Madam Speaker, this government likes to talk about things that may happen years down the road, but their years of cuts and consolidation have taken a real toll on our hospitals.

Late last week, WRHA CEO Mike Nader said about St. Boniface Hospital, and I quote: Our ability to transition admitted patients from our emergency department/urgent care is seriously impacted right now. End quote.

The minister's response was to tell the region to, and I quote, fix it, Madam Speaker.

Why is the minister telling others to fix what she and her government broke?

**Hon. Audrey Gordon (Minister of Health):** Madam Speaker, I'm so pleased to share that I was joined by the Premier (Mrs. Stefanson) today at the St. Boniface Hospital as well as Mike Nader, the CEO of WRHA.

We were announcing \$141 million, Madam Speaker—*[interjection]*

**Madam Speaker:** Order.

**Ms. Gordon:** —\$10 million also coming from the foundation for St. Boniface. The investment will triple the size of the ER at St. Boniface, reduce wait times, improve patient flow and provide more room for clinical staff to work.

Members opposite would do well to remember their own record on wait times and what they did to dismantle the emergency response system in this province.

**Madam Speaker:** The honourable member for Union Station, on a supplementary question.

**MLA Asagwara:** Madam Speaker, yesterday the minister's response to this issue was that she was going to insist, and I quote, that the region fix this.

Madam Speaker, this minister is completely disconnected from the actual facts. Her government has demanded the region keep up its—keep its expenditures, rather, well below the rate of inflation.

In fact, the demand is up. On the government's own website right now—you can go there and see it on

their own website—this government's plan is for health regions to keep their spending 4 per cent below the rate of inflation: a health-care cut, Madam Speaker.

Why is this minister demanding that others fix what she and her government broke?

**Ms. Gordon:** For most of last week, the member for Flin Flon (MLA Lindsey) stood in this Chamber and demanded that I ask northern regional health authority and the Thompson General Hospital to fix the hot water. Yesterday, he even suggested that I physically go to the Thompson General Hospital and fix the hot water.

Today, they stand in the House and they don't want anything fixed.

Would they make a decision about whether or not they want the health system that Manitobans need in their time of care, because if they do, it's our government that will deliver on that commitment.

**Madam Speaker:** The honourable member for Union Station, on a final supplementary.

**MLA Asagwara:** Madam Speaker, I have to say, I think it's a particularly low moment for the Minister of Health for her to be critical—*[interjection]*

**Madam Speaker:** Order.

**MLA Asagwara:** —of an MLA who is standing up for health care in the North. I commend my colleague for his advocacy for his constituents.

Madam Speaker, her government's cuts and consolidation have left our hospitals on the brink. There are 2,400 nursing positions that are vacant across our province right now. Nurses are being told they can't take summer holidays with their families, that they've been desperately needing. Nurses and other health-care professionals have been running short for years.

The minister and her government made this mess.

Why is the minister asking hospitals to fix it?

**Ms. Gordon:** In Budget 2021, our government committed \$812 million to northern health care, Madam Speaker. And in Budget 2022, we have committed \$7.2 billion total for health care in Budget 2022.

Madam Speaker, I don't know why the members opposite do not want health-care officials and leaders—*[interjection]*

**Madam Speaker:** Order.

**Ms. Gordon:** –to fix anything, but they are well on their way. I'm so pleased to share that, yesterday, the CEO of WRHA shared all the initiatives that are under way to address the wait times.

Are the members opposite saying they don't want those initiatives unveiled, they don't want them implemented, because they're not accustomed to anything in health care being fixed?

### **Education System Post-Pandemic Plan**

**Mr. Nello Altomare (Transcona):** As you know, bill 64 caused a lot of damage and disruption for families, teachers and educators.

In fact, Madam Speaker, the Auditor General just this past week revealed that the overwhelming majority of school leadership does not believe this government will do what's right to help kids recover from the pandemic.

Unfortunately, this government's post-pandemic education plan is headed in the wrong direction, Madam Speaker.

Why is the minister not addressing the serious challenges being faced by our kids in our classrooms?

**Hon. Wayne Ewasko (Minister of Education and Early Childhood Learning):** It gives me great pleasure to stand up and put some facts on the record, Madam Speaker.

It's interesting that my friend and, you know, colleague from Transcona stands up and again decides to fear monger on the backs of our students' success right here in Manitoba.

We know that the last two years have been a—have been a challenge, not only here in Manitoba, Madam Speaker, but across this great country of ours and around the world.

During the—during COVID, the pandemic, we have spent well over \$250 million to help with students—their outcomes, their needs—in order to continue their learning successes right here in Manitoba—

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

The honourable member for Transcona, on a supplementary question.

### **Education Funding Review External Consultant Costs**

**Mr. Nello Altomare (Transcona):** As you know, last year we learned that this government wasted a million

and a half dollars on a failed bill 64 campaign. And, as a matter of fact, right now, they're up to doing the same things again.

Through FIPPA, Madam Speaker, we found that the government is spending money on external consultants instead of kids in the classroom. This consultant is costing us \$344,000.

So, Madam Speaker: Why can't the minister and the—*[interjection]*

**Madam Speaker:** Order.

\* (14:20)

**Mr. Altomare:** —department engage meaningfully with school leadership, and why are they spending \$344,000 for a company to review funding of schools?

**Hon. Wayne Ewasko (Minister of Education and Early Childhood Learning):** I appreciate the member bringing up the great announcement we had right here in Manitoba in regards to the K-to-12 action plan, which is a road map to student success—*[interjection]*

**Madam Speaker:** Order.

**Mr. Ewasko:** It's unbelievable to me, Madam Speaker, that a former principal, administrator, educator himself, would not take the weekend to maybe dive into the action plan so that he could educate himself on the great things that we're moving forward in K-to-12 education.

Just to quote from James Bedford, the MTS president: It is gratifying to see that the extensive consultation undertaken by the commission is finally reflected. It's clear that MTS, along with other education stakeholders—

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

Order.

The honourable member for Transcona, on a final supplementary.

**Mr. Altomare:** Madam Speaker, instead of ensuring that resources are targeted and focused on kids and the classroom, this minister is spending hundreds of thousands of dollars on expensive companies, and that's a fact: 1 and a half million wasted last year, and now \$344,000 to another external company.

Why is the minister putting consultants over our kids, and why is he spending hundreds of thousands of dollars for a review done by a private company?

**Mr. Ewasko:** So much good news, Madam Speaker, I just keep running out of time. I've got so much good stuff to share, so many great quotes from our education partners all across this province.

We are getting accolades, Madam Speaker. Our government is getting accolades for the thousands—over 25,000 consultations in regards to the K-to-12 commission and moving forward on the action plan.

The member knows that the old, antiquated system of the funding model was old. It needed to be redone. It is so old, Madam Speaker—*[interjection]*

**Madam Speaker:** Order.

**Mr. Ewasko:**—that even the member from Transcona can remember when it was first implemented.

We're fixing the system, Madam Speaker, to make sure that funding is more fair and equitable and putting it in the resources and the hands of the students all across this great province.

#### **Electrification of Public Transit Funding to Upgrade Fleet**

**Ms. Lisa Naylor (Wolseley):** Madam Speaker, the City of Toronto is purchasing up to 565 electric buses from the Winnipeg-based New Flyer Industries. These buses will modernize Toronto's fleet and help fight climate change.

Many Manitobans are wondering why this government can't do the same for our transit services. Instead, this government has cut funding and stood in the way of decreasing emissions.

Can the minister tell us why this government won't upgrade Manitoba's transit fleet?

**Hon. Reg Helwer (Minister of Labour, Consumer Protection and Government Services):** Congratulations to a great Winnipeg and Manitoba company, NFI Group, for landing a contract with the City of Toronto. Congratulations to the City of Toronto for moving forward with diesel hybrid electric buses, Madam Speaker.

We'd be thrilled to work with the City of Winnipeg to buy these same buses for the city of Winnipeg.

Stay tuned, Madam Speaker.

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

**Ms. Naylor:** Madam Speaker, public transportation has such an important role to play in our fight against

climate change. However, despite the minister's comments, this government has actually cut funding to transit services. This jeopardizes their ability to modernize and their ability to decrease emissions.

Toronto, Victoria, Charlottetown, Montreal, Ottawa, even Edmonton are all upgrading to an electric transit fleet, but Manitoba won't do the same.

Will the minister follow in the footsteps of many other provinces and provide funding to upgrade Manitoba's transit fleets?

**Mr. Helwer:** Well, as the member opposite knows, with the basking funding that we give to the municipalities, the City of Winnipeg decides where to spend the money. And if they want to look at buying these—*[interjection]*

**Madam Speaker:** Order.

**Mr. Helwer:**—hybrid diesel-electric busses, we'll work with them on that plan, Madam Speaker. But we need to see that plan from the City of Winnipeg.

We'd be thrilled to see electric busses from a Winnipeg company travelling around the city of Winnipeg streets.

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

**Ms. Naylor:** Madam Speaker, this government consistently puts the responsibility on other people and other organizations without providing any of the provincial funding to help.

Purchasing electric busses would help decrease emissions and flight—flight climate change—*[interjection]*

**Madam Speaker:** Order.

**Ms. Naylor:**—as it would also support an innovative, Manitoba-based company. And this government is in the position to be able to do both, yet they simply are choosing not to.

The minister should adequately fund Manitoba's public transportation and provide funding to upgrade our fleets of electric buses.

Will the minister provide this commitment to municipalities today?

**Mr. Helwer:** Well, we don't tell municipalities how to spend the money that we give to them in basket funding. They make that decision, Madam Speaker.

And perhaps the member opposite is living in a different world than I am. I don't see fleets of electric

buses in the city of Winnipeg. I'd be thrilled to see that provided by NFI Group, Madam Speaker. Wouldn't you love to see those buses travelling 'alound' Winnipeg streets provided by the stellar Winnipeg and Manitoba company? *[interjection]*

**Madam Speaker:** Order.

### Supplementary Estimates Books Information Available

**Mr. Mark Wasyliw (Fort Garry):** A government that reduces transparency is a government that has something to hide.

The supplementary Estimates were recently distributed, and the documents are thinner than ever. This year continues the trend of providing less information in the Estimates books. The documents are missing in-depth breakdowns, instead leaving Manitobans in the dark about why decisions were made. As well, the Estimates books don't include five-year presentations of the budget.

This raises the question: Why is the government reducing transparency?

**Hon. Scott Fielding (Acting Minister of Finance):** Our government is very proud of our open and transparency approach. In fact, we take advice from Manitobans.

Over 51,000 Manitobans gave advice to us in terms of the government—in terms of government direction, in terms of the budget. It's a process that makes sense. There's transparency that's in place. In fact, in this budget alone, we changed the process back—was criticized by opposition, other people—to provide more information so people know exactly where their dollars are being spent.

**Madam Speaker:** The honourable member for Fort Garry, on a supplementary question.

**Mr. Wasyliw:** This government knows that Manitobans are critical of the cuts they've made, whether it's to health care, education and more. Rather than listen to Manitobans and reverse course, their solution has been to hide and—their actions by providing less detail in the Estimates books.

This year's Estimates remove five-year presentations of budgets, likely because it would demonstrate the deep cuts this government has made.

Will this government do the right thing and commit to greater transparency?

\* (14:30)

**Mr. Fielding:** The member's comments talk about cuts to education and other areas. That's absolutely not true, Madam Speaker.

We're investing more money in health care. We're investing more money in education. We're making life more affordable for Manitobans, in terms of—*[interjection]*

**Madam Speaker:** Order.

**Mr. Fielding:** —reducing education property tax. That's going to have a positive impact on thousands and thousands of Manitobans.

Our budget document is based on consultations with Manitobans. Transparency, that's there. There's more information than there was last year in the budget to make sure Manitobans exactly know where their money is being spent.

**Madam Speaker:** The honourable member for Fort Garry, on a final supplementary.

**Mr. Wasyliw:** The motivation of this government's clear: they're trying to hide from criticism by reducing the information the public gets.

They've removed many detailed breakdowns, including five-year presentations of the budgets. And when the government decreases information and—including these five-year presentations—it reduces the transparency in Manitoba as a whole, and we are all worse off. A government that is confident in their actions will benefit Manitobans by standing by the information rather than hiding it.

Will this government do the right thing and commit to returning to the previous Estimates reporting practices?

**Mr. Fielding:** The member doesn't want to take yes for an answer. We got—we heard from opposition, other parties, to make sure that there's more information being provided in this budget, and that's exactly what this does.

In fact, also, on a further transparency basis, we tabled all our Estimates of expenditures earlier on—weeks before. We know what the NDP used to do. They used to table it on the same day that those processes would happen.

Our budget, it makes historic investments in things like health care, in education, and it makes life more affordable by making sure that there's an education property tax. We encourage the members opposite to try and make life more affordable for

Manitobans as well, but they had the opportunity and they voted against the budget, Madam Speaker.

### **Winnipeg Hospitals ER Safety Concerns**

**Mr. Dougald Lamont (St. Boniface):** We asked earlier this month about disastrous wait times in ERs, which are still a crisis.

I table a page from the PC's own wait times task force from December 21, 2017, that warned this government against closing Seven Oaks and Concordia ERs early, until the St. Boniface ER was fully expanded, because patient volume at St. B would arise by 55 per cent. Their warning was blunt—and this is pre-pandemic—that St. B's ER does not currently have in-patient capacity, physical infrastructure and may not have the flow metrics or culture necessary to safely accommodate these increased numbers, and that will still be the case for years.

Does anyone on the government side accept responsibility for ignoring their own task force and closing ERs when they were warned it wouldn't be safe?

**Hon. Audrey Gordon (Minister of Health):** I thank the member from St. Boniface for the question.

I do want to put on the record that, since the wait times task force report was released, our government, in 2018, added 1,000 additional hip and knee procedures, 2,000 additional cataract procedures to help reduce wait times.

In 2019, we actually began some of the renovation on the St. Boniface Hospital that we were so pleased to be out today with several officials to announce \$141 million. In 2020, \$10-million fund was established for priority procedures, Madam Speaker, and I've talked many times about the \$812 million for clinical preventative services plan that will streamline services—

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

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

**Mr. Lamont:** The document I tabled shows the PC government has been ignoring doctors' warnings on safety for years. When this government declared mission accomplished over the pandemic, Shared Health said flat out that we'd see more COVID 'clases' clogging our hospitals, and it's happening now.

According to WRHA president, CEO Mike Nader, Winnipeg hospitals are seeing a higher than

normal spike in COVID admissions, as well as sicker patients than earlier in the pandemic. Incredibly, the Health Minister and the Premier (Mrs. Stefanson) denied it, which is hardly reassuring.

Since our health-care system's already over capacity, are we at least going to see a significant advertising campaign pushing the benefits of basic protections like booster vaccinations and masks?

**Ms. Gordon:** Again, a really great announcement today. I would encourage the member for St. Boniface to chat with some of the officials from the foundation that was there, from the WRHA.

Doctors—[interjection]

**Madam Speaker:** Order.

**Ms. Gordon:** —clinicians, were all part of this great announcement, shovel-turning ceremony. We actually got to see some of the demolition begin and were able take away some of the bricks in memory of the old hospital.

So I think the member for St. Boniface should join in some of the excitement about the redevelopment of the emergency department in his own constituency, Madam Speaker.

### **Personal-Care-Home Facilities Staffing Levels and Employment Contract**

**Ms. Cindy Lamoureux (Tyndall Park):** Manitoba has some of the worst outcomes for seniors in long-term-care homes, which is in part due to inadequate staffing levels. Currently, the province has the same staffing numbers in personal-care homes that we have had for almost two decades, despite a growing and aging population.

Madam Speaker, staffing contracts for direct-support workers are five years overdue. They have been completely overworked throughout the pandemic, and this government has done nothing to address the shortfalls.

Will the minister commit to proper staffing levels and contracts today for those working in long-term-care facilities in Manitoba?

**Hon. Scott Johnston (Minister of Seniors and Long-Term Care):** I can assure the member that we are fulfilling all of our obligations towards keeping seniors safe based on the Stevenson report, which made recommendations that do address what the member is indicating.



We have already indicated \$15 million support in infectious and allied support, as well as housekeeping, and the next stage of our further investment into assisting seniors and keeping seniors safe will be further initiatives into ensuring staffing is—needs are met.

### **St. Boniface Hospital ER Investments**

**Mr. James Teitsma (Radisson):** Madam Speaker, since taking office, our government has been and continues to be strengthening—committed to strengthening health care for all Manitobans.

And it's made it a priority to invest in new emergency departments: \$23.3 million at the Dauphin Regional Health Centre; \$27.1 million at the Flin Flon General Hospital; and \$43.8 million at Winnipeg's Grace Hospital.

Emergency departments are critically important in the delivery of emergency medicine and our regional health system as a whole.

So, can the Minister of Health please tell us even more about the investments being made at the St. Boniface Hospital emergency department?

**Hon. Audrey Gordon (Minister of Health):** I'd like to thank the member for Radisson for the exceptional question—*[interjection]*

**Madam Speaker:** Order.

**Ms. Gordon:** —today.

Madam Speaker, the Premier (Mrs. Stefanson) and I were able to share with Manitobans that the construction on the expansion and modernization of the St. Boniface Hospital emergency department has officially started.

Our government is investing \$141 million to triple the size of the current emergency department, adding 86,200 square feet in new construction. This will reduce wait times and the length of stay, improve patient and staff experiences, expand the space for an increased number of patients.

The redeveloped emergency department will then ensure that patient- and family-centred care continues to be provided in a safe—

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

### **Avian Flu Cases Spread Prevention**

**Mr. Diljeet Brar (Burrows):** Madam Speaker, a case of avian flu was recently discovered in a commercial

poultry flock in Manitoba. This one case resulted in the culling of 7,000 chickens.

Manitoba poultry owners are concerned about the safety of their flocks. They want to know that this government is taking actions to make sure avian flu doesn't spread any further.

Can the minister outline the steps that are being taken to contain the spread?

**Hon. Derek Johnson (Minister of Agriculture):** I'd like to thank the member opposite for the question.

\* (14:40)

This member should know that, through the chief veterinary office, Manitoba Agriculture has initiated preparedness and planning discussions with the regional CFIA office, and has provided an existing provincial avian influenza plan for review with the Canadian Food Inspection Agency. The member should also know that the chief veterinary office is monitoring locations and frequencies of the highly pathogenic avian influenza cases in wild birds and domestic poultry.

