

**Second Session - Fortieth Legislature**  
of the  
**Legislative Assembly of Manitoba**  
**DEBATES**  
and  
**PROCEEDINGS**

**Official Report**  
**(Hansard)**

*Published under the  
authority of  
The Honourable Daryl Reid  
Speaker*

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Fortieth Legislature**

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ALTEMEYER, Rob	Wolseley	NDP
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## LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, September 10, 2013

*The House met at 10 a.m.*

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

Good morning, everyone. Please be seated.

Private members' business—*[interjection]* Oh, pardon me.

### ORDERS OF THE DAY

#### GOVERNMENT BUSINESS

**Mr. Speaker:** As previously agreed, we're moving directly to bills, consideration of bills for second reading, and we'll have a list of bills starting with Bill 5, followed by Bill 17, Bill 29, Bill 35, Bill 13, Bill 19, Bill 24, Bill 30, Bill 32, Bill 39, Bill 47, followed by Bill 7, Bill 22 and Bill 4.

#### DEBATE ON SECOND READINGS

**Mr. Speaker:** We'll start by calling Bill 5, The New Home Warranty Act, standing in the name of the honourable member for Spruce Woods.

#### Bill 5—The New Home Warranty Act

**Mr. Cliff Cullen (Spruce Woods):** Good morning. It certainly looks like it's going to be a busy day by the list of bills we have to get through this morning, but that's the nature of the game.

Mr. Speaker, Bill 5 is The New Home Warranty Act, and here we have again the government trying to protect Manitobans. And maybe we should have a bill here in the Legislature that actually protects Manitobans from the NDP government, I think might be more in line with what Manitoba taxpayers are looking for.

I know I've taken the approach early this morning on this, Mr. Speaker, but, you know, they made promises to Manitobans, and they made promises to Manitobans during the last election campaign that they weren't going to raise the

provincial sales tax, and at the end of the day nothing could be further from the truth. We've got a whole myriad of new fees and services and an increase in the provincial sales tax.

My concern with Bill 5, The New Home Warranty Act, is that this may leave the perception with Manitobans that they are going to be completely protected when they go to purchase a new home. And, in fact, they may have the feeling that if they purchase a home that's a few years old, they may know issues relative to the home itself, so it may give Manitobans a false sense of security and that's certainly something that we don't want to have. Certainly, the premise of buyer beware should also be prevalent in our society and that's something that we should be looking out for.

And I know other jurisdictions have gone this route, not all, but there certainly is a number of variations of this type of legislation across the country. And each province has kind of taken their own approach in terms of the warranty and what's going to be warranted, what portions of the home are going to be warranted and for how long that warranty will extend. So, certainly, Manitobans have laid out—the NDP government has laid out what they want to see in The New Home Warranty Act.

And we know a lot of the larger building companies already provide home warranties with—for their buildings. I guess the one upside was now the—certainly, the warranty will be certainly the same across Manitoba. The challenge is going to be, Mr. Speaker, is going to be for the smaller contractors to ascertain the type of warranty coverage that's being required here. Clearly, this will come at a cost. This will come at a cost to contractors. This will come at a cost to consumers. We have heard that the cost of this new warranty will be in excess of a thousand dollars, and we're not really sure exactly what that final price will be. So we'll certainly be looking forward to whenever this bill does become law and the ramifications around that. In the meantime we're certainly looking forward to this piece of legislation getting to the committee stage so we can hear what Manitobans are thinking on this issue.

With that, I just want to close my comments on Bill 5 and to say that we are really looking forward to hearing what Manitobans say to this particular

piece of legislation that will certainly add more red tape to the construction industry and, in essence, to homeowners too.

And there is provisions in the bill speaking specifically to owner builders and the situations that, if you decide to construct your own home, what the implications will be for them. So there's parameters in there so that home builders, owner builders, can't circumvent the law as well. There's special requirements for them in this legislation as well, when it comes to resale of that particular building. So there is certainly a lot of restrictions. There will certainly be a lot of education required when this—if this bill becomes law and certainly look forward to what—hearing what Manitobans have to say on this particular legislation.

Thank you very much, Mr. Speaker.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, this bill, which is The New Home Warranty Act, addresses issues related to building and purchasing of new homes. What it doesn't address is issues surrounding older homes which are resold, and I remember that there were some significant issues a number of years ago about the resale of flood-damaged homes and the things that happened to people who were caught in between because of the situation and the quality of the homes that they had bought and the damage and the mould that was there. So I think that that's something that, maybe, as we go into committee, could be looked at as well, not just the new homes but the older homes.

But that being said, I look forward to this going forward and being discussed at committee and moving forward to, then, the session in the—in November.

**Mr. Speaker:** Is there any further debate on Bill 5?

Is the House ready for the question?

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is second reading of Bill 5, The New Home Warranty Act.

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

We'll now proceed to call Bill 17, The Consumer Protection Amendment and Business Practices Amendment Act (Motor Vehicle Advertising and Information Disclosure and Other Amendments),

standing in the name of the honourable member for Spruce Woods.

\* (10:10)

**Bill 17—The Consumer Protection Amendment and Business Practices Amendment Act (Motor Vehicle Advertising and Information Disclosure and Other Amendments)**

**Mr. Cliff Cullen (Spruce Woods):** A pleasure this morning to speak to Bill 17, the consumer protection amendment and business practices amendment. This deals with motor vehicle advertising and information disclosure, Mr. Speaker. Certainly, you know, a novel idea that the government has put forward here and, again, in a bit of an attempt to protect Manitobans in terms of making sure the—all the prices are included in the sticker price.

So part of it must ensure that the advertisements comply with any additional requirements prescribed by regulation. And, again, when we talk about regulation, certainly, the devil is in the detail in terms of what may be coming forward in terms of regulation, Mr. Speaker.

Clearly, there's going to be penalties imposed under this particular piece of legislation as well, and we see that too, Mr. Speaker. We've seen the NDP government certainly increase the level of fines under various types of legislation that they've been bringing forward, and, clearly, it's—it looks like an attempt to get more money into the government coffers, and I think that's part of what this legislation deals with as well.