I want to thank the chief veterinary office and the Department of Agriculture for their outstanding work on this issue.

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

**Mr. Brar:** Avian flu is spreading in wild bird populations throughout the world. As migratory birds return to Manitoba, there's fear that they will spread the virus to commercial poultry. It's already happened once. Manitobans want to know that their flocks are safe from this virus.

Will the minister provide details on how Manitoban flocks will be protected?

**Mr. Johnson:** I'd like to thank the member opposite for the question, and maybe next time, he'll take me up on the briefing that I offered for him with the department.

The member should know that the avian influenza is a national reportable disease and therefore involves the Canadian Food Inspection Agency and Public Health. Supply managed groups have protocols in place and there are national standards for farm poultry biosecurity. We as a Province oversee these operations; however, once the disease is identified, the federal government takes over. I would like to direct the member to the Government of Canada—to the

website where there is a collection of information on avian influenza.

Once again, I would ask the producers or owners that have concerns with the health of their flock—

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

The time for oral questions has expired.

Petitions? Seeing no petitions, grievances?

## ORDERS OF THE DAY

*(Continued)*

### GOVERNMENT BUSINESS

#### House Business

**Hon. Kelvin Goertzen (Government House Leader):** On House Business, first an announcement. Pursuant to rule 33(11), I'm announcing that the private member's resolution be considered on the next Tuesday of private member's business will be the one put forward by the honourable member for Tyndall Park (Ms. Lamoureux). The title of the resolution is: Calling on the Provincial Government to Increase Investment to School Nutrition Programs.

**Madam Speaker:** It has been announced that the private member's resolution to be considered on the next Tuesday of private member's business will be one put forward by the honourable member for Tyndall Park. The title of the resolution is: Calling on the Provincial Government to Increase Investment to School Nutrition Programs.

\* \* \*

**Hon. Kelvin Goertzen (Government House Leader):** Could you please call for second reading debate this afternoon bills 33, 34, 2, 21 and 30, and then resume second reading debate on bills 7, 8 and 16.

**Madam Speaker:** This afternoon, the House will be resuming consideration of second reading of specified government bills. As a reminder, limited debates will be taking place in accordance with rule 2(10), with the exception that after each debate concludes, the speaker shall put the question on the bill under consideration.

For government specified bills that require the second reading motion to be moved, the minister responsible will move the second reading motion and then speak for up to 10 minutes. A question period of up to 15-minute question period will be held, after which the official opposition critic and the independent Liberals are entitled to speak for up to 10 minutes

each. Once these steps are completed, the question will be put on the reading—second reading motion for that bill. The bills in this category include bills 33, 34, 2, 21 and 30.

For specified government bills that have already started the second reading process, the House will deal with the remaining actions that are required to ensure that the question period is finished and the official opposition critic and the independent members have the opportunity to speak up to 10 minutes each, if they have not already done so. Following this, the question will be put on each bill individually.

The bills in this category are Bill 7, with the independent Liberals getting the opportunity to speak for 10 minutes; Bill 8, the official opposition critic, the honourable member for St. Johns (Ms. Fontaine), has eight minutes remaining, followed by the independent Liberals for 10 minutes each; Bill 16, the honourable members for River Heights (Mr. Gerrard) and for Tyndall Park (Ms. Lamoureux) will have the opportunity to speak for 10 minutes each.

The House is to sit until midnight with points of order and matters of privilege to be deferred until all questions have been put. At midnight, there is to be no further debate. At that time, second reading motions will be moved and the question put immediately, without debate, and the bells can ring for more—no more than one minute on each question.

**Mr. Goertzen:** As the result of a scheduling conflict, despite all of what you just said, I look forward to yielding the floor to the honourable minister responsible for municipal affairs.

### SECOND READINGS

#### Bill 33—The Municipal Assessment Amendment and Municipal Board Amendment Act

**Madam Speaker:** Okay, I will now call second reading of Bill 33, The Municipal Assessment Amendment and Municipal Board Amendment Act.

**Hon. Eileen Clarke (Minister of Municipal Relations):** I move, seconded by the Minister of Education and Early Childhood Learning (Mr. Ewasko), that Bill 33, the municipal assessment amendment and municipal board amendment, be read a second time and referred to a committee of this House.

His Honour the Administrator has been advised of the bill, and I table this message.

**Madam Speaker:** It has been moved by the honourable Minister of Municipal Relations, seconded by the honourable Minister for Education and Early Childhood Learning, that Bill 33, The Municipal Assessment Amendment and Municipal Board Amendment Act, be now read a second time and be referred to a committee of this House.

His Honour the Administrator has been advised of the bill, and the message has been tabled.

**Ms. Clarke:** Bill thirty-three modernizes how Manitobans are able to access their property assessment notices. It allows municipalities to improve access to assessment roll information, and it supports the Municipal Board in scoping and managing planning appeals.

Department officials and I have had the opportunity to meet with the municipal and industry stakeholders to share ideas and collaborate on a path forward to enhance planning and development in Manitoba. I'd like to take this opportunity to thank the numerous stakeholders and the Manitobans who have participated in engagements and discussions that ultimately led to the development of this legislation.

This bill enhances assessability and transparency of assessment information, and it improves client services for the property owners. This legislation will allow assessment notices to be sent electronically and enable municipalities to share assessment roll information online. Enabling property owners to access their assessment notices and assessment rolls electronically will bring Manitoba in line with current customer service standards already adopted by other jurisdictions, as well as private companies.

Bill 33 also supports and clarifies the enhanced authority of the Municipal Board to scope and manage planning appeals effectively and efficiently. Bill 33 will further support the successful implementation of planning appeals under the planning amendment of the City of Winnipeg Charter Amendment Act, proclaimed October 29th of 2021.

First, Madam Speaker, I will address the amendments we are proposing in The Municipal Assessment Act.

Currently, in Manitoba, all property owners receive their notice of assessment via mail, with no option to receive it electronically. Manitoba prints and mails assessment notices for property owners outside of the city of Winnipeg.

Our proposed legislative changes will enable electronic assessment notices to be sent to the property owners. For example, it enables the City of Winnipeg to send electronic assessment notices, should they choose to in the future.

And, I'm pleased to announce that, effective later this spring, people in all other municipalities will have this option—or, pardon me, opportunity to sign up to receive electronic assessment notices through my department's new initiative, mypropertyMB.

An electronic assessment notice will replace paper notices if Manitobans opt in to receive this electronic notice. Property owners will be able to access and save electronic version of their notice in a place that's convenient for them.

\* (14:50)

Migrating property owners to electronic services, along with the reduction in the print services offered, represents a significant opportunity to improve client service and information accessibility for property owners. It also presents an opportunity for cost savings and reduce the Province's environmental footprint.

Legislation currently requires the 'assessment' roll to be available in a municipal office during office hours, implying that citizens are required to visit municipal offices to view their assessment rolls. These legislative amendments will enable municipalities to also provide online access to their assessment rolls so citizens could view them at a place and a time that is convenient for them. Certain personal identifying information of property owners will be removed from roll information before it is shared online. The proposed legislation aligns with our department's objectives of enhancing transparency and client services.

Now, Madam Speaker, I'd like to turn to the proposed changes to The Municipal Board Act. We have been listening to stakeholders. The input we received from the Association of Manitoba Municipalities, the public and other stakeholders has helped shape these amendments.

Planning appeals are fundamental to open and fair planning systems and are necessary for upholding transparent and accountable decisions. The proposed amendments will streamline processes, improve transparency and ensure timely resolutions for planning appeals with the Municipal Board moving forward.

Bill 33 gives clear authority to the Municipal Board to work with parties to use effective and mutually beneficial alternatives to more costly and time-consuming public hearings. If both parties to an appeal agree to engage in mediation—mediation, such as a case management rather than a hearing, they will have a maximum of 60 days to reach that mutual agreement. This timeline will allow the Municipal Board to allocate sufficient time for parties to meaningfully engage in consensus building. To streamline the planning appeals process further, appellants will be required to state grounds for their appeal in their initial filing with the board. This will improve transparency and accountability while helping to narrow and limit the scope and the extent of future appeals to the board.

The Municipal Board will also have the authority to dismiss appeals for reasons written in legislation. The board may dismiss an appeal at any point prior to the hearing with written notification for reasons such as subject matter that is frivolous or not within the board's jurisdiction. Appellants then in turn must be provided an opportunity to be heard by the board as to the dismissal.

The amendments we are proposing provide a consistent framework for the planning application and the appeal process. Municipalities and planning districts will continue to exercise their authority in establishing local bylaws, standards and requirements.

Overall, I have to say that I am pleased with this legislation, that it delivers on our government's commitments to improve client services, reduce costs and streamline planning processes.

Thank you, Madam Speaker.

### Questions

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

**Mr. Matt Wiebe (Concordia):** I suppose my first question maybe should just be to give the minister a chance to catch her breath. I appreciate her rushing in to ensure that she's here for this part of the process in terms of Bill 33.

The question I have is: This bill allows permit notices and other documents to be sent electronically and to determine when such notices and documents are considered to be received. How will this work for those who have limited access to email?

**Hon. Eileen Clarke (Minister of Municipal Relations):** I thank my critic for the question, and I also at this time want to thank him for being at AMM last week. It was good to know that our government as a whole was well represented there, and I know that it was appreciated by all who attended.

And in regards to the electronic process here, we realize it's going to take time to transition and that there is limited access, of course, with Internet across our province, but that's why there is an option for that mail—still to get the mail-in notice of assessment, but it will take time to transition as more and more come—more familiar with the process.

**Hon. Jon Gerrard (River Heights):** I notice that the—for those notices which come in by mail, that it's deemed to be received on the third day after the notice or document is mailed. My experience in rural Manitoba is that very often people don't get mail for a week, and I—this seems quick when we're working in a lot of rural Manitoba and some fairly remote regions. I wonder if the minister would comment.

**Ms. Clarke:** I'd like to acknowledge that the member opposite has a very good point.

I—living in a rural area, I certainly do recognize that mail—receiving mail in three days is virtually, probably non-existent even when you pay extra mail—postage for it to happen. So I have made note of that and I will certainly take that back.

Thank you.

**Mr. Wiebe:** Well, it seems like the member for River Heights and I are on the same page, so I appreciate him expediting the process of getting to the point I was trying to make.

I guess I wanted to just ask a little bit about the consultation process with regards to this bill. Obviously, there were a lot of concerns around bill 37, you know, not least of which from the association Manitoba municipalities. I know that this bill tries to address some of those concerns.

Can the minister talk about the process that was undertaken to consult with the AMM and others?

**Ms. Clarke:** Again, a good point taken.

I'm—I find comfort in the fact that—when I was aware that there is a table, a group table that has been working not only on bill 37, which has now been passed, but also on the next phases.

This is a process. I mean, this was introduced in 2019. We're now in 2022, so this isn't anything that's happening at lightning speed. And we do have what I would consider a very professional and knowledgeable group of people that are on this working table that are literally from government, from municipal and the department—

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

**Mr. Gerrard:** Yes, also, following up on what I raised earlier, but this time with the email.

I note that the email is deemed to be received on the date that the electronic communication is sent. Now, not everybody looks at their email every five minutes or even every day, and it seems to me that, particularly, there will be people who look at their email perhaps only during the working week, or perhaps only on weekends.

But I would suggest that that be changed to the day—the next working day after it is sent—

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

**Ms. Clarke:** I agree probably not everybody looks at their email every day, and I don't know that's it's expedient that they have to look at every document as soon as they receive it every day. I don't know how most people do their business, but I'm—like, I hear my colleague say, I'm 'len' my Internet probably several times a day from early—early, early morning until late night.

So I think the fact that it is sitting there, it is upon the due diligence of the person receiving it to check emails if they're expecting other documents.

**Mr. Wiebe:** Before I ask my next question, I just want to ensure that the minister is clear that the reason why this bill didn't move through at lightning speed, as she called it, was because of the work of the official opposition in holding up and stopping that piece of terrible legislation along with so many others. So I'm glad that she's on board with that, and appreciates now how important it was for us to do that and to hold up that piece of legislation.

I'd like to ask the minister, what is accomplished by giving the board the power to dismiss a hearing without hear—sorry, dismiss a matter without hearing

in certain circumstances, and what protections are there for those who do wish to have a hearing?

\* (15:00)

**Ms. Clarke:** I think any of us that have worked in any capacity of the municipalities or planning or bylaws would certainly understand what frivolous means. There are certain issues that come forward that need some type of mediation or an appeal where you can clearly understand, just by reading it, that it's either personal conflict or something. It would have to be very clear if it was going to be dismissed in that respect.

**Mr. Gerrard:** Madam Speaker, we live in a world where, increasingly, we are—have to deal with hacking and cyber attacks and those sorts of things. As we move into this electronic communication realm, I would ask the minister what measures are being taken with regard to hacking and so on when we're moving into this world for municipalities all over the province, where, in some cases, they may not have the ability to have real, major expertise in dealing with hacking.

**Ms. Clarke:** I think we're talking about an assessment notice here. It's not exactly the most critical, although, you know, we all want to receive our assessments and there's plenty of time to receive the assessments. But, you know, to start talking about cyber attacks, et cetera, over an assessment being sent electronically—I think, if there is such an attack, it would affect a lot more than just assessment rolls being sent out.

**Mr. Wiebe:** This bill, obviously, makes changes that impact the municipal assessment board. Likewise, Bill 24 was another bill that this government was attempting to pass in this session. We've held that bill up with the intent to allow municipalities more time to get briefed and get more information.

Can the minister talk about the relationship between this bill and Bill 24 and how that might impact municipalities?

**Ms. Clarke:** This bill stands alone. I mean, this is part of bill 37—it's a continuation. It's a bill that is part of the process to modernize our planning, work more regionally and move our province forward.

When you look back, and when we're talking about the Municipal Board, the member opposite heard this week, too, when we took over in 2016, we were nine years behind in assessment appeals—two hundred—2,243 cases. That's not the case anymore. So, I mean, the fact that we're actually doing the work—

and that is partially why it's taking a little bit longer, is because we're—we had to catch up to get going fresh.

**Mr. Gerrard:** Yes, switching to an electronic world where all this information is flowing electronically means that people are going to have to be on top of their computers and make sure that they're working all the time. Some communities will have people who are expert in making sure that computers can be repaired rapidly, but others may not.

Will the process take into account the fact that, in some cases, people will not get notices because their computer is not working?

**Ms. Clarke:** I'm probably one of the most electronically challenged people that there is in the room right now, but I do get certain amount of my bills electronically every month.

And I think for those who are choosing—you get the choice to have this done electronically; you have a choice to get it by mail—and if you're choosing to get it electronically, you know when they're coming and you can be watching for it if you're really, you know, that anxious to get it, as such. But it's the way of our world, working more quickly, and this is still just an option.

**Mr. Wiebe:** Well, the minister admits that this is a continuation of bill 37 which, I would remind her, is still universally criticized by municipalities across the province. And, you know, one of the fundamental concerns that those municipalities had was with regards to their democratic autonomy.

So I'm asking the minister: What in this bill addresses the concerns that Manitoba municipalities have with regards to their autonomy and their democratic right to choose for their ratepayers?

**Ms. Clarke:** Of course, the regulations for bill 37 are still being worked on. The AMM, for instance, has membership or staff sitting on this working table. They meet on a regular basis. They are going to continue to meet on a regular basis. This is a living document. We will keep working at it. They have every opportunity as do the industry to bring forward any concerns that they have. It will be just worked with until—is there going to be changes along the way? Of course there is. And there is a review every three years.

**Mr. Gerrard:** Yes, I'd like to ask the minister whether she's considered, given that there may be issues or glitches, to have a transition period of six months or a

year where there's a little bit more leniency if there are glitches in dealing with these matters.

**Madam Speaker:** The honourable member for—the honourable Minister for Municipal Relations.

**Ms. Clarke:** And, of course, I think having worked as a businessperson with government in the past, whether it was sales tax or anything, I always found most government departments were very understanding, especially when there's a new process and people are learning. I would imagine that there would be a lot of understanding if there's extra instructions required or anything of that sort.

**Mr. Wiebe:** Of course, one of the arguments against bill 37 was that this government, rather than looking at the experience of other provinces and learning from those other jurisdictions, they were, you know, sort of repeating some of those same mistakes that other jurisdictions undertook.

How does this bill address some of those concerns, and how does it contrast to other jurisdictions and their similar legislation?

**Ms. Clarke:** Although the member indicates that we have not learned from others in other jurisdictions, we certainly have. And I guess the big—best part of it all is most other cities across Canada have transitioned to this, and we have taken the best practices of everybody else and are designing Manitoba's. It's a made-in-Manitoba transition, and I think they have actually done a very good job working on it to this point.

**Madam Speaker:** Are there any further questions?

### Debate

**Madam Speaker:** If there are no further questions, the floor is open for debate.

**Mr. Matt Wiebe (Concordia):** I appreciate the opportunity to rise and put a few words on the record with regards to Bill 33, and as the minister mentioned in her opening comments, or I guess in one of the answers to the questions, we did have an opportunity to be together in Brandon last week to hear directly from municipalities from across the province.

I think if I remember hearing correctly, somewhere north of 400, 500 delegates, 600 delegates who were present in Brandon. It was fantastic to be together with those elected officials in person again, Madam Speaker, and in a much more relaxed way even than we had been able to just this last fall.

So it was very much appreciated on my part, and I commend the minister for making herself available

to those municipalities, and I do believe taking the time to make herself available to put on the words—her words on the record, so to speak, in terms of the convention of what their government sees as priorities.

But, you know, I know that the minister would have heard the same things I heard, which were, I mean, first of all, a fundamental disappointment in this government in terms of their funding and their support of local government.

But with regards to bill 37, this is still an issue that is live and is certainly an issue that municipalities wanted—made sure to pull me aside in the convention hall or while I was walking through the hallways, to ensure I knew just how detrimental bill 37 will continue to be on their municipalities.

*Mr. Andrew Micklefield, Deputy Speaker, in the Chair*  
\* (15:10)

You know, we've been accused many times as an opposition of fear mongering, and, you know, even now we hear members opposite say, don't worry, just trust us, this time it's different. Bill 37, you know—well, I guess I should say let's back up a little bit, because it was actually bill 48, originally, that we halted in its tracks when the government was saying, don't worry, just trust us. Municipalities said, we had no consultation on this legislation, this was terrible legislation and very concerning to us. We stood up, you know, and it wasn't without some backlash. Members opposite said, well, you know, this is—we need to get this legislation moving forward; it has to be done. Course, we know that was because of the premier's timeline to get out and run far away from this sinking ship.

But we held it up, and we made sure that Manitoba municipalities had that opportunity to look at this legislation and to consult and talk to the government, and they did. They did the heavy lifting. They went in and made sure the minister knew exactly how bad this legislation was going to be in terms of affecting their local autonomy and their democratic right as local elected officials. But also to address those issues around red tape, around, you know, possibly, situations where, you know, different cases were brought forward that were not substantial and would tie up the process—would actually make things less efficient for these municipalities, put a lot of the burden—the administrative burden—back onto municipalities.

This was part of their message that we brought forward as an official opposition, and, of course, then

the government came back and said, well, just trust us again; here's bill 37.

Now, of course, the government is the government, and they get to push through and ram through any legislation that they see fit, and so, of course, they did. They did exactly that, despite the concerns of municipalities across the province, and I want to make that very clear, Mr. Deputy Speaker.

You know, as much as this is an issue affecting metro Winnipeg and some of the municipalities surrounding, and they have very specific concerns with regards to this legislation, we know that this is a concern across the province. And when I was able to visit—in many cases virtually, but visit those municipalities, we heard over and over again that bill 37 was just a copy of bill 48 and that we were going to run into some of the same problems.

So fast-forward here to this bill today, Bill 33. And what we know is, is that the government, again, is continuing to backtrack, is trying to run away from its record of trying to jam this legislation through, and they are trying to make sure that some of the exact same issues that we said municipalities had with their original legislation would come to pass. They are trying to backtrack, and they're trying to say, well, now—it's better, and now, just trust us.

Well, again, we were at AMM. I certainly heard it. I know the minister—well, you know, she heard it; did she listen? I'm not sure.

But the point was is that municipalities were loud and clear saying that this was—this is, again, legislation that doesn't actually—it doesn't actually address the issue that they're having with regards to their local autonomy and their ability to have a say when it comes to, you know, proposed development, et cetera.

This piece of legislation does make some, again, administrative changes. It does allow for electronic documents, which, you know—this is like a suite of legislation that's coming forward now from this government that's basically saying, okay, you know, it's now 2022, and we're going to catch up. You know, I'd call that housekeeping at best, but, you know, I'll give it—I'll give the government their due. Absolutely, let's move into the future when it comes to the ability to communicate with ratepayers—in this case, municipalities. Let's have their ability to be more efficient in their process and with the municipal board.

But, again, this is not the groundbreaking stuff that maybe the minister wants people to believe. This

doesn't address the fundamental issues that municipalities have with bill 37. And so as they muddle their way through this and continue to change or amend or bring forward legislation—including, as I said, Bill 24, which, you know, I was hoping the minister would give some insight into why they would bring forward a piece of legislation for second reading without even having briefed the—and spoken to in a full, kind of comprehensive way those municipalities who are going to be affected.

And, you know, I don't know know if the AMM has been briefed but I will tell you that municipalities around the province are reaching out to us to say, we're concerned.

So we're, you know, we're happy to, once again, hold up legislation, give them an opportunity to be briefed, not just the AMM but, you know, anyone else that needs that information, and we want to work with them to make sure that their concerns are once again heard, because as we're moving forward under this new regime that's been installed under bill 37 we have to ensure that we get the details right because we don't want things to be hung up in the—at the Municipal Board.

We certainly don't want the voices of local residents to be drowned out by a board—an unelected board that has no accountability and no, you know, no reason to listen to the concerns of citizens—really is just singularly focused and is focused in a way that is, you know, at the end of the day, ultimately, you know, pushed forward or controlled by the minister of municipal affairs and the Cabinet and, in this case, the Premier (Mrs. Stefanson). So we have some serious concerns with this.

That being said, Mr. Deputy Speaker, I will say that as part of our Manitoba process, you know, this is now going to pass today—second reading—and I look forward to now listening to those municipalities who are going to come forward, who are going to give us their best advice, who are going to talk about the issues that they've had with the Municipal Board, how this legislation is going to either help or hurt them in terms of their administration burden and creating more red tape. And I look forward to hearing from them and taking that advice forward.

What I'd ask of the government, and I do hope that they are listening, that they would consider, if there are amendments, if there are changes that need to be made, that they would listen to those. Again, you know, the minister, in her answers today, seemed to take, you know, take some notes and be willing to

work with us, so I think that's a good indication of where we might land, but it is important now to follow through on that.

And we're going to like to listen to municipalities, who are then going to make sure that the government gets the message loud and clear. And as the—as we move forward through this process again—Bill 24, other pieces of legislation that are before the Legislature now that will, you know, that will impact this process, and any new ones that are coming down the line, because I would imagine there's more to come from this government—we want to make sure that we're doing our due diligence, holding up any bills that have significant concerns out in the community and really bringing those voices forward. I think that's an important role that we can play as an official opposition. And again, with a government that might actually listen, we could make some positive changes.

So, I look forward to seeing this legislation moved to the second reading process and public hearings.

Thank you, Mr. Deputy Speaker.

**Hon. Jon Gerrard (River Heights):** This bill brings in the potential for use of electronic communications widely in rural Manitoba. It enables assessment information to come online and it permits documents of varied natures to be sent electronically.

These are positive moves and certainly ones which we're ready to support. The concerns that we have are on the transition from where we are now to where we want to go, where more and more is done and available and working well electronically.

We're concerned that the timelines, whether it is for mail or whether it is for electronic communications, are not made too tight. In part, this is because, although an assessment notice may not have a quick timeline, very often these timelines will then be used for other things which may, indeed, have quicker required turnaround times for people. And we think that when you're setting up a system which is going to be used widely, electronically, that it's important to have different purposes for that system working in a similar way and a similar timeline in terms of when mail and when electronic communications are deemed as being received because people will remember that better if there is a consistent timeline for having accepted that an email has been received.

\* (15:20)



We also think that, particularly in rural areas, and this is an assessment for outside of Winnipeg, that there are considerations in terms of computers not working, in terms of people being hacked, et cetera, that it's important to have a transition period we suspect of about a year. And in that transition period, there will be more leniency.

Now, it is good that the minister has put on record her expectation that there would be leniency because that will—comments on record here in Hansard can then be used for people who are trying to deal with an electronic communication and having some problems in the early phase of this procedure.

So, with those comments, I look forward to this moving on to committee stage and whatever comments or discussions that people will have, and for this change to be made for rural Manitoba, which will actually bring what happens outside of Winnipeg closer to what is being done in Winnipeg, which will be a good thing and a good alignment.

So, thank you. Merci. Miigwech.

**Mr. Deputy Speaker:** The question before the House is second reading of Bill 33, The Municipal Assessment Amendment and Municipal Board Amendment Act.

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

#### **Bill 34—The City of Winnipeg Charter Amendment and Planning Amendment Act**

**Mr. Deputy Speaker:** We now move to Bill 34, The City of Winnipeg Charter Amendment and Planning Amendment Act.

**Hon. Eileen Clarke (Minister of Municipal Relations):** I move, seconded by the Minister of Transportation and Infrastructure (Mr. Piwniuk), that Bill 34, The City of Winnipeg Charter Amendment and Planning Amendment Act, be now read a second time and be referred to a committee of this House.

#### ***Motion presented.***

**Ms. Clarke:** Bill 34 will amend The City of Winnipeg Charter and The Planning Act to streamline land-use planning, reduce red tape and modernize building inspection processes. This bill is a priority for the govern of Manitoba and supports key recommendations of the 2019 Treasury Board review of Planning, Zoning and Permitting in Manitoba, and it builds on previous legislative changes under the planning amendment and City of Winnipeg Charter

amendment act that was passed May 20, 2021, previously known as bill 37.

We have been listening to stakeholders. The input we received from the Association of Manitoba Municipalities, the public and other stakeholders such as professional planners and the development industry has helped shape this legislation.

I'd like to take this opportunity to thank the numerous stakeholders for their feedback and working with our government to improve and modernize processes in Manitoba.

Ensuring municipal governments make decisions on planning applications with consistent timelines across the province provides greater certainty needed for development and investment. Now, more than ever, this is critical to support recovery efforts from the challenges created by COVID-19.

Bill 34 compliments and clarifies existing timelines in The City of Winnipeg Charter and The Planning Act, including requiring planning authorities to determine whether a planning application is complete or not within 20 days and move it through their processes, and reducing the timelines to file an appeal to the Municipal Board on subdivisions, aggregate quarries and large-scale livestock operations from 30 days to 14 days under The Planning Act to align with other appeal timelines. This ensures that any appeal is identified early.

In response to stakeholder feedback, the bill also aligns the timelines on planning applications in the legislation to be extended with the agreement of the parties.

This bill also gives planning authorities the ability to hold combined hearings on two or more planning applications, further streamlining timelines.

Another important feature of Bill 34 is that it creates greater clarity and transparency around secondary plan processes within the City of Winnipeg. Bill 34 provides legal framework for the City of Winnipeg to implement its secondary plan policies as outlined in the proposed Complete Communities 2.0 plan. Under this legislation, the City can only require an applicant to prepare a secondary plan if it has adopted a bylaw that sets consistent rules on when a secondary plan is required and what the requirements actually are.

This brings added transparency and 'consistency' to this important tool, and the bill brings secondary plans into alignment with other planning processes by establishing timelines and giving applicants the right

to appeal missed timelines and council decisions on applicant-prepared secondary plans to the Municipal Board.

Bill 34 also reduces red tape for the city of Winnipeg property owners as well as the court system. Amendments will remove outdated need to annually audit Winnipeg's Sinking Fund Trustees twice. They will also reduce red tape around property removal and demolition on land and tax arrears by removing the requirement for one step of what used to be a two-step process. These changes align with the work of the City of Winnipeg-government of Manitoba collaboration tables subcommittee on the City of Winnipeg Charter that continuous to find ways to reduce red tape and remove out-improve outcomes.

Bill 34 also amends the City of Winnipeg Charter act to create a new definition of designated official to enable the City of Winnipeg to choose either a designated employee or designated official to conduct building and fire inspections. This means the City of Winnipeg will have the same ability to engage third parties in inspections as already exists in other municipalities that choose to do it in the rest of Manitoba.

The Province of Manitoba is taking responsibility to ensure that the regulatory processes in our province operate in efficient, transparent and consistent manner and achieve the desired outcomes. These changes to the City of Winnipeg Charter and The Planning Act deliver on our government's commitment to modernize and streamline planning processes and reduce red tape, an unnecessary administrative burden on Manitobans and key stakeholders.

I am confident that Bill 34 will support economic growth and ensure Manitoba remains competitive and attractive for business and job growth.

And, finally, before I close, I would like to take this opportunity to recognize Mike Teillet and his 'contributions' to the land-use planning fields over the last 45 years, including 30 years with the government of Manitoba through various government administrations. After officially retiring from the Province of Manitoba in 2007, Mike returned to government in 2019 to provide leadership on a number of strategic projects, including this work in improving our approach to planning.

Mike has been a leader in the field of land use planning and has continuously demonstrated both a professional and a personal commitment to building vibrant, healthy and safe communities across our province.

I want to thank Mike for his service to Manitobans and wish him well as he embarks on a new chapter, and I want to thank him for taking a great deal of time briefing me and getting me up to speed.

Thank you, Mr. Deputy Speaker.

### Questions

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

**Mr. Matt Wiebe (Concordia):** One of the most surprising parts of the process of bill 37 was how developers came to committee here in the Legislature to speak out about that bill and some of the issues that they had with it.

\* (15:30)

Can the minister talk about the consultations that she undertook, specifically with who, with regards to Bill 34?

**Hon. Eileen Clarke (Minister of Municipal Relations):** Well, I thank the member opposite for the question.

When he talks about municipalities be very unhappy with these bills in particular, I found quite the opposite last week after sitting down and taking the time to discuss, you know, what was happening, where we've been, what we're doing, where we plan to go.

Very often it was, you know, this is complicated, this has changed, I don't know that I fully understand it. And it was—that's why it was so great to have that opportunity, one-on-one, to discuss their concerns and clarify what they weren't understanding. We have 137 municipalities across this province and that's a lot of councils to deal with—

**Mr. Deputy Speaker:** The minister's time has expired.

**Hon. Jon Gerrard (River Heights):** Yes, one of the aspects or one of the facts which is going to be important in interpreting this is the definition of a secondary plan.

Now, I gather the secondary plan can be a specific neighbourhood or region, or part of a city like Winnipeg.

How big or how small can that be, that you could have a secondary plan? Can it be a house, or has it got to be a block? Or is it—you know, what's the size of the—a unit that would be a secondary plan?

**Ms. Clarke:** I would say to the member opposite, when we're talking a secondary plan, that is a plan that is specific to a given area that makes them unique from the greater regional group. And in secondary planning it can be—I will not give a definition of what type of structure, whether it's a single unit or a multi-, you know, family unit, but it is something that is unique to that particular area of planning.

**Mr. Wiebe:** Well, again, you know, the minister is talking about the concern that municipalities have, and certainly there's no question that they did. You know, that's why they came to committee with concerns around bill 37.

I guess what I'm asking is, though, with regards to developers, that was one of the most surprising elements of that process, was that developers came to this Legislature and were concerned. Now, these included some of the developers who sat on the working group that the minister had established.

So I'm asking her, who is on that working group now and which developers is she consulting with on this legislation?

**Ms. Clarke:** Mr. Deputy Speaker, I'm not going to name the developers by name. There were several of them and I have met with them, specifically since I've been in this office, the past three months. And I've got some of the comments here that they left with me, and it was in the past. They have walked away because they got lost in the process.

They have indicated that our economy was stalled, the way things were. There was no accountability. They had to go to too many different offices. There was too much red tape. And they indicated that, by what we're doing by improving the economic development practices based on what's being done here in Canada and globally, with positive results for residential and other development, we are on the right track. And that was their words.

**Mr. Gerrard:** To the minister: This legislation would decrease the timeline for an appeal to the Municipal Board from 30 days to 14 days.

What sort of public awareness is the minister going to carry out so that she can be assured that there will be widespread awareness of this change once the bill is passed?

**Ms. Clarke:** The member opposite has a good point. This is a lot of change, and there is going to be a lot of communication required.

We're already working on the communication strategy, and I have to say, like, by attending events as AMM. They have June district meetings coming up in June that covers seven different regions across the province. There will be a lot of work done to communicate in a very effective manner. I've made it very aware to all the different stakeholders that I will be expecting strong communication and strong transparency.

**Mr. Wiebe:** Well, I'm concerned that the minister won't, you know, divulge who she's consulting with because, you know, as I said, it was quite striking to hear from those developers. But specifically, you know, some of these changes are very favourable to the work that they—and the concerns that they had.

So, why she wouldn't put that information on the record, I'm not quite sure. You know, and I know in other cases, ministers have agreed to bring that information forward at committee stage or whatever, so I'd just, you know, open that back up for her.

Concern is with regards to the timelines for application processing, which can be extended with agreement of the applicant. Can they also be extended with agreement from the municipality or the planning—

**Mr. Deputy Speaker:** The member's time has expired.

**Ms. Clarke:** I thank the member opposite for that question, and I'm going to share a few more comments that I've received in the meetings that I've had coming to today.

The thing about this is now we will have all levels of government working on the same page. This doesn't create a new level of government. It's regional planning, and that's where we want to be. It will build a sustainable foundation for future successes, and we're already well on the way to that.

**Mr. Gerrard:** I notice that in clause 50 it's stated that, beginning a review of the development plan, council must consult with the capital planning region.

As this, I believe, deals with the City of Winnipeg, can you—the minister explain what the consultation with the capital planning region will involve that the City of Winnipeg has to go through?

**Ms. Clarke:** We do not refer to a capital region anymore, it's the Winnipeg Metro Region, which is inclusive of Winnipeg, and I believe it's the 18 stakeholder municipalities. They've been working 'collatabrally' since 2019 and, going forward, there will ultimately be a board struck within the Winnipeg Metro Region for this planning.

**Mr. Wiebe:** Can the minister talk about the changes that are being made to The CentrePort Canada Act and the impact that this bill will have on that particular bill—or, act, I should say.

**Ms. Clarke:** With CentrePort explicitly, there's a lot of ongoing discussion with CentrePort, and we look forward to further deliberations with them. They, of course, are in this, in the RM of Rosser, and Rosser is very committed to this process going forward.

So, those are the stakeholders that we are been meeting with, and we will continue to—in those deliberations.

**Mr. Gerrard:** To the minister: This clause 50 specifically specifies the capital planning region, and what I believe the minister was saying, that this consultation would have to go to the board of these 18 municipality—is that right?

**Ms. Clarke:** I don't have a copy of the act in front of me that the member is referring to, but I will take it into consideration, and I will look up that and get back to you.

**Mr. Wiebe:** You know that this bill proposes to extend the expiry date of approved variances, which may now be extended for up to three years.

Can the minister talk about the impact that that might have on municipalities and, again, their ability to make decisions about land use within their jurisdictions?

\* (15:40)

**Ms. Clarke:** Again, if the member opposite wants to talk about extended timelines, I think the fact that, you know, we've been cleaning up a mess of appeals and hearings that were nine years in the waiting when people got frustrated and left. Everything about this streamlines the process, it reduces red tape and it cuts that way down so that we can attract these investors that want to come to Manitoba, regardless of whether

it's in the metro region or in the city of Winnipeg, and we look forward to that.

**Mr. Gerrard:** Yes, part of this legislation provides that individuals who are not employees of the City of Winnipeg can be appointed to act as inspectors and issue orders on behalf of the City of Winnipeg. Basically, it's contracting out services.

What precautions will be taken to make sure that there's not conflict of interest between the organization or individual who's contracting out and the building or individual or operation which is being inspected?