Clearly, there's—there may be an attempt here to pick out some of the bad apples that are out there, Mr. Speaker, in the car sales world, and I would expect there's probably just a very few of those. And we think maybe the government already has the tools to look after those unscrupulous business people, and a lot of times the marketplace itself will wean out those unscrupulous dealers. We're not sure this particular legislation is actually necessary.

But—and, again, I'll go back to the promises made by the NDP. They didn't come up front and tell Manitobans all of the extra fees and service charges and taxes that they were going to be subject to. I think if Manitobans were aware of those fees and those surcharges and those taxes, including the granddaddy of them all, the PST increase, if Manitobans were going to be made aware of that prior to the last election, I would submit to you, Mr. Speaker, that the outcome of that election would

have been a lot different. So this comes to a point where maybe we should have a piece of legislation that would force governments and political parties to be up front in terms of what their fees and taxes and surcharges are going to mean to average Manitobans.

Now, I know the NDP have been coming forward with all kinds of legislation in— and somewhat of an attempt to say that they are protecting consumers. But, at the end of the day, I think we need more protection from the NDP government, Mr. Speaker, than we do from one or two unscrupulous business dealers. And, certainly, we do already have an existing framework that should protect consumers from those kinds of business activities.

And we certainly look forward to hearing what Manitobans have to say on this particular type of legislation, Mr. Speaker. Certainly, from the consumers' side of things, we're—it will be interesting to hear what they have to say in regard to the fact now that dealers will have to provide, you know, an accurate sticker price including all fees and taxes.

And, clearly, those things should be all outlined on your sales invoice at the time, before you sign it. You should be well aware of all the fees and service charges and taxes before you actually sign the invoice saying that you're going to purchase a vehicle, Mr. Speaker.

So I think there is, certainly, existing provisions there that should allow individual consumers to make those sound decisions, Mr. Speaker, and I'm not sure if this particular legislation is really necessary, but, certainly, the NDP will try to sell it as another level of protection for Manitoba consumers. At the same time, probably, this legislation will add another layer, another level of red tape to the business community which will obviously have to be passed on—that expense will have to be passed on to the consumer.

Thank you very much for the time to speak to Bill 17, Mr. Speaker. I know there's others that will want to speak to this bill as well. Thank you.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I just want to put a few words on the record in terms of The Consumer Protection Amendment and Business Practices Amendment Act, dealing with motor vehicles.

The attempt here to tighten up things for the benefit of consumers, you know, is certainly, I would

say, well intentioned. I think it remains to be seen how well this will work.

I note that the—there's an increase in the fines. I note that there is—compensation orders can be enforced as an order of the Court of Queen's Bench. The need to be sure that compensation is fair and appropriate is certainly there, and one wonders about whether some of the money collected from the fines will be used in terms of compensation.

But I think that we'll wait and see what the discussion is at the committee stage, and I look forward to hearing presenters when this comes to committee. Thank you.

**Mr. Speaker:** Any further debate on Bill 17?

Is the House ready for the question?

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is Bill 17, The Consumer Protection Amendment and Business Practices Amendment Act (Motor Vehicle Advertising and Information Disclosure and Other Amendments).

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

We'll now proceed with Bill 29, The Land Surveyors and Related Amendments Act, standing in the name of the honourable member for Spruce Woods.

#### **Bill 29—The Land Surveyors and Related Amendments Act**

**Mr. Cliff Cullen (Spruce Woods):** A pleasure this morning to speak on Bill 29, the land surveyors amendment.

Mr. Speaker, this is a very significant rewrite of the legislation relative to the land surveyors that we have in the province of Manitoba. It's certainly legislation that the land surveyors have been calling for, for quite some time. And when I say quite some time, I'm talking several years now. And it's significant for the land surveyors here, in their practice in doing business here in the province of Manitoba.

We certainly look forward to having this piece of legislation passed. It's been long awaited by the land surveyors around the province, and certainly they want to get up to speed in terms of the legislation, so it's current with their business practices that are prevalent here in Manitoba.

Certainly land surveyors and their business in—go back many years in Manitoba. And it's certainly an important basis for our economy and, certainly, important work that the land surveyors do, Mr. Speaker. Clearly, verifying landownership and creating that database of landownership is very important for our current economic system, and, obviously, when disputes arise, it's important to have the land surveyors—professional land surveyors there to address those issues.

Clearly, it's time that we got caught up in our legislation to make them—brought up to the current business practices, and it's good to see the government finally getting around to bringing this legislation forward. It is somewhat unfortunate, Mr. Speaker, that the NDP government didn't want to push one of—this particular bill forward, in terms of their top 10 priorities. I guess they figured after 10 years, you know, what's another few months to wait.

So that's something that we certainly wanted to signal to the land surveyors, that we've been supportive of this legislation for quite some time and certainly had been encouraging the government to pass this legislation.

I'm sure we will hear from land surveyors over the course of the next couple months, whenever this particular bill is called to committee, and I'm sure we will have people speak in favour of getting this legislation passed, Mr. Speaker.

So we do look forward to hearing from those concerned with land surveying in Manitoba, Mr. Speaker, and we certainly look forward to passage of this legislation in due course.

Thank you very much for that short amount of time for this Bill 29.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I want to talk briefly on Bill 29, The Land Surveyors and Related Amendments Act.

\* (10:20)

First of all, I want to pay tribute to the land surveyors in Manitoba because they provide a tremendously important service to all of us, and that this service is really vital in terms of the operation of democracy in Manitoba and making sure that we are able to have appropriate property rights and that they're delivered well, because we've got really good surveys being done. And the surveyors are—in Manitoba are a very professional group of people

who have contributed substantially to Manitoba for many, many years. I think it's a testament to the perseverance of people who are land surveyors that this is finally here. It has taken the government a long time to get to this point in legislation which probably should have been on the table a number of years ago. But I'm pleased that it is here now and, certainly, I look forward to presentations at the committee stage.