**Ms. Clarke:** The practice of hiring an outside inspector rather than a City employee or a municipal employee, that's been long-standing across the whole province of Manitoba. I actually dealt with that as a mayor, and when there is a conflict, there is usually an alternative inspector that will go. They make their conflict known ahead of time and that is something that we deal with as a municipality or we dealt with as a municipality, but there's always options.

**Mr. Wiebe:** Well, again, it's nice, Mr. Deputy Speaker, when the member for River Heights (Mr. Gerrard) and I are on the same page in terms of questions that we need to ask here today.

The question I have is with regards to consultation with the City of Winnipeg. Obviously, this provision was borne from quite a contentious relationship between the Province and the City. Now, I know that the government is saying that there's—things are different now.

So, I guess I'm just asking, what kind of consultation and feedback did the minister receive from the City of Winnipeg with regards to this?

**Ms. Clarke:** Whatever the past was is the past, and actually the consultation and the planning staff, as well as other staff from the City of Winnipeg that are at the collaboration table, have been a part of this process right from the beginning.

And I have to say, in meeting with the collaboration table, which I have, I was very pleased to see the working respect within the group as well as the—all the ideas that were coming forward. It was a very respectful group and the dialogue was very positive.

**Mr. Gerrard:** Yes, Mr. Speaker, I note that part of this bill deals with the fact that the City of Winnipeg can serve certain compliance orders and demolition orders by a substitutional service, and I wonder if the

minister could clarify what would be involved in a substitutional service and how it would be chosen?

**Ms. Clarke:** That was one of the most contentious items with the City of Winnipeg was demolitions, and often they had to go for years and years before they could do a demolition. This process is going to streamline this and consequently, they will have more properties. As you know, they're very short of property in the City of Winnipeg right within the general area, and this way they can have older properties that are derelict or where there's nobody living, they can have them removed more quickly.

**Mr. Wiebe:** So, just to be clear, not to put too fine a point on it, but I just want to be clear that the minister is saying unequivocally that the City of Winnipeg is approving of the idea of individuals who are not employees of the city who could be appointed to act as inspectors and issue orders to remedy contraventions.

She's had discussions with the City and they're in one hundred per cent support of this part of the bill?

**Ms. Clarke:** I'll make it very clear to the member opposite: I do not sit at that collaboration table. They are professional people who deal with planning, who deal with regulations. I am not a part of that table. I am the minister and they bring these forward, so thank you very much for the question.

**Mr. Deputy Speaker:** The time for questions has expired.

### Debate

**Mr. Deputy Speaker:** The floor is open for debate.

**Mr. Matt Wiebe (Concordia):** Thank you very much, Mr. Deputy Speaker, and thank you again to the minister for taking the time to answer some of these questions. I do think that's its important part of the process, and I do hope that we do get more information as we go forward.

You know, similar to the comments that I made with regards to the last bill, you know, here we go again. This is sort of trying to, you know, plug up the holes in the dike, so to speak, with regards to the issues around bill 37.

And in this case the, you know, these—many of the issues that were identified by the City of Winnipeg are contained in here, but many are not. And many, in fact, are simply furthered, and the intent of bill 37 remains in that it takes the control away from the democratically elected folks here in the city of Winnipeg and in the metro region and puts it in the

hands of unelected municipal officials. This a big concern, Mr. Deputy Speaker, because this bill does have wide-ranging impacts.

And, you know, as I said, I was quite surprised when I sat down—in fact, I think I made these comments here in the House and shortly after committee for bill 37. We were quite surprised because we knew the municipal officials around the province were very concerned about bill 37. They were concerned about many aspects of it.

But what we weren't quite ready for was for the litany of developers that came through the door. You know, and again, as I said, many who actually sat on the working group—you know, and I recognize this wasn't under this current Minister of Municipal Relations (Ms. Clarke), but the former minister of municipal relations, you know, purported in the House in the same way that this minister does that they were working, you know, so closely with developers and so closely to reduce red tape and to make things more streamlined.

And yet, we had these same developers and officials from that community coming in and saying we aren't being listened to and we're actually very—quite, you know, quite upset with the result of the legislation and the bill that was before us at that point.

So, you know, again, I'm going to take this minister at her—at face value and say, you know, I hope that she is listening to all sides in this debate. But the concerns remain, and what we've seen now is some of those issues that were brought up by those in the development community have been addressed with this piece of legislation, but we still don't see any kind of acknowledgment of the impact for elected officials and the autonomy that folks have.

We want to ensure, right—so, you know, and this is the—this is sort of the, you know, the fine line that I think needs to be found with regards to legislation like this. We need to ensure that development is happening at a predictable pace, that it's being, you know, it gets the proper attention and resources that is needed to ensure that things move through the process quickly; that, again, municipalities aren't overly burdened with administrative requirements; that they are able to actually do their work but at the same time that the democratic process in our province is adhered to and is respected.

And that, Mr. Deputy Speaker, is where this government continues to fail. And, you know, we—again, I spent time at AMM, you know—I mean, you get the

official, you know, declarations and statements that are put out by officials there. But, of course, the best information that you get is from just spending time on the floor, you know, breaking bread with different municipal officials or just, you know, striking up conversations in the hallways.

And what I heard, surprisingly, over and over again, was that this was still a live issue and that more importantly, there are specific projects that are being, you know, moved forward under this legislation, under bill 37 and subsequently that will be impacted by 34 and 33 that they are very concerned about.

So, you know, I—you know, the minister says it's a new day, we have a great relationship with the City of Winnipeg. I'm looking forward to hearing from them. Now, last time it was the mayor of Winnipeg who came to committee, which I think was unprecedented at the time. I don't think that's ever happened before.

I don't know if we'll get that level of clash here in the Legislature that we had at that point, but I wouldn't be surprised if there are those from the labour community, from the City of Winnipeg, who come forward and say, you know, why would we allow for a contracting out of inspectors to individuals who aren't employees of the City of Winnipeg? I think there's a big concern there.

\* (15:50)

And again, we want to ensure that the City of Winnipeg is able to be responsive, but what we've heard from them over and over again—and again, when we had the mayor of Winnipeg, you know, come virtually, come to the Legislature, you know, I think he made the point very clearly that this is a problem that—and an issue that they want to resolve as well.

So they just want a partner in the provincial government that's working with them, not against them, not creating a political issue where there isn't one. Again, that was the modus operandi of the former premier. But we see hints of it and whiffs of it in questions answered, you know, in this very House that, you know, to blame municipal officials or to say, well, that's their problem. You know, I don't take that—those kind of comments lightly, and I don't think municipal officials across the province do either. So, that's a major concern with regards to this bill.

Of course, the other issue is with regards to secondary plans that can be prepared and submitted by property owners before certain applications are made for—by the owner for adoption or amendment to a

zoning bylaw and approval of a plan of subdivision to be considered. And what we're concerned about here is the timelines for planning these appeals are clarified, may be extended with agreement of the applicant, but it speaks nothing to the concerns of the municipality and their own internal planning process.

And, you know, again, we want to strike that balance, but it is important to listen to the concerns of those municipalities. And if developers are going to just sort of bypass this process, why would they spend any time with the municipality when they could simply go to the Municipal Board and say, well, you see, they've approved it, and you get out of the way. That's not what Manitobans elect their local officials to do.

We know that the manner for giving notice of public hearings concerning a development has been updated. I think that's an important step. And, again, the key changes to The Planning Act is that timelines for application processing and planning appeals are clarified and may be extended with the agreement of the applicant.

The deadline for appeal to the Municipal Board has changed from 30 to 14 days for appeals concerning subdivisions, aggregate quarries and large-scale livestock operations. This is a significant change, Mr. Deputy Speaker, and it really does, you know, put the pressure on those individuals who may have concerns about this but, you know, need to know that they can appeal it, but it has been—the process has been shortened significantly.

We know that the expiry date of those approved variances, as I mentioned, may be extended for up to three years, which can severely impact when a development is proposed, when, you know, no—nothing has moved forward. Again, where the expectation is always on the municipality to be responsive to those kind of requests, but the onus doesn't also fall on those developers to ensure that they're having fair negotiations with regards to these kinds of developments.

Consequential amendments, as I said, were made to The Planning Amendment and City of Winnipeg Charter Amendment Act and The CentrePort Canada Act, important changes that I think we need to be very conscious of, especially when it comes to CentrePort Canada and the impact that we're going to be having on that development because it is an important development.

And again, I—you know, I will take the minister at her word that she's sitting down, or her officials are sitting down, with the RM of Rosser and with the folks

at CentrePort, but this is the kind of relationship that we need to focus—be laser focused on to ensure that we can actually move forward with the development that needs to happen and that, you know, again, the private investment is looking for at CentrePort.

So, you know, fundamentally, Mr. Deputy Speaker, we are hearing from municipalities again that there are many, many concerns with this piece of legislation. We, as an opposition, halted the original legislation, gave municipalities a chance to catch up and to have their say.

Then, when it came to bill 37, this government went right back to their old habits and jammed it through. They're doing everything they can to try to plug up those holes, as I said. But the reality is that they're not dealing with the fundamental issue that municipalities have had, and that is a loss of local control and autonomy.

And we're heading into a municipal election cycle year, Mr. Deputy Speaker, where, you know, to say it was on the minds of many in Brandon when we were there would be an understatement. You know, we want to ensure that when they're going out to their citizens and saying, you know, I want to be elected or re-elected, that their citizens are getting the kind of responsive government that they want. This kind of legislation continuously hampers that. And so we look forward to hearing from committee—

**Mr. Deputy Speaker:** Member's time has expired.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I have several points that I'd like to comment on.

First, I would echo the minister's thank you to Mike Teillet for the work that he did. It's important to acknowledge the individuals who spent a lot of time on efforts like this to make sure that what we're presented with is as good as it can be.

I have several concerns which I would bring forward. The first is that the deadline for appeal to the Municipal Board is changed from 30 days to 14 days. Now, in looking at people who would be making a decision to appeal or not to appeal, that decision might, in part—and what they put forward might depend, in part, on a transcript of the hearing. The transcript of a hearing might take, you know, a day, but it might take a week or it might take 10 days. If it takes 10 days, then a person has only four days from when they get the transcript to when they have to put in an appeal.

So, I have a concern that shrinking this down to 14 days may be problematic in some circumstances.

I look forward to hearing and having a discussion of this at the committee stage because this is very important that we get this right because these are important decisions that are being made.

I have raised questions about the issue of contracting out services and the issue of there being a check 'whin' regard to conflict of interest. I think it's quite important that we make sure that the people who are doing the inspecting are going to be independent with regard to the businesses or homes that they're inspecting. This is really, really important.

I've recently had come to my attention occasions when inspections weren't done properly and at—so, making sure that inspections get done properly can be essential. Now, the issue that was raised with me recently actually 'dealed' with a situation in Ontario, not in Manitoba, but we don't want to end up with the problems which have been discovered elsewhere by not putting in place the appropriate safeguards in relationship to conflict of interest.

Now, I think that, you know, the minister has said that, in general, councils are very good at considering these sorts of issues, and the handling or contracting out of inspections are done with great care. I suspect that this is true in the vast majority of cases.

But I do think that this is an area where there is a special need for caution, and perhaps a special need for looking at, you know, a measure which makes some attempt, at least, to address this issue and reduce the likelihood of conflict of interest being a problem. Because where there are conflicts of interest involved in inspections, you have a set-up for things not being done properly.

And so, we need to make sure that this is avoided. I'm sure that the—any—when the minister was a mayor, that she made sure that this never happened. But I think that it is really important to recognize that not all municipalities have mayors who are—have the integrity of the minister, and that sometimes this can be a problem, and maybe if we are—use some forethought in the design of this legislation, maybe we can do something to prevent problems down the road.

\* (16:00)

I raised the issue of consultation that is required under section—I think it's section 50—with the minister and with the Capital Planning Region, and I think it's important that this process be clear and specific enough that it's understood and that it's carried out, because if it's not clear, then we may get it being interpreted this way or that and end up with a situation

where we don't have the adequate consultation that there should have been.

With those few points or comments, I look forward to this legislation going to committee and, in due course, becoming law.

Thank you.

**Mr. Deputy Speaker:** The question before the House is second reading of Bill 34, The City of Winnipeg Charter Amendment and Planning Amendment Act.

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

I declare the motion carried.

### **Bill 2—The Public Services Sustainability Repeal Act**

**Mr. Deputy Speaker:** We will now move to Bill 2, The Public Services Sustainability Repeal Act.

The honourable minister of labour, conservation—

**An Honourable Member:** Alphabet.

**An Honourable Member:** Just Labour.

**Mr. Deputy Speaker:** Honourable Minister of Labour.

**Hon. Reg Helwer (Minister of Labour, Consumer Protection and Government Services):** I move, seconded by the Minister of Natural Resources and Northern Development (Mr. Fielding), that Bill 2, The Public Services Sustainability Repeal Act, be now read a second time and be referred to a committee of this House.

#### ***Motion presented.***

**Mr. Helwer:** It's—pleased to rise to the—to this bill, to repeal a particular act. We know that it's time to set a new tone and that is a new tone with negotiations with labour, Mr. Acting Deputy Speaker, and I think that's indeed what this does.

As you probably know, the public sector—The Public Services Sustainability Act was introduced and passed in 2017 but was never enforced, and it's time to move on and repeal that particular piece of legislation and set a new tone in our relationships with labour.

Thank you, Mr. Acting Deputy Speaker.

#### **Questions**

**Mr. Deputy Speaker:** A question period of up to 15 minutes will be held. Questions may be addressed

to the minister by any member in the following sequence: first question by the official opposition critic or designate; subsequent questions asked by critics or designates from other recognized opposition parties; subsequent questions asked by each independent member; remaining questions asked by any opposition members, and no question or answer shall exceed 45 seconds.

**MLA Tom Lindsey (Flin Flon):** I guess, to ask questions about the bill that never was, except that it was. You know, they introduced it and never proclaimed it, so my first question to the minister is: Why did the government put forth The Public Services Sustainability Act, knowing full well that it was unconstitutional, but then never proclaimed it?

**Hon. Reg Helwer (Minister of Labour, Consumer Protection and Government Services):** Well, it's not the decision of this particular government to see if a piece of legislation is constitutional or not, and I'm sure the member opposite knows that this was tested in court. But we found now that we no longer need this legislation. We have a relationship that I've been working with, with labour, and meeting with them and listening to them, and it's time to move on. This piece of legislation is no longer required.

**MLA Lindsey:** So, we know that this government has constantly and continually, since the time they first came into being as a government, interfered with collective bargaining. There's any number of instances out there where the courts have actually ruled that they've interfered with collective bargaining, UMFA being one of them. This bill, in its original form, that was never proclaimed, was a blatant sledgehammer attempt to interfere with collective bargaining.

So we know that they're still doing it, so why would the minister think, now, that Manitobans would believe that there's a new tone?

**Mr. Helwer:** Well, we've moved on. It's obvious the member opposite has, if he's still living—hasn't. He's still living in the past. And it's time to repeal this legislation. We're moving on in our relationship with Manitoba Labour.

**MLA Lindsey:** Why have public sector workers been without a collective agreement for five years?

**Mr. Helwer:** Well, the opposition always asks us to intervene in collective agreements when it is not our role. It is the role of the employer and they are the ones that negotiate collective agreements with particular unions, and they do so. I've been asked more than a dozen times in the House to intervene, and I've



declined to intervene. That is not our role as government. The employer negotiates those collective agreements with those particular unions.

**Mr. Dougald Lamont (St. Boniface):** Yes, this—I mean, this was a bill that was introduced but never passed and is now being repealed. Can the minister just sort of reflect on what were the mistakes, or what were—what they've learned through the lessons they've learned that have been brought about this decision to repeal the act?

**Mr. Helwer:** Well, I am speaking to this particular bill that repeals the act, not to the original act, and it is time to move on in our relationships with Manitoba Labour. We see that we have a new Premier (Mrs. Stefanson) and very pleased to be led by our—the first female premier in Manitoba history, and she is setting a new tone and we are following that in our negotiations with Canadian labour groups.

**MLA Lindsey:** So we know that the original Bill 28 was probably unconstitutional. The minister now says he wants to set a new tone and withdraw the original Bill 28. Does he foresee that, heaven forbid, they should win the next election, does he foresee that as a government they would introduce similar legislation to the original Bill 28, again?

**Mr. Helwer:** Well, the member opposite asks me information that I have no information on.

I don't expect so, but we are speaking to this particular piece of legislation that repeals an act because I think it sets a great semblance or a great image for the process that we have for going forward and negotiating with Manitoba labour groups, setting a new tone, led by our very able Premier.

Thank you, Mr. Deputy Speaker.

**Mr. Lamont:** Yes, a question for the minister—and this is a clarification, because I understand that at the federal level, at least, the government bills, are analyzed by the Justice Department to determine whether they are, in fact, constitutional or not. So is that not a process that's followed in Manitoba? Does—if a government bill is presented, is it not analyzed by justice to see—to determine its constitutionality?

**Mr. Helwer:** Well, we certainly do speak to justice about all the legislation that we introduce. But it is not our role as government to determine constitutionality. That is for the courts and for the federal government, obviously, that they are the arbiters of that. We don't determine whether something is constitutional or not. We determine that we have legislation to introduce,

and in this case we've introduced legislation to repeal a particular piece of legislation.

\* (16:10)

**MLA Lindsey:** So, we know that the 2021 handbook for Advanced Education, Skills and Immigration, in that minister's responsibility, it was suggested that help control increases of faculty salaries. So that would indicate a direct instruction from the Premier, I suppose, to directly interfere in collective bargaining process, which the government did—which—that's been shown to be true. The court ruled they interfered in collective bargaining.

So can the minister explain his newfound belief in—

**Mr. Deputy Speaker:** The member's time has expired.

**Mr. Helwer:** Well, it's not a newfound belief. I have always agreed and believed in collective bargaining; perhaps the member opposite doesn't. In fact, his government was involved with a very tense and tedious strike at Brandon University; not just one, but two, Mr. Deputy Speaker.

And I do recall that the then premier of the time, Premier Selinger actually, you know, did go out of his way to meet with parents of students, but they felt so belittled and demeaned in that meeting that it was quite sad to listen to them, Mr. Deputy Speaker.

**Mr. Lamont:** Yes, if I could just follow up on the question I had before. Simply, it's that again at the federal level they go through a process where there's an analysis provided by lawyers. I mean, because right now, we passed a law, we debated a law, we spent a lot of time going through it. There were enormous court cases fought at enormous expense and now it's being withdrawn. This is a lot of—it took a lot of—it's saying—it's a long way to go to find the stores closed.

But is—am I to understand that there is no process where they—the government undertakes to determine whether its legislation is constitutional before it tables it, or introduces it?—sorry.

**Mr. Helwer:** Obviously, we do talk to Justice. We go through a process with the committee that reviews legislation. We listen to our legal advice and then it is introduced or not introduced, depending on what we have for advice. In this particular case, we've introduced a piece of legislation to repeal another piece of legislation.

**MLA Lindsey:** So just to go back to that 2021 handbook for Advanced Education, Skills and Immigration, the minister was, in fact, instructed in that book to help control costs, but it also went on to state that all post-secondary institutions are now instructed to request a collective bargaining mandate from the Province.

How can the minister stand here in this House today and say that they didn't interfere in the collective bargaining process, when clearly, the minister was instructed to interfere?

**Mr. Helwer:** Well, as I said, we've moved on as a government. It's obvious the member opposite is not willing to move on. In any meetings I've had with the various labour groups, they're ready to move on as we are, and that's the process that we're following, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** Are there any further questions?

#### Debate

**Mr. Deputy Speaker:** Seeing none, the floor is open for debate.

**MLA Tom Lindsey (Flin Flon):** We've seen this government introduce The Public Services Sustainability Act, not proclaim it, and yet order institutions under the government control to bargain collectively as if the bill actually was passed. We've seen this government get taken to court on more than one occasion, and having seen it proved that they did interfere with collective bargaining—they did bargain in bad faith. They forced institutions to bargain in bad faith. That's a fact; there's no disputing it.

The other thing we know is that collective bargaining is a constitutionally protected right in this country. So therefore it must follow that to interfere in free collective bargaining must be unconstitutional. Since this government got elected in 2016, everything they did in the first number of years of their mandate was to attack working people in this province; to make it harder to unionize. They've refused to make minimum wage a decent living wage. They've refused to bargain with various unions in the public sector. They've laid off public sector workers. They've disrespected them at every chance that they could get.

And now, all of a sudden, we're to believe that they're a new, improved PC government that's seen the light. They're cured. They're no longer the same bunch that they were last week, last year.

Well, let me tell you, Mr. Deputy Speaker, nothing could be further from the truth. They are, in fact, the same government. They are, in fact, the same people. They do, in fact, still have the same beliefs.

Now, I wouldn't for one second suggest they're not the smartest bunch in the room, because they are smart enough to realize that the people of Manitoba have started to take notice of what this government is doing to them, as opposed to for them. Bill 64, the education reform bill, was the straw that broke the camel's back, where Manitobans stood up en masse. The public sector sustainability act was the initial kick that got people motivated to stand up.

#### *Madam Speaker in the Chair*

Once the former premier realized that people were not going to stand for his government's continued interference in their lives, he turned tail and ran away, to be replaced by the first woman Premier (Mrs. Stefanson), which all of us in this Chamber had high hopes that it would set a new tune—new tone for the relationship between the PC government and Manitobans.

Unfortunately, we're all—well, at least all on this side—disappointed. The ones on that side that stood up and clapped and cheered for their former premier now do the same thing for the present Premier, save possibly one.

And yet, the minister says, we're setting a new tone, we've turned over a new leaf. They claim that they're listening, but the only time that they actually listen to Manitobans is when they realize their political lives are in danger. Then, all of a sudden, the light-bulb comes on and says, we've gone too far—what happened to the former premier.

When the member from Steinbach was the acting premier, he was smart enough to realize that they had to do something to try and trick Manitobans into believing that they were something different than, in fact, they really are.

And let's not make any mistake about it, the member from Steinbach was certainly a part of the whole mess that got created with all the legislation that this government introduced, from changes to health care, to changes to education, to changes to worker's rights, which The Public Services Sustainability Act was all about.

So, they've introduced an act to withdraw an act that they never proclaimed. And the minister can't explain, won't explain why they never proclaimed it.

We all suspect we know the answer to that, that it wasn't constitutional, and that would've made it easier to prove that the government was, in fact, interfering in collective bargaining.

So, they didn't have the courage of their convictions, when they introduced that piece of legislation, to think that it would really stand up to the ultimate legal tests at the Supreme Court, so they didn't proclaim it, but still directed the employers—which the government, at the end of the day, was the employer—they directed them to not bargain freely and fairly.

\* (16:20)

So what are we to learn? What are Manitobans to learn? Well, they're to learn something that this government is afraid of, which is why they've attacked organized labour: that once people stand together, united, to protest what this government is doing to them, that this government loses.

That's been their mandate all along is to try and divide Manitobans, to try and create different camps. They did that by changing how unions' representation in public sector groups worked. They tried to get the unions fighting amongst themselves rather than fighting who they really should have been fighting, which was this government. They tried to pit workers against workers by coming up with new ways for workers to turn in other workers or to make suggestions on how I can do both jobs and get rid of one.

Madam Speaker, Manitobans are not going to fall for this minister or this government suggesting they've turned over a new leaf, that—forget everything we've done for the last six years. Yes, we were bad; we did all these horrible things to working people, and—but we're not that bunch anymore.

Well, they are; they are exactly that same bunch. They still have exactly those same beliefs, except they got scared when their former leader abandoned ship.

Madam Speaker, each and every one of these members of the PC caucus is partially responsible for what took place. They all applauded when this Public Services Sustainability Act got implemented in the first place, got introduced. They all clapped like trained puppets. And now they all clap like trained puppets when the government decides to repeal a law that they never proclaimed.

They lacked the courage of their convictions. They really thought they could attack working people, that they could attack Manitobans and get away with

it. And thank goodness Manitobans stood up and told them, we're not going to take this anymore.

So, they are forced to withdraw The Public Services Sustainability Act, and that's what they've done with this particular piece of legislation, is repeal a piece of legislation that they never implemented in the first place but a piece of legislation they expected Manitobans to follow and to fall in line with.

So, thank you, Madam Speaker.

**Mr. Dougald Lamont (St. Boniface):** Just to put a few words on the record.

Yes, there has been a lot of talk from the government members about a change in tone, which I have to ask whether that's appropriate, simply because it might suggest that the previous premier, the only problem with him was his tone and not his—the substance of what he was actually trying to do, which is exactly the problem with this bill, is it wasn't just a question of substance—sorry, of tone—it was a question of the actual substance of it and the ways that it undermined fundamentally constitutionally protected rights to bargain.

And the—one of the fundamental—one of the most important decisions you can make in your life is whether you can actually—is being able to debate and control and have some say in the value of your own work.

It makes a difference whether people can work safely. It makes a difference whether people can have time with their family. It makes a difference whether people can actually afford to pay their bills.

These are absolutely critical rights, which is why I'm surprised and concerned that, you know, when it came to this bill, that apparently there wasn't any oversight in terms of constitutionality, simply because if the government is going to try to come up with bills that expand or defy the constitution or set up a situation where they want to take cases all the way to the Supreme Court, it's incredibly expensive and, frankly, damaging as well, because there was damage done under this bill.

Despite the fact that it was never proclaimed, there were still various—there were school divisions, for example, who were essentially putting it into place, using it to justify wage freezes. And those wage freezes have permanent effects on people. Is—it affects people in their real life.

The idea that people are just going to live forever and that they'll save some money this time then it'll be

made up five years down the line simply isn't true. That—we're talking about a permanent loss in lifetime—we can be talking about a permanent loss in lifetime earnings for people and their ability to support their family. So, that's—is it—an enormous concern to us, and especially because, as I said, the damage is already done.

And we also had a situation where there was no question—I often will hear from the government members that, you know, they're not the employer, but ultimately they're the funder. They have created—on the one hand, they have removed a whole series of buffers between the political level and universities—what they called non-core government—made direct—it was basically from the Premier's office under the previous premier. The U of M was directed to freeze salaries or face consequences.

That—when that came out, the U of M ended up not only having to pay a multi-million-dollar fine for acting contrary to collective—their rights of—violating the rights of professors, but—a 'numby' of years later, when it—when the court ruled in favour of the U of M Faculty Association, it was determined that they were also owed \$18 million in back wages.

So, the other thing about this is this was a bill that actually, though it was never passed, enabled what's called wage theft. And that's truly unfortunate, because that wage theft meant that people who worked in all sorts of—they could be bus drivers, they could be school bus drivers, they could be people who worked at any level at the University of Manitoba, librarians as well as professors and others who have ended up not being paid what they were supposed to be paid.

And not only was that—and I will also add that that causes—has continued to cause problems. The fact that we had this long period of time where people weren't being paid properly at the U of M means that, as faculty told us, that they couldn't attract or keep people to teach in the faculty of nursing, they couldn't attract or keep people to teach in the faculty of computer science just at the basic levels that are actually required to run programs and produce graduates.

And we do have a—the University of Manitoba and other universities are tremendously important in their contributions, but this is much broader. It applies to anybody—the fact is that anybody who works for government and is getting paid, their bank account, their families don't know the difference between whether that money is private money or public money, and that doesn't make a difference either to where—

when they're spending it. It doesn't make a difference to the store owner or restaurant owner. That money is all money, it all contributes to building our economy.

And the entire idea, which has been this government's idea, which is that you can endlessly shrink the government and that somehow the private sector will just pick up the slack, doesn't actually occur in reality. It do—actually means that we're shrinking the entire economy. So, that's truly unfortunate.

We'll just say, yes, there's been lots of talk about recovery in the latest budget, but this is more—less of a recovery and more of a hangover from the previous premier.

So, we are looking forward to this being permanently repealed. We certainly hope and—it won't return again. And we, in addition to that, hope that the government will consider running its bills past some constitutional lawyers in the Ministry of Justice, which would save everybody a lot of time and money.

**Madam Speaker:** The question before the House is second reading of Bill 2, The Public Services Sustainability Repeal Act.

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

#### **Bill 21—The Highway Traffic Amendment and Manitoba Public Insurance Corporation Amendment Act**

**Madam Speaker:** We will now move to second reading of Bill 21, The Highway Traffic Amendment and Manitoba Public Insurance Corporation Amendment Act.

**Hon. Doyle Piwniuk (Minister of Transportation and Infrastructure):** Madam Speaker, I move, seconded by the honourable member for Indigenous relations—reconciliation and northern relations, that Bill 21, The Highway Traffic Amendment and Manitoba Public Insurance Corporation Amendment Act, be now read a second time and be referred to the committee of this House.

\* (16:30)

His Honour the Administrator has been advised of the bill, and I table the message.

**Madam Speaker:** It has been moved by the honourable Minister of Transportation and Infrastructure, seconded by the honourable Minister for Indigenous Reconciliation and Northern Relations, that Bill 21, The Highway Traffic Amendment and Manitoba Public Insurance Corporation Act, be now read a

second time and be referred to a committee of this House.

His Honour the Administrator has been advised of the bill, and the message has been tabled.

**Mr. Piwniuk:** Madam Speaker, I'm pleased to rise again to speak on and provide some comments on Bill 21, which is intended to give Manitobans a means to try out micro-mobility and low-speed vehicles on roads and sidewalks under specific conditions in a safe environment.

The bill will amend The Highway Traffic Act to allow pilot testing of micro-mobility devices such as personal transportation vehicles, electric scooters and low-speed vehicles on roads. Future regulations will set out the conditions of the pilot projects—for example, the type of device or vehicle being tested, maximum speed limit, age limits, and insurance requirements and so on.

The bill will also amend the public—Manitoba Public Insurance Corporation Act to address specific insurance requirements for pilot project and includes related amendments to the drivers licence—Drivers and Vehicles Act and The Off-Road Vehicle Act.

The bill would be created to respond to a number of requests from municipalities, businesses and other organizations to test—to pilot test the use of 'micro-mobility' devices and low-speed vehicles on roads. The bill provides a means of response to these requests, as well as the exploring of expanding the use of active and alternative forms of transportation. This will increase access to these modes of transportation for the public while continuing to ensure road safety for all users. Expanding the use of zero-emissions vehicles will also help reduce Manitoba's green gas emissions.

The amendment will also enable municipalities to make bylaws to designate shared streets where pedestrians, cyclists, motorists and people using recreation equipment will have equal access. The speed limit on shared streets will be a maximum of 20 kilometres per hour, and regulated signage will also be required to ensure that all road users are aware of the shared streets.

As a final comment, I would like to thank all those who participated in the consultation of this bill, and I look forward for the opportunity to hear from Manitobans when the bill is referred to the committee of the House.

Thank you, Madam Speaker.

## Questions

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

**Mr. Matt Wiebe (Concordia):** I just want to put on the record I appreciate the minister taking time to be here, this important part of the bill process. I know he is, I'm sure, very busy right now and is, you know, very concerned about flooding throughout the province, so I appreciate him taking the time.

Wanted to ask about consultations with regards to this bill, specifically within the cycling community. Can the minister talk about any sort of consultations that were undertaken?

**Hon. Doyle Piwniuk (Minister of Transportation and Infrastructure):** I want to thank the member for the question.

Yes, we've been having consultations with the department when it comes to MPI themselves to make sure that we follow all the regulations and—when it comes to the insurance on these particular mobile-mobility machines.

And also, what's happening too, is making sure that we have consultations with the police, municipalities. And when it comes to the public who—especially people who want—actually want to put these devices out, our department—has been consultations of that. And also looking at other provinces, too. We've got a lot of—learnt a lot from other provinces and states in the United States that actually have put these devices on their streets.

**Mr. Dougald Lamont (St. Boniface):** I just want to thank the minister.

I only really have one light-hearted question which is that, given the current state of potholes, at what point does a street—a shared street become a shared lake, and are amphibious vehicles going to be considered as this, for travelling in and out of potholes?

**Mr. Piwniuk:** Madam Speaker, well, that was an interesting question, I tell you.

The potholes—you know, it's getting—a lot of the times, these municipalities who are requesting these devices, because a lot, again, these are going to be in major centres and cities that we're going to be able to do a pilot project when it comes to the, you know, Assiniboine Park, the city of Winnipeg.

And like I said, this has been a very challenging winter and it's a challenging spring. You know, the frost and the weather conditions have created all these potholes, so he should know better that this has been a challenging year for every municipality and for every city and even our province.

**Mr. Wiebe:** The reason why I ask specifically about the consultation with the cycling community is simply because within the legislation, the proposed bill, there is a speed limit that is stated for open streets. I believe it is 30 kilometres an hour, although I may have heard the minister say 20 kilometres or—an hour—although, to be clear, that may be with the personal mobility devices. Regardless, the question I—the reason I ask is because streets like Lyndale Drive, other places in our city, are used by the cycling community for practice, for training.

I'm wondering if the minister has consulted with those folks?

**Mr. Piwniuk:** I want to thank the member for the question.

When it comes to the speed limit on the—when it comes to these shared streets, again, it's going to be up to the municipalities to designate certain streets. For instance, I think Wellington Crescent would be probably one of them.

The 20 kilometres is more for—so much for the actual vehicles, passenger vehicles going on that street, just to make safety for when it comes to, like, cyclists or to these mobile devices, because the fact is they're also in these streets. There's also going to be pedestrians too, so there has to be some kind of control when it comes to the speed of any kind of machine that's one—there because, again, we want to make sure that all Manitobans are safe when it comes to these shared streets.

**Mr. Wiebe:** Well, and again, I mean, I can appreciate where the minister's coming from. I think we want to make sure that these streets are safe.

I guess the concern is that, for some of these streets, they are used for dual purposes. Folks are using them to—as pedestrians walking on them, but they're also being used by cyclists who are, you know,

pretty serious in the sport. So I think that may be something that the minister may want to look at that nuance. There may be something there.

We know that highway—section 143.2 of The Highway Traffic Act forbids pedestrians from walking more than two abreast on highways. Will this be—rule be reasonable for the open streets program? We know it is for rural settings, but within an urban setting will it be?

**Mr. Piwniuk:** I just wanted to clarify that last question, the comment that the member from Concordia had said was that when it comes to cyclists—like, cyclists have abilities to ride anywhere in Manitoba. And the thing is, this designated street is, like, for 20 kilometres for everyone so that everybody's safe on here. Cyclists can go on bicycle paths; they can go on every bloody street there is in Manitoba, in Winnipeg and be able to ride as fast as they want.

But when it comes to these shared streets, this is—the rules are going to be—is 20 kilometres. And this is also for people who are—pedestrians who have children who are having tricycles and stuff like that. This is for—this is what—we're doing a pilot project to make—that everyone will be able to enjoy the specified streets. And not every street is going to be designated.

**Mr. Wiebe:** Well, I take it from that answer that the minister hasn't consulted with the cycling community, so I hope that's something that he undertakes before committee.

Again, section 143.2 of The Highway Traffic Act forbids pedestrians from walking more than two abreast on highways. While we know that that rule is reasonable for rural settings, it's also one of the main issues with regards to the open streets program in Winnipeg, even though the urban streets in question are different, of course, than conventional highways.

Has the Province given any consideration to amending or repealing this section in light of its move to now allow for shared streets?

**Mr. Piwniuk:** Yes, Madam Speaker. This is what's going to be when it comes to this bill.

The regulations are going to be—this is a pilot project. It's been in the bill, but the regulations will all be actually laid out after—once the pilot project and the information that the cities, towns wants to do more detail. That's when it will all be in the regulations of this bill.

\* (16:40)

**Mr. Wiebe:** Okay, so I may be confused or we might just be on different pages with the minister.

I just want to be clear that he's suggesting that the open streets portion of this particular piece of legislation is also being implemented as a pilot project.

I understood that the elements with regards to personal mobility devices were the portion of the bill that was considered a pilot.

He's saying that the entire bill is being presented as a pilot program?

**Mr. Piwniuk:** No, what the whole thing is, Madam Speaker, is that the actual—when it comes it comes to the devices, are a pilot projects, but when it comes to working with MPI, making sure how these things will—going to be insured—if they can be insured by off-road or passenger or if it's just going to be equipment that is basically part of your insurance policy, where—your contents. So, this is what this whole pilot project's all about.