I think it is curious, and I will just put a remark or two on the table, that right now we are dealing with the sale of the Property Registry, which is so important to people who are land surveyors. We were talking about the sale by this government of the Property Registry to an Ontario company, and the Property Registry is a tremendously important public database. And it's curious, even as others are talking about making sure that public databases like this are open and readily available to people, that this government is, in a sense, putting the Property Registry behind a bit of a firewall, certainly for—a cost firewall, that there will be a cost for access, And the problem, and I suspect it will impact land surveyors particularly at times, is the cost is not just for accessing information on one property; the cost is when you have to have access to information on multiple properties and multiple searches, that those costs add up. And we note that in Ontario, where Teranet is operating, that they have the highest cost framework for access to the property registry in Ontario of anywhere in North America, somewhere like three times the cost of British Columbia, which is also, I understand, a privately operated service. So it's not related just to the fact that it's a private company.

And so I raise this concern in this context. I also raise the concern in the context that the sale of Teranet was done to an Ontario company, from what I understand, without adequately consulting people in the land surveyors area, without looking for other options to convert the digital database. Other provinces have pursued other options which have turned out, in fact, to have better conversion rates and decreased error rates. So, certainly, there needs to be some concern, and I hope that things will work out well, not just for land surveyors on the basis of this, but that the Property Registry is, in fact, not going to be the problem that it could be under Teranet. So we'll wait and see how that develops.

And thank you, Mr. Speaker, for the opportunity to speak and to say a few words on this bill today. Thank you.

**Mr. Speaker:** Any further debate on Bill 29?

House is ready for the question?

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is Bill 29, The Land Surveyors and Related Amendments Act.

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

We'll now call Bill 35, The Consumer Protection Amendment Act (Compliance and Enforcement Measures), standing in the name of the honourable member for Spruce Woods.

**Bill 35—The Consumer Protection Amendment Act (Compliance and Enforcement Measures)**

**Mr. Cliff Cullen (Spruce Woods):** Mr. Speaker, a pleasure to speak to Bill 35 this morning, and I will be very brief this morning on Bill 35.

Another consumer protection amendment—there certainly is some issues relative to this piece of legislation. And this one talks about compliance and enforcement measures, and the—clearly, the government is taking a pretty hard stance when it comes to dealing with the business community. And under this particular legislation, Mr. Speaker, they are providing their inspectors with even more powers, and we feel that, quite frankly, some of these powers might be unnecessary and might be, in fact, overpowering powers that they are providing their inspectors.

And I guess the question again is, you know, who's out there to protect the business community from the inspectors, Mr. Speaker? That really is going to be the challenge going forward because, under this particular legislation, the new powers given to these inspectors are quite important and significant. The inspectors are given authority to take whatever action they consider appropriate in the circumstances that they find themselves in. And, quite frankly, that provides them almost unlimited power, and it will be up to, I guess, ultimately, a court to decide whether or not the powers that they have taken—those actions they have taken are actually appropriate. And certainly from the business community side of things, I'm sure they will be hopefully looking at this legislation very closely, as well.

And I know the minister has made reference that there's certain businesses—certain business

communities that they're looking at in terms of this legislation, Mr. Speaker, but certainly, maybe, they should be looking just at particularly those businesses that they've had complaints from. Now, this legislation allows inspectors to go and investigate businesses without even receiving a complaint, as has been in the past. And that certainly is significant.

So what the—I believe the minister is doing with this legislation, he's providing a broad overempowering framework for his inspectors to go out and inspect the business community at large when, in fact, there's only a certain number of areas—and I'll use the term again, bad apples—out there that are impacting the consumer, Mr. Speaker. And clearly there's fairly significant laws in place now to deal with those bad apples out in industry. And I think what this will do is it will certainly send a message to the business community that in Manitoba we are going to be watching out as Big Brother; we are going to be watching out what you are doing as a business.

And certainly the other component here, there's going to be regulation-making powers related to this legislation, as well, which will come into play. And the other thing, too, we've seen, is an increase in the amount of penalties associated with this legislation, as well. So certainly another avenue for the government to penalize the business community and, in fact, get more money into their general revenue, Mr. Speaker, which we know is certainly a priority for the current NDP government.

And certainly when we look at the increase in the provincial sales tax and the \$277 million they—extra—that they are generating, we know that they are trying to get their hands on as much money as possible on the backs of Manitobans, Mr. Speaker. And this clearly will—this legislation seems to be doing the same type of activities as well, and there certainly is a concern there.

So those are the concerns that we have regarding this legislation. We also look forward to committee on this particular bill, to hear what not only consumers have to say, but also the business community has to say in regard to the changes going forward in terms of the regulations made here and, in fact, the change in legislation under the guise of the consumer protection amendment, Mr. Speaker.

So, with that, I will—I said I would keep my comments brief, and I look forward to other

comments this morning and taking this bill to committee. Thank you.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise to talk briefly on Bill 35, The Consumer Protection Amendment Act.

The section which is of some concern in this act is the right of entry. And the bill itself says that in order to perform a duty or a function under the inspection area, the inspection may, at any reasonable time, without a warrant, enter any business premises or any other premises or place where the inspector has reasonable grounds to believe that records or property relevant to the administration enforcement of this act are kept.

\*(10:30)

Now, certainly, Mr. Speaker, while it is important that we ensure that consumers are protected, that business is done appropriately and ethically, the powers here which allow the inspector to enter without a warrant, which suggests that without—could be situations where they're out—without reasonable grounds. This is a section which could be used arbitrarily to enter and inspect businesses without even a concern having arisen. And so I think it's worth, when we get to committee stage and following, have a very careful look at this section, have input from a variety of people because this has the potential to be, I would say, overly intrusive.

Why without a warrant? Surely, there needs to be at least some reasonable grounds for going into a business premise and making these sorts of inspections. Certainly, there should be some basis, notwithstanding the fact that there are, of course, certain businesses that are inspected on a regular basis like restaurants because of health issues, that this is something, depending on the different types of business, that certainly there is an appropriate level and an inappropriate level, and we need to find the right balance, I would suggest, Mr. Speaker, in making sure that we are able effectively to monitor and ensure that consumers are protected, but, at the same time, we should be able to do this without being overly intrusive and infringing on, you know, people's rights to a certain level of privacy.

This inspector can go without a warrant into not only any business premise but any other premise or place where the inspector has reasonable grounds to believe that records or property relevant to the administration or enforcement of this act are kept.

And, once again, this could be grounds to go into all sorts of different properties without having grounds to do so. And it needs to be—we need to have some assurance that such wide and potentially intrusive powers would be used appropriately.

And there needs to be safeguards therefor into the use of this act and to ensure that it is used appropriately but not intrusively and not spuriously. Businesses are concerned about certain areas of business that they want to keep 'private'.

You know, the government from time to time tells us that it can't even talk about certain matters because they are negotiating these matters or have signed agreements with a business and these are confidential for business purposes.

And yet, the government is bringing forward an act which would potentially allow inspectors to go in and have access to a huge variety of records and, you know, if this was not really carefully monitored, and one is—can be sure that there weren't nefarious people out there who are doing the inspecting, that you could have a lot of things happening which, you know, should not be happening.

And so I would suggest that we need to look at this part of this legislation very carefully to make sure that we are going to get the balance right and that the inspection powers are reasonable and are not potentially to be used or abused, would be the concern, in fashions that could be damaging to businesses and to others.

So I look forward to this act going to committee and to hearing what presenters say and hope that we have a good discussion, and that in the final analysis we can come out with the right balance in this legislation. Thank you.

**Mr. Speaker:** Any further debate on the bill?

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is Bill 35, The Consumer Protection Amendment Act (Compliance and Enforcement Measures).

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

We'll now move on with Bill 19. I—no, pardon me, 13—Bill 13, The Fish and Wildlife Enhancement Fund Act, standing in the name of the honourable member for Steinbach (Mr. Goertzen).



**Bill 13—The Fish and Wildlife  
Enhancement Fund Act**

**Mr. Speaker:** Is there leave for this matter to remain standing in the name of the honourable member for Steinbach?

**Some Honourable Members:** No.

**Mr. Speaker:** No. Leave has been denied.

**Mr. Stuart Briese (Agassiz):** I'm pleased to rise to speak to Bill 13, the fish and wildlife enhancement fund. This is a bill that increases—establishes a fund through a portion of the fishing, hunting, and traffic licence fees, similar to the one that, I guess, is already on the fishing licences already for fish enhancement. This appears to go a step further. Our party, of course, has always supported and encouraged the enhancement and preservation and protection of our fish and wildlife resources.

One of the things that I found kind of humorous in my travels around my constituency this summer, I was talking to a constituent that said he had three things that he really enjoyed doing in life and one was fishing, one was camping and the third one was drinking beer. And he said the NDP must have got a hold of his resume because they raised the rates on all three of them this last budget, and he was a little put out by it. But I think he clearly understood that money going into the fish enhancement—*[interjection]*—he didn't smoke—money going into the fish enhance—the fish and wildlife enhancement fund is probably going to a good place.

You know, the NDP have a long history of making environmental promises and then not following through with their action, but last year the Manitoba Wildlands found that 120 environmentally related promises made by this government, only 20 of them had been met. That's less than 20 per cent of the number of promises they'd made. More recently, we were raising concerns about the moose population in certain areas of the province, and it took quite a while, but we finally got the message across to the government and it appears that there's been some restrictions put in in those areas that will, hopefully, help the recovery of the moose populations in those areas, although they were left so long that it almost went beyond recovery.

One of the organizations that I'm most familiar with, it happens to be in the Minister of Finance's (Mr. Struthers) own constituency, is the Intermountain fish enhancement group, and they do tremendous work in that area and I've always been

fully supportive of what they do. I argued for quite some time in this House with the previous minister on the preservation of the Lake Dauphin walleye fishery, and literally got nowhere with the previous minister. And was rather surprised and happy to see the minister that's in place now, the Minister of Conservation, move very quickly on that file and state almost all the things that I was recommending for a number of years to the former minister. And so I was happy to see that group. I've toured some of the things that they do there in promotion with kids and getting kids involved in fishing and really promoting enhancement of the fishery.

\* (10:40)

I do want to make sure that the government pays attention to where this funding's going and don't—that they don't use it up in administration or into general coffers. This money should all go directly into enhancement. That's where it will do the most good.

I look forward to this bill going to committee and I look forward to comments from committee and debating this bill again at third reading. Thank you, Mr. Speaker.

**Hon. Jon Gerrard (River Heights):** Yes, Mr. Speaker, I want to talk briefly on this legislation, The Fish and Wildlife Enhancement Fund Act. This is an area where I have long been a strong supporter of ensuring that we have good populations of our fish and our wildlife—not always easy, but it's tremendously important that we are good stewards of the habitat and the environment and the fish and the wildlife in Manitoba.

One of the things that I think is very important is that we balance and co-ordinate the efforts here under this section of legislation to enhance wildlife populations or fish populations or bring them back into balance, that this needs to happen in co-ordination with approaches to monitor populations so that we know what's happening with those populations and we're able to act in an intelligent fashion when we're enhancing populations.

One of the problems that we've had in recent years, for example, has been the problem of moose populations. And when it comes right down to it, one of the major issues was that this government wasn't doing a very careful year-to-year assessment of moose populations. The result is that all of a sudden they went into a panic because the moose populations were dropping precipitously and that

they'd gone down a lot faster than they expected because they had not been monitoring them accurately enough and regularly enough to ensure that at the first sign of problems, this situation of moose populations was addressed.

Now, this applies, of course, not just to moose populations, it applies to fish populations, for example, that it's very important that we are monitoring the fish populations, and this can be done in a variety of ways but it needs to have ways that are meaningful and that can be followed from year to year so that we know when there is situation where populations are in trouble. One of the long-running issues in terms of fish populations has been the precipitous decline in the fish populations, particularly pickerel populations that happened in Lake Winnipegosis in around 1960. And in spite of many, many years of follow up, the pickerel population now, some 50 years later, is still not fully recovered to the point where it should be, and certainly this is an example of where we had poor wildlife policy, as many have talked about and written about and acknowledged, and that this policy persisted for many, many years.

So fish enhancement or wildlife enhancement working in isolation without good information on populations is a problem and without good attention to habitat is a problem, and certainly I'm a strong supporter of this. I want to make sure that the funds—because they're clearly not unlimited funds—these funds are used wisely and well, and that is why it is so important that the department be engaged and have effective monitoring programs.