But when it comes to the shared streets, there are some regulations that are on there already, but that will also be in more detail when it comes to administering this bill coming forward. But we'll—we're going to be waiting for more information from—when it comes to municipalities.

**Mr. Wiebe:** Okay, I think that does clear it up. You know, this isn't a pilot suggestion, this is changes to The Highway Traffic Act. And so, again, this is not a piece that will be dealt with in legislation—or, sorry, in regulation; it's actually in the legislation.

And so, I guess the suggestion is simply for the minister—you know, maybe he hasn't had a chance to take a look at this, but, you know, if we're working through this in a spirit of collaboration, is there an opportunity, maybe, that he would consider an amendment that would allow for a change to The Highway Traffic Act that would satisfy the concerns of municipalities.

**Mr. Piwniuk:** Yes, Madam Speaker, I want to thank the member for the question.

That's what, basically, this whole—when it comes to doing the process of a bill, it's basically having consultations. Once this reading of—the second reading has happened, we do go into committees and actually be able to hear it from the public.

And working with municipalities and making sure that, when it comes to the traffic highway act, that we actually reduce the mileage, we do proper signage,

and working with municipalities to make sure that what designated streets are they going to be choosing, is what we're going to be working with, with municipalities and communities around Manitoba.

**Mr. Wiebe:** So, then, moving on to the personal mobility devices.

You know, I think we had a fairly good bill briefing. There was some discussion with department officials and trying to understand exactly what would be captured under this piece of legislation. I take the minister's point that much of this will be done in regulations.

So, I guess the question is: Who will be advising the minister on making decisions on which personal mobility devices will fall under this new legislation and this new pilot project?

**Mr. Piwniuk:** Yes, Madam Speaker, I just wanted to also inform the member, too, that the shared—we also consulted in the shared streets committee that's part of the Winnipeg frequent utilized shared streets, such as the—Wellington Crescent.

So, we are working with—when it comes to a group like that, when it comes to—these are the ones that requested having more shared streets within the city of Winnipeg. And we're going to be looking at this through—all throughout Manitoba, and making sure that these devices—these—the pilot project of these devices are going to be used properly.

And making sure that this gives a chance for the City of Winnipeg to—or, let's say, for instance, the Assiniboine Park, to utilize these mobility devices so that people can get around, much like they do in other parts of the cities and—major cities in North America.

**Mr. Wiebe:** Well, and again, as the minister is answering, I'm getting information about, you know, the places where I think there's opportunities to implement these kind of pilot projects.

The question I guess I have is there's a huge range in personal mobility devices when it comes to these, kind of—that could be potentially captured under this legislation. You know, this could be a—an electric scooter, this could be a one-wheel device, this could be, you know, something that somebody uses for just day-to-day mobility—an electric mobility device.

So, I'm just asking the minister: Who's advising him and giving him input on how—what will be captured under this legislation?

**Mr. Piwniuk:** Yes, Madam Speaker, this is—again, this is a pilot project. This—these are some of the devices that are, actually, not actually registered to be actually here in Winnipeg.

We're trying to make it so that people—well, the devices that are being invented, like, there's—every time there's going to be a new device that's going to be out there, this is a pilot project that will be actually tested—tested on these safe streets, so that people can test them, let's say, in Assiniboine Park where there are designated roads, so that MPI can also, and themselves, can look at—see how they need to insure these devices—if it's going to be an off-road, or if it's just going to be a liability on someone's house insurance, or a contents that are being listed on their property.

This is what this whole pilot project is all about, is making sure that whatever—that the traffic act is going to do—

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

**Mr. Wiebe:** Well, and again, I mean, I think we're on the same page here. I understand the interest in, specifically the industry, to bring this kind of thing to Winnipeg. I think we're actually behind in this.

The question I have is, is there any kind of consultation or work that's being done, for instance, with the disabilities community that may want to have some input with regards to this? So I just want to be clear that the minister is not just listening to industry on this but is actually listening to folks who have a stake in this, such as the disabilities community.

**Mr. Piwniuk:** Madam Speaker, the member has to realize this is a pilot project. Like, this is not like—we're trying to make it so that these devices can actually be tested and tested in our climate, could be tested to make sure that if a city like City of Winnipeg wants to do these scooters, for instance, you know, what you see in every part of the city, we just want to make sure that they're being tested properly in our climate, and with the MPI overlooking the—how to insure these things properly.

So this is what this whole pilot project is. One of the details will be coming out when it comes to once these vehicles are now required to go onto these safe streets.

**Mr. Wiebe:** I guess, you know, part of this issue, I guess, what we could do is we could very easily look to other jurisdictions who've moved forward on this. I was just in Calgary, for instance. You know, these kind of devices are all over the place—maybe, you

know, to much to the chagrin of the folks that live in those neighbourhoods, and we can certainly have that conversation going forward. But again, you know, I think there's a very, you know, specific concern that comes forward from certain activist groups that want to have a say in this.

So, I mean, it shouldn't be too hard for the minister to just say we will continue to consult with them. Can I ask that he would just say that?

**Mr. Piwniuk:** Well, Madam Speaker, when it comes to, say, when people have, let's say, scooters for—because they—it's for them to, like, say, seniors who need it for mobility issues, like, regular scooters that you see on an ongoing basis, those ones are always—you see them on the street all the time. They're on sidewalks, they're on everything else. These are not the ones that we're going to be talking about. They have—they might even have a better chance going on a 20-kilometre street and be able to actually ride them, and being that they're safer than, let's say, if they're trying to cross a street when it's like 60, 50 kilometres an hour.

So this is what this is going to be about. These are—what this opportunity is to reduce the speed limit so that when we start looking at these pilot projects of these machines that are going to be approved, they can actually have the access to these 20-kilometre safe streets.

**Mr. Wiebe:** I see my time is running short, so I'll go for a twofer here.

Again, has the minister looked at other jurisdictions who have gone through this process? Did they have a pilot project phase or were they—just went directly to licensing these? And, once again, what kind of mechanisms are in place to allow the minister to stay up with technology? Who is ultimately going to be making the judgment about what personal mobility device falls under this legislation and what doesn't?

**Mr. Piwniuk:** Well, Madam Speaker, that's, again, that's why the—when it comes to the safe streets, reducing the mile—kilometres by 20 kilometres, but it's actually doing these pilot projects and making sure that these mobility devices can actually go on the streets safely and to make sure that, you know, again, we're going to have to work with MPI, we're going to have to work with the City of Winnipeg to make sure that there's not going to be something that's going to go on the streets that are going to be more of a nuisance.



Again, this is pilot projects that are going to be specifically looked at per item, like where a person has to apply for this pilot project and work with MPI to make sure that this project, this device can be able to be used, because someone's going to have to insure this device, too, and it's either the private sector, MPI—

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

And the time for this question period has ended.

### Debate

**Madam Speaker:** We will now move to debate.

And I would recognize the honourable member for Concordia.

**Mr. Matt Wiebe (Concordia):** So, you know, as we sort of muddled through there in our question period, for those following along at home, there was a lot of confusion between, sort of, the two elements of this bill. And I think it is important to be very clear that there are two very different items that are being considered here in this piece of legislation.

So, first, I'd like to just address the personal mobility devices that we've been discussing here. And, you know, I—you know, there's a whole range of these products that are now coming available. As I mentioned in my questions, I was just in Calgary and, you know, you go into certain neighbourhoods and you'll see, scattered about all over the place, electric scooters that, you know, we download the app and you can just sort of tap and go. You don't have to drop them off at a specific place or pick them up at a specific place. Anywhere you find these things, you can take them. I know a lot of cities have used the same sort of technology for bicycles and other sorts of electric mobility devices.

\* (16:50)

I think it's important, though, to recognize the immense range of different devices that are out there, and, you know, not just the simple scooter, you know, that you stand on, that you maybe see, you know, kids riding around the neighbourhood on. But some of these are quite sophisticated pieces of technology. And, actually, our—while sometimes restricted, you know, by the—you're supposed to be a certain age to use them. When it comes to the actual use in the streets, they're being used by all people, and they're really quite, as I said, very sophisticated, high-speed devices.

We've also seen various other, you know, devices such as a—and you shared this with the minister,

electric unicycles which, you know, I mean, if you want to get a—*[interjection]*

**Madam Speaker:** Order.

**Mr. Wiebe:**—sense of how advanced these technologies are, these things can go over 50 kilometres an hour, if you can imagine, on a one-wheeled device.

And I only mention this because I think it's important that we recognize the diverse range of different devices that are being used for recreation, but then also understand that there's a number of devices that are being used for a whole range of other mobility issues.

And I want to make sure that, as these technologies develop, that the minister is listening to not just industry who—maybe an entrepreneur who comes in the province and says, yes, we want to bring this technology to our city, but is also listening to those people who have a vested interest in this, as he said—folks that need personal mobility devices just to get around: seniors and those with disabilities.

So, I think it's an important element that the minister should, hopefully at committee, bring forward to the community and say, this is who we're going to consult with on an ongoing basis, and, ultimately, is it the minister who's making the decision or, you know, MPI? Or is it something that, you know, maybe a committee of concerned folks could be instrumental in helping guide as we move forward? So, it's an important question that I hope that he'll bring forward.

The other element in this bill is the open streets program and, you know, this is just, again, a complete failure on the part of this government to see—to recognize when there's a broad consensus across political lines. You know, you had the pandemic; you had an opportunity where all of a sudden everybody couldn't go out and, you know, go to their favourite restaurant or go to a movie theatre or, you know, a whole range of things that people couldn't do. And so what did they do? They looked to our outdoor spaces.

And so you had people from all walks of life who were going out in their own communities and, in many cases, streets that were being designated just to have pedestrians on them. And it was an amazing time for many people, exploring their city in a way they hadn't done before and, you know, and getting outdoors and getting exercise and all the positive benefits. I mean, you know, I can only, you know, relay my own experience where, you know, with my young children, we were out all the time and we used those open streets

because all of a sudden we had access to places that were dominated otherwise by cars.

This was universally recognized—I mean, of all the terrible things that have happened throughout the pandemic and all the mental health issues and physical issues and all the sort of things that are bad about the pandemic, this was one that we could look to and say this is one positive outcome that we've recognized once again, that we can take back our cities and we can take back these streets in the open streets program.

And so the government had all the opportunity in the world. At the same time, they are ramming through their terrible legislation, you know, and then the former premier is on his way out and he's trying to get passed every bad piece of legislation that pops into his head. You know, the City of Winnipeg is saying, why aren't you adjusting or amending The Highway Traffic Act to allow this to happen? You know, like, here we go. You can be the popular ones out there, and yet the government didn't do it.

Now, here we are again. We had legislation that came forward in—before Christmas that we moved through the Legislature quickly to get it done. We had pieces of legislation brought in March, before the budget, that we as a House all said, yes, let's move forward on it, let's get it done; and we passed that legislation.

Here we are, in—almost in May—now, I know, looking outside, maybe most folks aren't thinking about walking on open streets today, but I can tell you that it won't be long—you know, fingers crossed—it won't be long that the sun will be shining. It'll be, you know, seasonal weather and all of a sudden folks are going to say, I want to get back out on the streets and I want to be participate in this open streets program.

And the Province has been dragging their feet. You know, I mean—just shows a complete lack of leadership, first of all, Madam Speaker. I think that's very clear. They could have been at the forefront of this movement, but, certainly, at this point, why they're continuing to drag their feet just blows me away.

They, you know, can get lots of good will from moving this legislation forward and yet, it hasn't been a priority of the government. And so, it also shows, not just a complete lack of leadership but it just shows how out of touch they are with how Manitobans have been dealing with the pandemic.

So, I could expand on that but I know, Madam Speaker, we're encouraged to be relevant here. So, I'll

leave it at that, but simply to say that I look forward to bringing it—to seeing this legislation move forward.

But more importantly, what I am hoping is, is that the minister is open to not just pushing through the legislation as it stands because, you know, again, in the spirit of collaboration, here we are suggesting some decent amendments, I would suggest, with regards to section 143(2) of The Highway Traffic Act which 'beforbids' pedestrians from walking more than two abreast on highways—again, very applicable for highways in this province, in the city of Winnipeg, in the—you know, in the city of Brandon, in the city of Steinbach or Selkirk or Thompson, I don't know that that really applies.

And so if we can—if we're opening up this legislation anyway, why don't we take a look at how we can amend that, and I'm hoping that the minister will consider that.

I also hope that he'll give some more information at committee about the kind of consultations that he will continue to do, because the cycling community—as I said, you know, there are many streets that are considered open streets that were used by pedestrians but are also used by cyclists.

And it's, you know, we certainly don't want cars going 30 kilometres an hour or 40 kilometres an hour on some of these streets with pedestrians on them, but if the cycling community—and again, we're not talking about me cycling into the Leg. here, you know, I do my best but I'm not going that fast—what we're talking about is folks who are serious about the sport and take it very seriously. And they use these streets in collaboration with—at the same time with pedestrians; they're using this together. And that isn't considered unsafe. It's never been considered unsafe.

So, if we're opening up the legislation, and, of course, cyclists have to adhere to The Highway Traffic Act like everyone else, why aren't we listening to them and why aren't we working with them? Why aren't we listening to the disabilities community going forward, if we're talking about these personal mobility devices, because there might be an opportunity for MPI to play a role in this.

Again, if we're going to take this stuff seriously, let's make sure that we're all working together on it. And we're not trying to be unreasonable here; we're just simply asking that the minister come to that committee and hopefully have more information for folks.

I do look forward to hearing from Manitobans on this. You know, I mentioned in my last—in the last bill

which affected the City of Winnipeg, that we had the mayor come, you know, virtually to sort of scold the government the last time.

I don't think they're—he's going to do that here but, you know, maybe we'll have others that will carry that spirit of just saying, why are you dragging your feet, why has it been so slow for this government to take—you know, of all the opportunities that we have from the pandemic, you know, there's very few positives—what can we gather from this and what can we move forward on? This would be one of the pieces of legislation that just boggles my mind we didn't move forward on it more quickly.

So, I look forward to hearing from those folks. I look forward to hopefully getting more back from the minister. And ultimately, we want to hear from the public and move this bill forward, so we look forward to it passing second reading here this afternoon.

Thank you, Madam Speaker.

**Mr. Dougald Lamont (St. Boniface):** Yes, I'll just take the opportunity to put a few comments on the record, Madam Speaker.

I think that this is, in general and in principle, a positive piece of legislation. We'll certainly wait to hear feedback from Manitobans about what they can see—what their concerns are about either deficiencies or improvements.

Of course, I—you know, just in the broader sense that we're concerned—it's positive to have a testing ground for new types of active transportation. Of course, our concern is that we just don't want these to be islands; we'd like active transportation to be part of everyday life, to extend it into routes that have run across our cities and our towns.

\* (17:00)

And, currently, of course, there are going to be challenges just in terms of the infrastructure that we all know that needs investment and repair but also both road infrastructure but also infrastructure in charging and other vehicle-fuelling that might be required as well.

So we look forward to hearing more and hearing from Manitobans, but, in principle, we will support this bill.

Thank you, Madam Speaker.

**Madam Speaker:** The question before the House is second reading of Bill 21, The Highway Traffic

Amendment and Manitoba Public Insurance Corporation Amendment Act.

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

I declare the motion carried.

### **Bill 30—The Police Services Amendment and Law Enforcement Review Amendment Act**

**Madam Speaker:** We will now move to second reading of Bill 30, The Police Services Amendment and Law Enforcement Review Amendment Act.

**Hon. Kelvin Goertzen (Minister of Justice and Attorney General):** I move, seconded by the Minister for Seniors and Long-Term Care, that Bill 30, The Police Services Amendment and Law Enforcement Review Amendment Act, be now read a second time and referred to a committee of this House.

His Honour the Administrator has been advised of the bill, and I table the message.

**Madam Speaker:** It has been moved by the honourable Minister of Justice, seconded by the honourable Minister of Seniors and Long-Term Care (Mr. Johnston), that Bill 30, The Police Services Amendment and Law Enforcement Review Amendment Act, be now read a second time and be referred to a committee of this House.

His Honour the Administrator has been advised of the bill, and the message has been tabled.

**Mr. Goertzen:** We know, and I think that those in law enforcement would confirm, that from the experiences that we've seen that there is an importance in law enforcement to sharing information and to collaboration. And that's why we established the Manitoba Criminal Intelligence Centre.

If you look back in history where there has been failings that have resulted in either criminal acts or terrorist attacks, it's often because agencies had information but they weren't sharing it with each other. And so there's been good examples in Manitoba, like the most recent Project Divergent, where \$70 million—*[interjection]*

**Madam Speaker:** Order, please.

**Mr. Goertzen:** —where \$70 million of street-value drugs was apprehended with the RCMP as the lead agency, but working in conjunction with the Winkler Police Service, who had some analysis that led to that seizure of the drugs and the guns and cash that came with it. They were also working with

Homeland Security in Grand Forks and with agencies around the world, Madam Speaker. And that's the example of working together.

And the Manitoba Criminal Intelligence Centre is an important part of that. It's an intelligence-led organization that'll bring together and continue to foster that collaboration between the agencies. This bill builds upon that important work, and it provides the Manitoba Criminal Intelligence Centre with a legislative mandate and clear authority to co-ordinate intelligence-sharing and collaboration between agencies.

And while I think there is already some good work happening, there often needs to be structure around that, because who that information can be shared with in something like the MCIC is important. It often has to be somebody who is a peace officer, who is legislatively able to take that information from law enforcement and then be able to use it in the way they feel is best.

Over the last several years, many Manitobans have also advocated for greater accountability on the part of police services in our province. They've identified The Police Services Act as an outdated law that requires significant revision and modernization. Some of that has happened with changes—proposed changes to the IIU.

That is why our government has launched the independent review of The Police Services Act and brought forward the conclusion of many of those recommendations, and there are more to come. I know that part of the concern was around the IIU. Part of the concern was around standards. There is questions around governance, and that'll be another part in the future, Madam Speaker.

This particular bill, though, empowers Manitoba Justice to develop provincial policing standards and a uniform code of conduct for police officers around the province. And this is important, to have a uniform code of conduct. A lot of the complaints that sometimes come in, whether to LERA or whether to the RCMP method of taking complaints, could often be dealt with if there was a code of conduct that was standard, uniform and known, that could be dealt with within the agency itself. It also revises the mandate of the Manitoba Police Commission to monitor and report on the police service compliance with these policing standards established by Manitoba Justice.

The standardization of policing in Manitoba will help to ensure that all Manitobans receive adequate

and effective policing regardless of where they reside. And sometimes I get questions about this and folks will say, well, what do you mean by police standards? And how does that get transmitted and how does it become transparent?

So, if you look to British Columbia, if you did a Google search this evening, Madam Speaker, after this long day has concluded, and done police services or police standards British Columbia, you would get a website that actually listed different police standards. So, there would be a police standard on a high-speed vehicle chase. There could be a police standard on how you deal with an informant. And they're public and they're uniform across the province of BC, and you can click on it and you can read what that standard is.

And then, under our system, we'll have something similar, and then the Manitoba Police Commission will be responsible for ensuring that those standards are being met. But it's measurable and it's transparent and for all to see, and then for the police to move to that standard. So, it'll provide that clarity and the expectations on policing and ensuring that there's a transparent way for the public to see it.

As we develop these policing standards and oversight structures, the government, of course, wants to hear from Manitobans. There will be public consultations—likely next year—which will include online surveys and other ways for the public to engage with the officials who will be making those decisions.

There's a change to LERA in here—the Law Enforcement Review Agency in here. It came to our attention that Manitoba was out of step when it came to the amount of time that there was to provide a complaint. If somebody had a complaint that they want to put under LERA, this extends that length of time to make that complaint to six 'munchs'—six months, which brings us more in line with other provinces.

So, Madam Speaker, this is another piece. It's not the conclusion. The IIU was the first part of the changes that came from the review. This deals with police standards and somewhat on LERA. There'll be other pieces in the future on governance, which I know there's been public opinions about, and that those who are on governance boards in Manitoba, and there will be lots of discussion about that. So, as we continue on this 'prath' of renewing and reviewing The Police Services Act, it all leads to better service for Manitobans from the men and women who do great work.

And I want to conclude by saying, we should always remember that the women and men who are in our law enforcement agencies, whether that's Winnipeg Police Service, RCMP, the various municipal forces around the province, each and every day they go to work knowing that they can be encountering dangerous and difficult situations. But they do it to protect us.

And it is right and it is appropriate to be able to ask questions and to sometimes criticize that work, but we should never criticize the motivation by which the vast, vast majority of men and women who are in our police service go to work to support us and to protect society as a whole. And we appreciate their work. And if we don't say it often enough, we're grateful and we're thankful for their work.

Thank you very much, Madam Speaker.

### Questions

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

**Ms. Nahanni Fontaine (St. Johns):** The police services review recommended that government be guided by LERA's internal analyses as to how legislation might be amended. This is recommendation No. 44.

Was the minister and the department guided by this in developing Bill 7 and Bill 30?

**Hon. Kelvin Goertzen (Minister of Justice and Attorney General):** We certainly are guided by the recommendations that have come from the review, but, again, there are several stages that are happening when it comes to the legislation that implements many of the recommendations.

We'll see if all of the recommendations are ultimately accepted as we go through the consultation periods, from one piece to the other. But there are further pieces that'll come forward that may speak to the member's question.

**Hon. Jon Gerrard (River Heights):** To the minister, in a point of clarification: it's my interpretation of this

bill that the director of criminal intelligence will report to the director of police.

Can the minister further explain the duties of the director of police as it relates to the director of criminal intelligence? Is he to be involved in the hiring or not? What's the relationship, and what are the duties?

\* (17:10)

**Mr. Goertzen:** So, the legislation will ensure that the criminal intelligence director, the head of the MCIC, will have specified legislative authority.

That 'authority' will include developing standards for intelligence, sharing that information and to compel the police of-chiefs to provide criminal intelligence data to MCIC. So the relationship between chiefs of police and the head of the MCIC is that the MCIC director can, if necessary—and it won't always be necessary—to compel that information can be provided.

**Ms. Fontaine:** The police services review called for developing language and guidance for dispute resolution mechanisms that involve diverse and marginalized communities. What is the minister doing to address this recommendation?

**Mr. Goertzen:** Again, I want to just repeat what I've said in my comments and in my first question—or answer to the member opposite, that there are other pieces that are coming. The member will know that the department has been very engaged with the grand chiefs, as an example. There's been lots of engagement when it comes to ensuring that, you know, we're recognizing the high involvement rate when it comes to those in the Indigenous community in the justice system and trying to ensure that that is being done in a better way and trying to find better ways. We could talk about the healing lodge that was announced in Thompson or other initiatives.

**Mr. Gerrard:** The bill provides for the development of standards related to arrests and the use of force. I'm surprised that there's not a specific standard to be developed in relationship to the use of tasers and firearms.

**Mr. Goertzen:** Well, and there may—I would classify in a layman's term the use of a taser and a firearm as a use of force, so it might very well fall under than standard, but there'll be lots of opportunity for input when it comes to standards and the various standards that'd be applied, but I would certainly expect those would be the sort of things that would be considered.

**Ms. Fontaine:** The police services review called for government to adopt prescriptive time 'requirements'—requirements for meaningful conclusion of investigations and allegations of misconduct.

What is the minister doing to address this recommendation?

**Mr. Goertzen:** Yes, I think if the member opposite is talking about investigations as it relates to the IIU, she'll know—and she may not, she may be speaking about some other types of investigations—but if she's talking about the IIU, she'll know that that bill is coming up for debate later today.

**Mr. Gerrard:** As a follow-up in terms of standards, one of the things that is much talked about these days is the need to have people who are skilled in addressing mental health issues working with police officers.

And so I wonder if the minister would have the intention of having standards related to the involvement of people with mental health or social worker background to be involved with police officers.

**Mr. Goertzen:** Yes, I think it's a good idea and, in some ways, it's an idea that's already happening. We have, you know, some individuals who are dealing with domestic violence who are embedded already with the Winnipeg Police Service so they can take calls that aren't necessary criminal in nature but that come into the Winnipeg Police Service.

There's often resources, and I think, you know, an announcement yesterday on technology that can—mobile with police officers can allow for sometimes mobile or virtual ability for Victim Services and others to tap into police officers even when they're not physically there. So it's a good idea. It's somewhat being done already, and I'm sure we can do more of it.

**Ms. Fontaine:** The police services review called for the government to require chiefs of police to establish workplace harassment programs.

What is the minister doing to address this recommendation?

**Mr. Goertzen:** Yes, and I think, actually, that the code of conduct requirement that is in this legislation—and that will be uniform across the province—will speak to a lot of that particular issue and to ensure that, you know, harassment can certainly be dealt with—in a code of conduct and then how there can be consequences, or how investigations internally and spoken about externally can be done when it comes to harassment. So the code of conduct that is uniform across

the province, which doesn't exist now, but which will exist when the fulfillment of this act comes forward, I think, speaks to that particular recommendation.

**Mr. Gerrard:** I wonder if the minister could clarify the procedure if a member of the public or a member of the police force has a concern about the code—somebody who's a police officer not following the code of conduct. How is that concern brought forward, to who and who will—what's the procedure once after it's brought forward?

**Mr. Goertzen:** Well, so right now, if an individual has a concern about an RCMP officer, the RCMP itself has a portal that one can go on and you can online submit a complaint if you have a complaint about how you are treated by an RCMP officer.

Other officers, there can be complaints launched with LERA and a complaint can go into LERA. This has some modifications to LERA but with a broader code of conduct that each individual municipal force and other forces will have to have. I think there'll be more opportunity for those to be dealt with more quickly and at the level of the municipal or other force.

**Ms. Fontaine:** It was reported recently in the media that, at least for parts of 2020, all of the positions at LERA, except for the commissioner, were vacant. Why were there so many vacancies?

**Mr. Goertzen:** I think that that's a question that would be better posed in the Estimates process as opposed to on this bill today.

**Mr. Gerrard:** The IIU was set up to be an independent assessor of problems related to police conduct. One of the concerns about a situation being handled by the local police force is that it's not an—independent of the police force. Wouldn't there—it be better to have a more independent body like the IIU evaluate complaints or concerns related to the police not following code of conducts properly?

**Mr. Goertzen:** Well, I think it's important to remember that there's a difference, right? The IIU generally deals with things that haven't—that reach a criminal standard, where there's a complaint against an officer that might in some way be criminal in nature.

Codes of conduct, you know, are—would not be dealing with criminal matters in that way. There might be things that, while important, would be at a lower level than a criminal concern that an officer may have been engaged in.

**Ms. Fontaine:** Complaints have come forward from citizens saying and—that the LERA process, which can take months and months, and I quote: as sucks the life out of you. End quote.

What specifically will Bill 30 do to address the concerns of those facing long waits to have their concerns addressed?

**Mr. Goertzen:** Yes, I appreciate the member raising this question and I have some of the similar concerns. And I think in talking to officials, their belief is that, you know, when we build up the codes of conduct in how those should be responded to on a province-wide basis, is that might go a long way in capturing some of the things that are going to LERA now but that aren't being responded to quickly. But I would, obviously, be happy to hear the member's input as those codes of conduct are being developed.

**Mr. Gerrard:** Yes, I get the minister's point that IIU will deal primarily, more exclusively with things which are criminal in nature.

But it—the principle that you need somebody, some people, a committee, what have you, that's independent of the police force to be looking at issues related of code of conduct, I think still applies.

And, you know, just like, you know, we've been talking about having a—an individual with the Legislature who would be responsible for looking into complaints related to harassment and so on, that it would be important to have somebody who is not perceived—

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

\* (17:20)

**Mr. Goertzen:** Yes, I think I got the member's point. I think he needs to remember that the code of conduct might, you know, might, very well, in some situations, require that there be an external investigation. But I also think that it's important to remember that, you know, often as, you know, if the concern here is that something will be hidden or won't be public, then the issue might be as much about transparency and reporting back to the individual who launched the complaint as whether or not as an independent review.

But those are all good questions that'll be discussed as these codes of conduct are developed.

**Madam Speaker:** Are there any further questions?

Oh, the honourable member for River Heights (Mr. Gerrard).

**Mr. Gerrard:** Yes, just to—the—it seems to me that the government is recognizing something that the Liberal Party—*[interjection]*

**Madam Speaker:** Order.

**Mr. Gerrard:** —recognized some time ago, and that there are elements of policing that we need to have centrally for the whole province, and that need to be under the Province as opposed to a police force which is like the RCMP. Although, under the Province is actually—the officers and so on are hired by the federal government.

So is it the aim of the government to set up a central criminal intelligence centre plus other activities that would oversee policing for the whole province, and to what extent or how far is the minister going to go?

**Mr. Goertzen:** Well, the Police Commission self-oversees policing for the whole province, and they will have, under this bill, the responsibility to ensure that standards are being met. So it's the Police Commission that's doing—will be vested with that work.

But there are elements of policing where you need sort of, you know, scale. And so whether it's, you know, ballistics testing or tracing of guns that are used in an illegal crime, really small police forces that exist in Manitoba can't always do that work. So we often rely, then, on whether it's the RCMP or some of that sometimes happens out of province, where you do need more scale to do some of that work.

### Debate

**Madam Speaker:** If there are no further questions, we will move on to—*[interjection]* If there are no further questions, we will move on to debate.

**Ms. Nahanni Fontaine (St. Johns):** So, I know that a couple of months ago, there was significant interest in Bill 30, and I think one of the reasons why there was significant interest in Bill 30 and anything that had to do with amending The Police Services Act was because the anticipation, or the expectation, was that there was going to be significant changes.

And unfortunately, there's really nothing, particularly when we look at LERA in respect of any substantive, transformative change to the public complaints processes here in Manitoba, and that's disappointing.

Bill 30, in respect of LERA, simply only moves the reporting time frame to six months, and while

that's fine, I think—I would agree with the minister that that's important. It's important to put in, you know, have Manitoba's complaints processes kind of in line with other provinces and jurisdictions.

However, that's it. That's all that Bill 30 does in respect of LERA.

*Mr. Andrew Micklefield, Deputy Speaker, in the Chair*

You know, we know that there have been significant concerns and complaints and criticisms of LERA's effectiveness for years and years and years. And beginning from the '90s—and, you know, I know that the minister was close to being here for that long. But it's disappointing that—to see that the minister didn't choose to delve in deeper into LERA and how to strengthen LERA, particularly when the government spent money on a police service's review.

In my questions to Bill 30, I asked several questions about many of the recommendations that came from the police service's review and, in fact, we don't see, in this current legislative agenda from the PC government, really any substantial tackling of the police service's reviews, recommendations—like, literally the bare minimum.

So, you know, I don't know why the minister hasn't chosen this opportunity, particularly when they paid money for a police services review, to start undertaking a transformative, you know, reform for LERA. I'm not sure.

But what I do know, though, is that since the PC government came into administration, into government, one of the things that they've done with everything—we know that—was to cut, you know, dollars and programs and services, but also what they've done is that they've left significant positions vacant. They've gone vacant for many, many years, and LERA is no different.

It's pretty telling where the government's commitment is to accountability and complaints, a robust 'complaints' system, when the government has chosen to leave vacant positions at LERA.

Now, you know, there have been—you know, I can't remember what the number of complaints that go into LERA every year, but I think it's important to recognize that even, let's say it was, you know, a couple of hundred complaints, that is a significant amount of labour that LERA needs to be able to thoroughly investigate just one complaint. So I can imagine, with hundreds of complaints coming into the office and having a bare-bones staff to be able to

undertake these investigations, again, is not right; it's not proper.

The government is failing Manitoba citizens who want to file complaints in respect of their interaction with different policing institutions here in Manitoba. You know, is that intentional? I would suggest yes. I would suggest to the House that it is intentional.

We know that the government has actually saved about \$600,000 by not staffing these vacant positions. And as we, on this side of the House, have said many, many times, at the end of the day, the only thing that this government cares about is dollars and cents, so much so that this government, even though they said that they wanted to look at police service reform, has done the bare minimum. And so much so—they care so much more about money than they do about having a policing infrastructure in Manitoba that is fair, that is respectful, that complies with the duties and responsibilities of their roles as peace officers—so much so that they don't care if Manitoba citizens file complaints.

They don't care if those complaints come in because they're not going to hire anybody to actually investigate those complaints. That's a sad commentary.

And one of the reasons why it is also a very sad commentary is that we know that a good percentage of complaints that come into LERA—and, again, LERA's not the only public complaints infrastructure that we have; the Winnipeg Police Service has the Professional Standards Unit, the RCMP has their own internal complaints process which is a whole other different beast. But we know that a good percentage of the folks that make complaints in respect of their interactions with police are BIPOC citizens, are Black, Indigenous and people of colour. Because we know that and there's no denying that, you know, there are often interactions that are very different for BIPOC Manitobans than there are for non-BIPOC Manitobans.

And so, not only does the PC—not only has the PC government shown that it doesn't care about the complaints process, it wants to make sure that it doesn't have an infrastructure because they just don't care. They care more about money but, more importantly, they don't care if BIPOC Manitobans have complaints about their interactions with policing institutions because they care even less because it's BIPOC Manitobans. That is a sad, sad commentary.

In my final couple of minutes, attached to the bare, bare minimum of what's been done for LERA, one of the things that this bill does is it says that a code



of conduct for police officers in Manitoba police services may be established by the director of policing. The chief of police must provide the director of policing with a report on each contravention of the code of conduct by a police officer.

\* (17:30)

So (1) it—this bill doesn't say that they're mandating a code of conduct, that chiefs of police have—they've got to 'establish'—establish code of conducts for their members. If they choose to do it, then chiefs of police have to report to the director of policing, you know, anything that contravenes the supposed code of conduct. But that's it.

There's no consequences to that, there's no reporting of it. Like, nobody is going to see if Officer A contravened code of conduct, you know, section 5, subsection, you know, (b), whatever it is. Nobody is going to know about that. There's nothing. This bill is so loosey-goosey.

And it does nothing to protect Manitoba citizens when they come into contact with Manitoba police members or police institutions. It does nothing to protect the complaints process other than just extending the deadline to which you can file a complaint. But if you file a complaint, you know, within, you know, four months or five months or six months, there's no guarantee that there's actually going to be any staff to actually do the investigation and review of your complaints process.

And then finally, Madam—or, Deputy Speaker, you know, this government just doesn't care. Doesn't care about a complaints process, doesn't care if there's an investigative process. Again, this bill is literally, literally the bare, bare, bare minimum that this government could do to reform police—The Police Services Act here in Manitoba. And we could have done so much more.

I don't know why they spent so much money on the police services review when they chose not to do anything with it. I know the minister is saying more is to come, I look forward to that, to seeing what else is going to be there. I hope—I hope for Manitobans' sakes that there's going to be a substantial overhauling.

And again, that's what—you know, I started this debate by saying that's what everybody was expecting. Everybody was expecting that there would be a complete overhaul of LERA. LERA doesn't work. Manitobans don't get a sense of justice, don't feel like their complaints are heard or investigated process—properly.

We can do better here in Manitoba. We must do better for citizens when they come into contact with policing institutions and there have been a violation of their rights.

Miigwech.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I would like to comment on a few points in Bill 30, The Police Services Amendment and Law Enforcement Review Amendment Act.

There are three basic elements in this piece of legislation, one establishing the Manitoba Criminal Intelligence Centre; and the second, establishing standards respecting police service operations; and third, establishing a code of conduct for police officers in Manitoba.

In all three of these, there is a recognition that some functions are needed to be handled at a provincial scale and some functions related to policing can be best handled locally. But certainly, when we're talking at a provincial scale, it is time, as Manitoba Liberals have pointed out, that we recognize there needs to be a province-wide effort, at the very minimum in certain areas.

And that province-wide effort is being established or expanded here first of all with regard to the establishment of the Manitoba Criminal Intelligence Centre. This, I believe, is a worthwhile effort to co-ordinate intelligence among police services throughout the province. There is some of this already, and certainly some co-ordination with the RCMP nationally, but I think that there is a need to have a provincial and province-wide intelligence base when we're looking at criminal activity and crime in the province.

This is true not just for reporting and sharing criminal intelligence, but it is true for preventing crime as well, and hopefully the Manitoba Criminal Intelligence Centre will take a look in a little more detail about approaches to preventing crime.