I think it has to be said that—for whatever fish or wildlife species that we're talking about, that the people who are the on-the-ground fishers or hunters or trappers often have some of the best information about what's happening with those populations, and that what people have sometimes termed traditional knowledge needs to be used effectively, harnessed effectively, as it were, and balanced and matched with information that's done from very well conducted wildlife surveys and other approaches to monitoring populations.

The sophistication with which populations can be monitoring, as we're now seeing with caribou, using DNA and other measures to identify the number of caribou in a herd, has changed considerably and allowed us to much better understand populations, where we use these sorts of tools as they're now being used for at least one herd

in Manitoba, and, certainly, as technology and other approaches change, and as we learn more about the habits of fish and wildlife, that we can do a better job. And this fish and wildlife enhancement fund is an important contributor to that, used appropriately and well and together with various monitoring approaches.

I remember many years ago having long discussions with a Metis trapper, John Hastings [*phonetic*], who was really wise, and although his observations were, in a sense, traditional knowledge, he was able to contribute inordinately not only to understanding what was happening with populations but to suggesting and putting forth ways in which populations could be enhanced. So it is this kind of traditional knowledge which I think we need to recognize and incorporate together with the best science-based evidence that we can find.

I look forward to this measure being—going forward and to presentations that occur at the committee stage. Thank you, Mr. Speaker.

**Mr. Speaker:** Any further debate on Bill 13?

Is the House ready for the question?

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is Bill 13, The Fish and Wildlife Enhancement Fund Act.

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

We'll now proceed calling Bill 19, The Waste Reduction and Prevention Amendment and Environment Amendment Act, standing in the name of the honourable member for Steinbach (Mr. Goertzen).

**Bill 19—The Waste Reduction and Prevention Amendment and Environment Amendment Act**

**Mr. Speaker:** Is there leave for this matter to remain standing in the name of the honourable member for Steinbach?

**Some Honourable Members:** No.

**Mr. Speaker:** Apparently leave has been denied.

So is there further debate on this matter?

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I want to speak briefly to this legislation, The Waste Reduction and Prevention Amendment and Environment Amendment Act.

Let me talk specifically to the section in which the minister shall establish an advisory committee for the purpose of providing advice and assistance in carrying out the purpose of the act. And the committee can have, clearly, an important role here. I think we need to be sure that we don't—not having too much duplication in committees because we've had a sustainable development committee which is somewhat overlapping.

But I think that it is important that the minutes of the committee meetings be available and, on a regular basis, online. I think it is important that, you know, that to the extent that this is an important advisory committee, that the advice should not be, as it were, confidential to the minister, but the advice should be available with the minutes being publicly available, and the—what's said and done at the meetings of the advisory committee be available not just to the minister, but to all, so that we can benefit from understanding where—what the committee is recommendation, and that there can be a widespread understanding of what is happening. I say this, in particular, because we have had committees in the past where there haven't been very many meetings, where committees were established and then not used. There was a, you know, Lake Manitoba advisory committee or stewardship committee, but then when we had a big flood, you know, it wasn't used and it didn't meet and it could have been a big resource to the government, but they chose not to use it.

\* (10:50)

So I think that when you're setting up committees like this, set them up, you know, in a proper way and make sure that they're used well and that people's advice are taken and that we don't have just a committee which is set up really in name without having an important function.

So that would be my primary comment. Yes, let's get this committee set up, but let's make sure it's making—set up in a way that it actually makes an important contribution, and I would hope that we could actually include an amendment here to make sure that the minutes and the deliberations of the committee are made public so that this can be advice to all Manitobans, not just to the minister.

Thank you, Mr. Speaker.

**Mr. Speaker:** Is there any further debate on Bill 19?

Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill 19, The Waste Reduction and Prevention Amendment and Environment Amendment Act.

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

Now proceed to call Bill 24, The Endangered Species Amendment Act (Ecosystem Protection and Miscellaneous Amendments), standing in the name of the honourable member for Arthur-Virden (Mr. Maguire).

**Bill 24—The Endangered Species  
Amendment Act (Ecosystem Protection  
and Miscellaneous Amendments)**

**Mr. Speaker:** Is there leave for this matter to remain standing in the name of the honourable member for Arthur-Virden?

**Some Honourable Members:** No.

**Mr. Speaker:** No. Leave has been denied.

Is there any further debate?

**Mr. Stuart Briese (Agassiz):** Mr. Speaker, I'm pleased to rise and put a few words on the record on Bill 24, The Endangered Species Amendment Act.

This is a bill that we believe needs some amendments. It's a bill that expands the protection and enforcement of threatened ecosystems as the habitats, and it will require some regulations that prohibit some conducts in the ecosystem protection zone and land management strategies, and, you know, it also includes a new designation on species of concern rather than species at risk.

So it, in essence, is another bill that shows this government's failure over 14 years in protecting our natural habitat's wildlife. They—I will hark back to what I said on the last bill I was speaking to. Last year the Manitoba Wildlands found that 120 environmental-related promises made by this government, only 20 of them have been met. So they make a lot of promises. They're good at announcements, but putting things in place sometimes is sadly lacking.

One of the key components of this bill is the designation of ecosystems to be marked as endangered or threatened. We know, and I've always supported the protection of ecosystems, but that being said, a well-maintained ecosystem is also an important economic driver for the cattle industry and

the hunting and fishing industries and recreation activities. And there's got to be a balance struck on those things. Fishers, hunters, trappers, farmers—there's no one with more skin in the game than those activities. Cattle grazing depends on a strong ecosystem that produces many benefits to society. And farmers and ranchers are absolutely natural stewards of the land, and very protective of habitats such as wetlands and grasslands that are home to many species of wildlife, and plants and trees and various species that need to be protected.

We hope that the government is going to do a fairly widespread consultation with a variety of stakeholders on these regulations, especially with farmers who are stewards of the land. They are the people that look after the land. They think in generation terms, definitely. They want the land and the wildlife, the ecosystems, to remain as well as they are today or better into the future. Farmers always think in generation terms, they don't just think about today. There's opportunities for the use of the carrot rather than the stick in this legislation. Good consultation will result in buy in that will certainly help in the long run on this legislation.

The—I always find it a little bit interesting on protections of species. You know, I remember reading somewhere that—and I can't remember the exact number, but the figures they used were if a thousand species had existed on earth since the beginning of life on earth, perhaps 10 of them were—still here today. So, evolution is something that we don't need to be afraid of. It's—species will adapt and change as climates change and as habitat changes.

You know, the other thing that certainly comes to mind and probably should be an amendment, is compensation when your property does fall under this legislation. There's a value to all Manitobans in this legislation, and all Manitobans should pay to have those properties protected.

With those few words, I'll let someone else speak to this bill, and thank you, Mr. Speaker.

**Mr. Speaker:** Is there any further debate on Bill 24?

House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill 24, The Endangered Species Amendment Act (Ecosystem Protection and Miscellaneous Amendments).

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

We'll now proceed to call Bill 30, The Forest Health Protection Amendment Act (Heritage Trees), standing in the name of the honourable member for Arthur-Virden (Mr. Maguire).

**Bill 30—The Forest Health Protection Amendment Act (Heritage Trees)**

**Mr. Speaker:** Is there leave for this matter to remain standing in the name of the honourable member for Arthur-Virden?

**An Honourable Member:** No.

**Mr. Speaker:** Leave has been denied.

In further debate, the honourable member for Agassiz.

**Mr. Stuart Briese (Agassiz):** I'm pleased to rise to speak on Bill 30, The Forest Health Protection Amendment Act. This is a bill—another bill that we feel needs some amendments made. It's kind of a interesting bill, and it wants the general public to go out and name heritage trees here and there and then place penalties in place if a designated tree is removed in violation of the terms of the act. I'm not sure—I would expect that some of these heritage trees will be identified and already have been identified. I am just not sure about the enforcement of this act and just how it's expected to be carried out, whether it's going to be a criminal charge or you have to return the tree to the position it was in, or what the enforcement is.

You know, over the years, in my experience, the government themselves have been one of the worst procrastinators on these—on trees that would be classified as heritage trees. I remember, most of the years I was growing up, a tree at Riding Mountain that hung out over the highway and we always looked for that tree when we were going south toward Neepawa coming back from McCreary or wherever, and we always looked for that tree. And I'm sure under this designation it would be a heritage tree. Highways—when they widened the highway there—saw it as being in the way and it was gone. But it was there for probably a hundred years. I know there's another one out near MacGregor on No. 1 Highway that may even already been designated, I'm not sure.

\* (11:00)

In Neepawa itself, my hometown Neepawa, the 16 Highway is lined by huge elms. One of the attractions of Neepawa is the way those elms meet over that highway and close it in from both sides, and there's talk now of widening that highway and knocking out all those massive elms there. So I think I probably in some ways look forward to this legislation because I think I'll designate that whole row of trees there and—attempt to designate it and then see what kind of fines the Minister of Conservation puts on the Minister of Infrastructure. It could be quite interesting to see what kind of argument goes on there.

The Manitoba Forestry Association has already some 200 trees on its database, although up to 50 of them have been lost to disease and flooding and being cut down.

And that's another thing that comes to mind, the flooding around Lake Manitoba last year. Before you could see the lake if you were driving in that area, and still today if you're driving in that area you would see the dead trees, the dead trees that were flooded out by the man-made flood of 2011. You see them before you ever see the water, the trees that were drowned out. And I'm sure, maybe if we want to prevent another flood there, maybe we should name a few of the trees in the area heritage trees and then you could probably put penalty in place if they got flooded and killed the way so many trees were that year.

The—a member—another announcement this government made with great fanfare, talking about greenhouse gas emissions and carbon sinks, and they were going to plant 5 million trees. Now, 5 million sounds like a significant number and it is a significant number when you're talking about certain things. Five million trees isn't a huge number of trees. I probably on my own farm have a couple of million trees and, you know, I kind of figured this out. I'm always curious about these things. I kind of figured this out of 8-foot spacings and how much land 5 million trees would cover, and it came out to maybe two sections or three sections of trees. It wasn't near what the fanfare of the announcement of 5 million trees was. Just good—it sound goods. It's a feel-good number, but it doesn't mean much. It really doesn't in the greater scheme of things. The forestry companies plant that many trees in a month, and 5 million trees on my own farm—my farm was about 2,000 acres and 400 acres of that was probably trees, permanent trees.

And to—for anybody to go out and try and put penalties on the agricultural industry under some type of similar legislation as this is really unacceptable.

Now, Mr. Speaker, as I said, there needs to be some amendments—amendments that address the landowners, the stakeholders where these trees are. I know mostly this legislation addresses heritage trees on Crown land but it doesn't close the door on private land, and private land does have to be addressed.

I look forward to this bill going to committee and any feedback we're getting on it. Thank you, Mr. Speaker.

**Mr. Speaker:** Any further debate on Bill 30?

**Some Honourable Members:** Question.

**Mr. Speaker:** House is ready for the question. The question before the House is Bill 30, The Forest Health Protection Amendment Act (Heritage Trees).

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

We'll now proceed to call Bill 32, The Manitoba Institute of the Purchasing Management Association of Canada Amendment Act, standing in the name of the honourable member for Charleswood.

#### **Bill 32—The Manitoba Institute of the Purchasing Management Association of Canada Amendment Act**

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, this is one bill that we certainly are supportive of in terms of what the government is attempting to do with this. We have been interested in seeing this move forward and really don't have much comments to put on the record. It is very—a basic straightforward legislation, and we look forward to this legislation getting to committee and moving it from there.

Thank you.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I want to speak briefly to this Bill 32, The Manitoba Institute of the Purchasing Management Association of Canada Amendment Act.

I think, first of all, it's important to recognize that the professionals who are involved in supply chain management play a tremendously important part in our economy today, and this is particularly so in a global economy where we are working in many

industries on a just-in-time basis where we are having good, slow back and forth across borders much more freely than they used to where the supply chain in some instances may involve goods crossing quite a number of different borders and coming from different directions if we're assembling products here, and so this profession plays a very important role.

I'm pleased that this bill is coming forward, and that if there are comments at the committee stage, I welcome those for anybody who may come forward to suggest any improvements. Thank you.

**Mr. Speaker:** Any further debate on Bill 32?

**An Honourable Member:** Question.

**Mr. Speaker:** The House is ready for the question.

The question before the House is Bill 32, The Manitoba Institute of the Purchasing Management Association of Canada Amendment Act.