The reporting of the criminal intelligence director and some of the functions are still a little bit vague. We are told that the criminal intelligence director is involved in providing advice to the director on policing standards and code of conduct for police officers. And yet, the minister was a little bit vague about how the criminal intelligence director and the police director mentioned in this bill will relate—or, the director of policing. I think that could've been clearer and in the future, it may be important that that is established with greater clarity.

The director of policing can establish standards on police service operations. Now, this is reasonable and timely, I think, to have province-wide standards. These standards can be based—or, developed in part based on what standards are elsewhere.

I have already suggested that it would be smart to have a standard related to the use of tasers and firearms, specifically.

And it would be smart to have a standard for the involvement of people with mental health and social worker background working together with police officers in addressing situations where there are individuals who have brain conditions—whether mental health conditions, whether brain injury, whether neurodevelopmental issues, whether what people are referring to as neurodiversity—that increasingly, it's going to be very important to have working side by side with police officers individuals who have a mental health or social work background.

And this standard should be developed now, because this pattern of co-operative activity is increasingly happening and becoming more and more important.

The third area of this bill deals with the code of conduct. There are elements here which really do need work and clarification—the issue of who can raise a concern. And the minister has suggested that there might be a website where people could type in their concern. That's one possibility, but it's not clear that that's actually what the minister is going to do, or if he's going to follow another course. And it seems to me that in putting forward this legislation, one of the real keys is making sure that there is an easy way for people to write in concerns about police 'clode' of conduct.

We live at a time when, with social media and the ease of people recording videos, that the lives of police officers and the lives of many other people are being recorded in various ways. And so, we're living in a world which is more transparent, more accountable in some ways. And it's going to be important to have it organized, because there could be a lot or there could be few concerns raised, depending on the circumstance. It's going to be important that we have a way that is easy for these concerns to be raised.

It is also going to be very important for these concerns to be handled in a way that is helpful, both to the person who brings them forward and to the police officers, and in a way that will, over time, improve the interaction of people and police officers.

\* (17:40)

Police officers are fundamentally here to protect and to help citizens. And it's important that we improve the relationship between police officers and the rest of the population and that the police officers are seen and are acting a way that follows the code of conduct that's developed; and in doing so, are able not only to carry out their duties, but to carry out their duties in a way that garners the respect and the credibility from all Manitobans. This is respect and credibility which police officers deserve, but only when things are more open and you have opportunities to address issues can this actually happen.

So I have suggested to the minister that there will need to be some independence of the individual, group, committee—whatever—task force that is handling these concerns and following them up, that this has got to be done efficiently so that there isn't the kind of backlog that we've had with LERA.

And for the minister to come here and present the bill without having these things laid out and so that we can have some assurance that valuations, assessments, investigations are going to be done fairly and we're going to have assurances that there will be the ability to do this in a reasonably quick way so that you don't have backlogs as we are seeing all too often with this government in other areas.

So those are my comments.

Mr. Speaker, we are ready to support this legislation and we're hoping that the minister can provide more details at the committee and later stages and will have some of these things better developed than they are at the moment.

Thank you.

**Mr. Deputy Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Deputy Speaker:** The question before the House is second reading of Bill 30, The Police Services Amendment and Law Enforcement Review Amendment Act.

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

I declare the motion carried.

## DEBATE ON SECOND READINGS

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

**Mr. Deputy Speaker:** We now move to debate on Bill 7, The Police Services Amendment—*[interjection]*—debate on second reading—excuse me—on Bill 7, The Police Services Amendment Act (Enhancing Independent Investigation Unit Operations).

The floor is open for debate. Are there any speakers?

**Hon. Jon Gerrard (River Heights):** Madam Speaker—or, Mr. Speaker, I'm—want to just put a few words on the record here related to Bill 7, enhancing independent investigation units operations.

The IIU was set up originally to provide independent investigations of situations where there was potential criminal activity by members of the police service, and it was set up to provide some level of independence from the police service itself and from members of the police service.

The independence of the IIU is tremendously important, and making sure that this situation is such that that independence continues is going to be vital. It has been suggested to me that there may be some instances where the IIU should have the ability to involve individuals from outside of the province who would be less biased and not have an inherent either past background related to the police forces in Manitoba, and that that would be a way of making sure that we have an IIU which is able to do its job even better than it has been able to do it at the moment.

But certainly, where we stand now, we are very much looking forward to having this go to committee, to having a full discussion of this bill and of the actions and the future of the IIU. This will, I think, enhance the activities of the IIU.

It will help to have a director of Indigenous community relations, recognizing that there is a level of interaction between police and members of the Indigenous community which is important that it be addressed. And the same is also true of other members of the 'biscop' community, Black community and people of colour in Manitoba.

We want to make sure that all Manitobans, whatever their background, whatever their ethnicity, whatever their race, are treated fairly and that police are respected for the fairness in which they act and in which they contribute to the future situation where we

hope there will be less of a problem between members of the police force and incidents with the police force interacting with members of the BIPOC community in ways that are, let's say, questionable.

I think it is good, and I know that the—for example, the Winnipeg Police have established a community relations officer who's—makes a big effort to get out and talk with people in various communities. And certainly, there has been some improvement over the last two decades, but we still have a way to go, and I hope that through this process and through what happens at committee stage that we're going to be able to make more progress in this direction.

So with those few comments, Mr. Speaker, I'll sit down and await this bill going to committee where we can have further discussion.

Thank you.

**Mr. Deputy Speaker:** The question before the House is second reading of Bill 7, The Police Services Amendment Act (Enhancing Independent Investigation Unit Operations).

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

I declare the motion carried.

### Bill 8—The Court of Appeal Amendment and Provincial Court Amendment Act

**Mr. Deputy Speaker:** I will now call Bill 8 to complete the second reading debate process on this bill where the official opposition critic, the honourable member for St. Johns, has eight minutes remaining and the independent members can speak for 10 minutes each.

**Ms. Nahanni Fontaine (St. Johns):** Well, I spoke a couple of minutes to this. I think that this is an important first step. I know that there's been a movement—again, I will acknowledge Rona Ambrose for bringing forward this at—in Parliament on a federal level to ensure that judges have proper training on sexual assault, rape and rape culture and consent.

Again, as I said previously in my comments, you know, this is training that's needed. You know, everybody—every workplace needs particular training. I mean, I heard on CBC this morning the Premier (Mrs. Stefanson) getting asked about training for, you know, civil service in respect of reconciliation.

And, you know, I would submit to the House that judges that sit and preside over cases of sexual assault are no different, particularly those—I mean, this

doesn't go far enough, Deputy Speaker. It's only referring to new judges that have to take training on said.

\* (17:50)

But I would submit that, you know, judges, particularly that have been there a long time, need training on sexual assault and rape culture and consent. We've seen some pretty, pretty grotesque commentary from judges presiding over sexual assault cases—really grotesque.

And, again, I know that I mentioned Robert Dewar here—or Judge Dewar—who basically was trying to attempt to construct the victims in a particular case as inviting the sexual assault of an individual that he then proceeded to try and socially construct as a clumsy Don Juan. Like, oh, this poor guy. He's just so clumsy. He doesn't know how to, you know, woo and seduce women. Those were the—that's the language that he used.

We have another judge that, you know, again, in the last many years asked a rape survivor why she didn't put her buttocks down in the sink so that she wouldn't be penetrated by her rapist. And this is, like, the most grotesque examples of people in positions of power that don't have the necessary knowledge and training in order to protect victims. And so not only is it a case of what you say to victims in court, but then how that impacts on your judgment and rendering judgment or sentencing in a case.

And so, yes, this is a good first step. I don't think it's as comprehensive as we need it to be. It certainly doesn't include JJPs; JJPs play a very important role within our judiciary, and I would submit to the House need to also have that training, that mandatory training in respect of sexual assault and rape culture, all of that. Because they do play an important role in our system and they are omitted from this piece of legislation—again, it's a good first step. We could have gone further.

And, you know, I want to acknowledge, you know, the women who have courageously come forward to demand these changes within the judiciary. It's not easy for women who have gone through sexual assault, and the myriad of different things that women go through.

You know, earlier today when I spoke on my member's statement—I had to cut out because I didn't have enough time—but out of every 100 sexual assault incidents, only six are ever reported. So you have 100 predominantly women and girls who are sexually

assaulted, and out of those 100, only six will ever go to the police because you are intrinsically, first off, traumatized and all of that that comes with it: the shame, the blaming, the fear of what people are going to think. And then to open yourself up to police in a room—and I know that, you know, I've worked with some, quite honestly, some pretty phenomenal Winnipeg police officers that try to make that process as safe and comfortable as possible. And even in the best circumstances, a woman having to open herself up and to share such intimate, horrendous details is overwhelming and intimidating. And very, very few choose that path. And so, and then, you know, out of the six, you know, the percentage is even lower of those that actually make it to the court system.

So when we look at sexual assault in its totality, we need to do more not only in respect of training, but we need to do more in respect of the resources and the supports that are there to ensure that, first off, it doesn't happen. And as I said in my member's statement, this is a men's issue. Men have to step up. They have to be accountable. They have to do—it is within their power to stop sexual assault and sexual harassment.

This is a men's issue, and yet, it is always women that are bearing the brunt of all the labour of stopping the violence against our bodies.

And so, that has to stop—the infrastructure. And then, again, you know, that comprehensive infrastructure, so that those women that do come forward are believed, and do find justice within the justice system. But you're certainly not going to find justice in the justice system if we have presiding judges that still have a very archaic, dinosaur view of what sexual assault and sexual harassment is, and particularly when you have presiding judges that would say just grotesque, 'disgusting' commentary to victims.

So, it's a good start. It needs to go a lot, lot, further to protect women and girls here in Manitoba.

Miigwech.

**Ms. Cindy Lamoureux (Tyndall Park):** I'd like to thank the minister for bringing forward this legislation.

And, just to provide a little bit of background on this legislation: it was actually Rona Ambrose—and she was the former interim leader of the Canadian Conservative Party—who first brought forward legislation that was quite similar to this, Mr. Deputy Speaker.

And, since then, it's been passed in provincial jurisdictions, as well; it's been passed in Prince Edward Island and Ontario. And even here in this House, Mr. Deputy Speaker, legislation that is very similar has been introduced by the government now; it's been introduced by myself, the Manitoba Liberal Party; and it's been introduced by the NDP, the New Democrats, here in Manitoba as well, which I think just speaks to how important the legislation is and the unanimity behind how we all feel that it would be important.

And I do believe the bill could go forward, but this is a start, Mr. Deputy Speaker.

You know, mandating provincial-appointed judges to take formal courses in dealing with sexual assault, this was the idea behind the legislation when I first brought it forward. And it actually—a little bit more background, Mr. Deputy Speaker—it was on October 13th, 2020, I wrote a letter to the minister telling him about the idea that Rona Ambrose had introduced at a federal level.

And I explained the legislation to him, and I actually shared a member statement in a letter to the minister before I presented it here in the House, talking about the importance of the legislation and advising the government introduce this form of legislation, and how I would be honoured to be part of it in any way. I think I even suggested that I would second the legislation, going across party lines, this non-partisan issue.

And in this legislation idea, it did talk about mandating provincial-appointed judges to take a formal course in dealing with sexual assault, and it proposed that the Criminal Code require judges to provide their reasons for decisions made in sexual assault proceedings.

Now, since then, over the last year, I've had the opportunity to speak with the Minister of Justice (Mr. Goertzen) and the current Minister of Finance (Mr. Friesen), now, Mr. Deputy Speaker, and we had many one-on-one conversations just about the importance of the judiciary.

And I know, over the last year, I've learnt a lot about the importance of independence in our judiciary system, as well, Mr. Deputy Speaker. And there's this line that we have to find where the independence in our judiciary is of utmost importance, and we want to support that fully; and it's equally important that we continue to progress Manitoba forward with sexual assault awareness and training. So, it's finding that line.

And it's important to—in talking about this legislation, we need to talk about why this training is so critical, and just people—the sensitivity that needs to come along with it, Mr. Deputy Speaker.

People who experience sexual assault will often experience feeling distressed and traumatized, and feelings from scared, to angry, to anxious, sad and upset, Mr. Deputy Speaker. And the stigma around it has created feelings of embarrassment and feelings of being ashamed. And oftentimes, people will struggle with guilt, even though these victims of sexual assault do not deserve to feel guilty even in the slightest. It is not their fault at all, and yet, these overwhelming, encompassing feelings take over a person and can be controlling.

\* (18:00)

And that's why—these life-changing feelings—why it's so important that people in the fields facing individuals who have experienced sexual assault have the proper training and are equipped to deal with what a victim of sexual assault might be experiencing.

And just to share a couple of examples, Mr. Deputy Speaker: in this case, the justice legislation, with judges, individuals not only deserve to have a fair trial and to be considered by a judge—*[interjection]*

**Mr. Deputy Speaker:** Order, please.

**Ms. Lamoureux:** Thank you, Mr. Deputy Speaker. It's a sensitive topic and I would appreciate if members of the House did—weren't laughing as I'm talking about sexual assault training.

It's important that judges are properly trained when it comes to language and terminology. And we heard examples from the member from St. Johns and those were good examples, but a judge without knowing it could actually in—further harm a victim of sexual assault by using language that actually debilitates them further rather than uplifts them and creates space for healing, Mr. Deputy Speaker. And that's why it's important that, in this case, judges have the proper training.

We can also—it's equally applicable to our health care and education system, Mr. Deputy Speaker. When I think about health care, I think about physical health, I think about mental health and we've talked lots about mental health recently in this—in these Chambers. *[interjection]*

**Mr. Deputy Speaker:** Order, please.

I'd just remind all members this is an extraordinarily sensitive topic and if you have conversations that you want to have with other members, that is fine. I would ask that you have those on the couches, on the loges or outside of this room. Let's respect the member who is speaking and the subject matter which is being debated this afternoon—or, now evening.

**Ms. Lamoureux:** I appreciate that a lot.

This is equally important when it comes to our school systems and our health-care system and why it is people need to be properly trained and equipped to talk about sexual assault and sexual assault law.

I think about it, whether it's health care and mental health. It's why we need the resources here in Manitoba. Right now we need to regulate psychotherapy, Mr. Deputy Speaker. We need to ensure that when people and, in this case, victims of sexual assault are seeking out help, that the people that they are talking to, the professionals that they are talking to, are properly trained and properly equipped. So judges, psychotherapists. We can even talk about our teachers, Mr. Deputy Speaker.

We know that students here, children here in Manitoba, the hope is they feel safe in their school systems. And, oftentimes, students will end up talking to their teachers about what is going on for them personally, what's happening in their homes, in their families of origin. And a lot of the time, they are sharing with their teachers experiences they have shared and sometimes these are sexual assault cases, Mr. Deputy Speaker.

And that's why, whether it's teachers, whether it's mental health care professionals, whether it's judges for this legislation, it's extremely important people are properly trained to address these serious issues.

So I do believe this bill is a great step in the right direction. We need to make sure that this government does not select the partisan appointee in place of the chief judge and we need to continue to aim for stronger language because we want those making decisions to have proper training on things like sexual assault law, on systemic racism, on systemic discrimination.

And as MLAs, I truly do consider this an honour to be able to take part in the debate around this legislation because it is life changing and we need to make sure we are doing our diligence to make sure that leaders and decision makers are making thoughtful—and they are well-equipped to be making these thoughtful decisions.

Thank you, Mr. Deputy Speaker.

**Hon. Jon Gerrard (River Heights):** Yes, I have a very brief comment. I want to, first of all, stress how important it is, this subject, because sexual assault cases have not always been handled well and we need to do much better.

It's also important because the rate of sexual assaults in Manitoba is about double the national average. And so it is a problem that we have here, which is greater than elsewhere, and we need to pay extra attention to it and to do it well.

And third, I want to salute my colleague, the MLA for Tyndall Park, for being a leader in this area and advocating for better training. The MLA for Tyndall Park has trained herself in delivering psychotherapies and is very experienced in this area, and she has done, I believe, an extraordinary piece of work in helping to bring this legislation forward and to do it in a way that is co-operative.

So thank you to my colleague, and with that, thank you, Mr. Speaker, for that opportunity.

**Mr. Deputy Speaker:** The question before the House is second reading of Bill 8, The Court of Appeal Amendment and Provincial Court Amendment Act.

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

I declare the motion carried.

### **Bill 16—The Financial Administration Amendment Act**

**Mr. Deputy Speaker:** Now move to—I will now call Bill 16 to complete the second reading debate process on this bill where the honourable members for Tyndall Park and River Heights can speak for 10 minutes each.

**Hon. Jon Gerrard (River Heights):** I will be very brief, Mr. Speaker. My colleague, the MLA for St. Boniface, has already spoken at length. This is not a good bill, and we're not going to be supporting it.

But I want to point out one particular thing and that it's very clear what this government is trying to do by separating the hydro—Manitoba Hydro from the rest of the budget. The government is trying, artificially, to separate the two and to have books for the budget look better than they really are because he's trying to separate out the debt for Manitoba Hydro instead of trying to pool the debt collectively for all the Crown corporations as well as the government, which is what has been done in the past.

So with those comments, I thank you for the opportunity and look forward to this further debate.

**Mr. Deputy Speaker:** The question before the House is second reading of Bill 16, The Financial Administration Amendment Act.

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

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Mr. Deputy Speaker:** I hear a no.

#### Voice Vote

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

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

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

I declare the motion carried.

#### Recorded Vote

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

**Mr. Deputy Speaker:** A recorded vote being called, call in the members.

*Madam Speaker in the Chair*

**Madam Speaker:** The question before the House is second reading of Bill 16, The Financial Administration Amendment Act.

\* (18:10)

#### Division

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

#### Yeas

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

#### Nays

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

**Clerk (Ms. Patricia Chaychuk):** Yeas 32, Nays 20.

**Madam Speaker:** The motion is accordingly passed.

\* \* \*

**Hon. Kelvin Goertzen (Government House Leader):** Madam Speaker, can you canvass the House and see if it's the will of members to call it midnight.

**Madam Speaker:** Is it the will of members to call it midnight? *[Agreed]*

The hour being midnight, this House is adjourned and stands adjourned until 1:30 p.m. tomorrow.

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, April 26, 2022

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