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

We will now proceed to call Bill 39, The Government Efficiency Act (Various Acts Amended or Replaced to Consolidate Boards and Agencies and Eliminate Government Appointments), standing in the name of the honourable member for Lakeside.

**Bill 39—The Government Efficiency Act  
(Various Acts Amended or Replaced to  
Consolidate Boards and Agencies and  
Eliminate Government Appointments)**

**Mr. Ralph Eichler (Lakeside):** Mr. Speaker, I do want to talk a bit about Bill 39. Of course, this is the NDP's way to save some money so they can spend a lot, and here's a typical example of what Saskatchewan went through. They went through almost the same thing. They found 82 ways in departments or committees to save some money. They saved roughly around \$500,000. Now, that is—

**An Honourable Member:** What's wrong with that?

**Mr. Eichler:** Yes, you—yes, the member from—where are you from? Who? Balmoral?

**An Honourable Member:** Elmwood.

**Mr. Eichler:** Elmwood. The member from Elmwood seems to think, well, that is a lot of money where we come from in rural Manitoba. I mean, we know very well. But what we're talking about is roughly 15 organizations that we're talking about.

And, of course, what the key thing here is what consultation did the Minister of Finance (Mr. Struthers) go through in regards to these boards and what information was passed on or shared with those organizations prior to this bill coming into this session? So we're looking forward to hearing what those organizations have to say.

We're all for modernization of any type. In fact, we know very clearly—very clearly—*[interjection]* Yes, you, yes, well, the member from Fort Garry-Riverview finds that quite humorous and that's okay—that's okay. We can handle that.

But, at the end of the day, what we need to focus on is what's best for Manitoba, and what message is going to be out there for them to be able to undertake and make sure that their voice is still going to be at the table. In fact, we know one that was recently decommissioned—not necessarily through this bill—was MCEC, which they just appointed a new chair, Frieda Krpan from St. Laurent. She's the same individual that helped the Minister of Finance start the plant in Dauphin, and we saw how well that went. So she's batting two for zero, so maybe wouldn't be a smart idea to put her on another board, or maybe that might be a good way to eliminate a few more boards. I don't know, something the minister is going to have to have a look at. But certainly looking forward to hearing what these various groups have to say.

\* (11:10)

I know the government also talked about the RHAs. They merged from 11 to five where they were going to save a whole bunch of money. We've got a \$5-billion budget. We have yet to see any of that savings yet so we're watching with baited breath—watching with baited breath. But what the government did, went out and raised the taxes by another \$184 million, so we'll wait and see what the budget looks like in 2014. I know the Minister of Finance there with his pencil sharp and he's ready to start cutting and slashing, and we'll see what he has to do. But certainly looking forward to moving on to committee.

So, with that, we look forward to the presentations—*[interjection]* That's it.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I want to put a few words on the record on Bill 39, The Government Efficiency Act.

One of the things that governments should, in fact, be doing from time to time is making sure that

committees which have outlived their usefulness or where they can be brought together to be more efficient and less costly—that this is a good thing. So, in general, the process that the Minister of Finance (Mr. Struthers) and others in the government have gone through is one that should be done on a fairly regular basis. I'm not going to comment on specific details of specific amalgamations of committees here. We will likely hear some details from presenters at the committee stage.

I do think that there was an opportunity here to, in looking at the consolidations and in the way these various committees work is to establish a little bit more openness and transparency in reporting on the deliberations of committees, putting those deliberations on the Internet. We have, you know, reports from public sector organizations—now should be occurring on a regular basis with the information flowing. And I think this is something that the minister could have addressed and centralized the information coming from committee so there's a standard approach to making sure that committee minutes are on the Internet and available to people, that we know that committees are there meeting regularly and contributing. Too often in the past we've had committees which met frequently when you had a minister who was interested in that particular committee, and then didn't meet for quite a while when the minister changed and there was a minister who wasn't very interested in that particular committee or got interested in something else. So I think that a more regular approach or more standardized approach to committees and boards across the government could certainly help in the delivery of information to the public and, indeed, in the delivery of government services and activities.

So with those few comments, I await this bill going to committee stage and the deliberations there. Thank you.

**Mr. Speaker:** Is there any further debate on Bill 39?

**An Honourable Member:** Question.

**Mr. Speaker:** The House is ready for the question.

The question before the House is Bill 39, The Government Efficiency Act, various acts amended or replaced to consolidate boards, agencies—and agencies and eliminate government appointments.

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

We'll now proceed on to Bill 47, The Budget Implementation and Tax Statutes Amendment Act, 2013, standing in the name of the honourable member for Steinbach (Mr. Goertzen), who has 28 minutes remaining.

#### **Bill 47—The Budget Implementation and Tax Statutes Amendment Act, 2013**

**Mr. Speaker:** Is there leave for this matter to remain standing in the name of the honourable member for Steinbach?

**Some Honourable Members:** No.

**An Honourable Member:** Yes.

**Mr. Speaker:** I hear a no.

**Mrs. Myrna Driedger (Charleswood):** Well, Mr. Speaker, it's been interesting watching and learning a lot about budgets and how the NDP managed their money in the last year. And, certainly, as a new finance critic over the last year, it's been quite a ride taking on this role at a time when the NDP have certainly taken a sharp left turn. And so I don't think it's going to come as any surprise to any of them that we are not going to support this bill. Because what this bill does, it allows the NDP to increase all of the taxes that were included in the budget. This bill also gives the NDP a vote tax, it increases Cabinet salaries and it takes a big shot at the Manitoba Jockey Club and basically tries to cut them off at their knees. So this is not a bill that we are going to be in favour of.

And also I would point out at this time, too, that the budget brought in by the NDP was brought in under the leadership of the current Premier (Mr. Selinger), and we have seen what has been happening since that person has become Premier of Manitoba. And everything has basically taken a sharp left turn and we are now seeing a level of spending that is not sustainable in Manitoba, and yet this government does not know when to stop their spending. And in order to address all of their spending issues, they are looking at every nook and cranny to raise taxes in Manitoba. And so, Mr. Speaker, that—this is not going to be a legislation that we are going to support.

And I would note, too, that with what has been happening over the last while, we have now seen Manitoba's Premier ranked the worst premier in Canada for fiscal management. Well, it shows, and now Manitobans are going to be left with a hangover from the—all the spending from this government.

We see with this budget and the implementation through Bill 47, this budget is bringing in \$227 million in new taxes. This government is raising the PST; they're raising the corporate capital tax; they're raising taxes on Manitoba farmlands. And this is on top of a \$184 million in new taxes that they raised last year when they expanded the PST. Caught everybody off guard, actually, in the last two budgets with what they've done.

And last year they expanded the PST to home insurance and a number of insurance products, which really floored a lot of people. And by raising the fuel tax, too, we have now seen Manitoba having the highest inflation rate in Canada. It's now trending over a period of three months. So now it is something that people, economists, are starting to worry about more, is the inflation rate increasing in Manitoba? Because what that is starting to do now is have an impact on Manitobans' disposable income.

We heard from a lot of seniors and working poor and poor that came to committee and spoke about what the PST was going to do to them. But this government basically did not listen and they turned a deaf ear to all of these people that spoke out against what the government is doing.

We know that with what the NDP has done, between last year's budget and this year's budget, is amounting to \$500 million more in taxes that Manitobans have to pay. We certainly can't support that, Mr. Speaker. People's salaries aren't going up to match what is happening with the tax grab from this government. And while they're grabbing money at every level, they are also still running a half-a-billion-dollar deficit this year.

And one has to wonder, where in the world are they spending all of that money? Why can they not rein in their spending and be more responsible stewards of their money? And why would a Premier say that their five-year plan to ensure that we have future prosperity without any tax increases and we'll deliver on that, we're ahead of schedule on that—why would he say that and then turn around and continue to build Manitoba's debt, in fact, creating a huge debt hole for Manitobans, create billion dollar—half-billion-dollar deficits and go on a tax grab that is looking at every level of money they can find in every pocket and purse in Manitoba? And we heard one person come into committee and said, well, all I have left is the lint in my pocket. If the Minister of Finance (Mr. Struthers) wants that, he can have that, because there's nothing else in that pocket.

\* (11:20)

So, Mr. Speaker, the government also said that they would balance the books by 2014. In fact, Gary Doer was pretty adamant and pretty pragmatic about that, but we have seen something very different happen under this new Premier (Mr. Selinger). They've basically now finished gutting the balanced budget law and taxpayer protection. There is none of that left in this province. And the effort to balance the books, the NDP have now moved way beyond that, promising to balance the books in 2016, but only if they get a get-out-of-jail-free card. They have given themselves enough wiggle room that they can continue on this spending spree.

And, then, on top of all of that they've also increased hydro rates 8 per cent in this year alone, and that's costing an average Manitoba family \$72 more a year for their hydro since the 2011 election, and the rates are going to increase every year for at least 20 years under this NDP's plans.

And we have seen them go after Autopac premiums. We've seen them raise liquor prices in Manitoba. This government just is not stopping at anything. They are looking for money at every opportunity they can. They broke their promise in order to do it.

And the part of this, I think, that really is troublesome to Manitobans is that they're not seeing the bang for the buck. We are seeing health care in a continuing crisis in the ERs. We are seeing students not doing well in mathematics. We are seeing a child-care system where they—people are still phoning us all the time where there are no available seats for kids in daycares and we are seeing child and family services continue to struggle. So—and we're seeing, you know, the crime rate in Manitoba, and we're seeing now Thompson becoming—getting a label of being the crime capital in Canada. These are not numbers that speak well to what the NDP have done in terms of their spending. In fact, it is just showing the opposite. They are taking all this money from Manitobans and they're spending it, but Manitobans aren't reaping the benefits. In fact, Manitobans are paying a dear price for this and future generations are going to continue to also do that.

So I think there has been a serious loss of confidence by Manitobans in this government. I know there has been. The PST grab that this government implemented is still really, really



resonating in the community. We have seen small business confidence faltering in Manitoba. That should come as no surprise to this government because supposedly they said they listen to small businesses. Considering small businesses make up the bulk of the business environment in Manitoba, this government really showed disrespect by not listening to them. They haven't listened to anybody, basically, is what's happening.

They've gone into committee in—the PST committee—and said, oh, we'll listen, we'll listen, and they didn't change a darn thing after listening to some very, very compelling comments from over a hundred people that signed up to speak to it.

So Manitoba is hurting and, you know, we are heading for the bottom of the barrel if we're not already there when we are compared to other provinces, and the NDP has taken us on that trip and I don't think it's one that is going to bode well. I think there is such great potential in this province, but this is not the government that is going to tap into it because what we're seeing from this government is lazy socialism. They're taking the easy way out and they're just increasing taxes and they're showing disrespect for a lot of hard-working Manitobans on the way. And they showed terrible respect—disrespect for the Jockey Club in how they handled that. It was underhanded and it was not something that was done in fairness and it's shameful the way they have taken on that club and what they've done to this institution and perhaps the 500 jobs that are in play in the Jockey Club.

And then, I think, the final insult with this bill is certainly the vote tax, and it just shows how lazy this NDP has become because in the next election they're not even going to have to go out and fundraise for themselves because they're going to have it all handed to them by taxpayers—\$5,000 a year every year until the next election.

The Minister of Finance (Mr. Struthers) already got \$16,000 back in the last rebate, and if you add another, say, \$15,000 on that, he doesn't have to lift a finger in the next election. He can just go out and do whatever's he going to do with his ribbon cuttings, his false announcements, and they don't have to raise money. And if I look at every single one of the NDP MLAs and look at how much rebates they got, they basically have given themselves a free ride and are totally irresponsible, and I just find this very offensive, very obscene, that they are taking this money from Manitoba taxpayers, hard-working

Manitobans, and many we've heard from lately. And they are not even feeling that they have to go out and earn their vote. So, shame on them, because it's political party fundraising to operate the operating costs of their party over the next few years, and there is no direct benefit to Manitobans.

So—and their largesse, Mr. Speaker, doesn't stop there, because they also gave in—through this legislation, they're increasing the pay of their Cabinet ministers by \$7,000 a year. And then, yesterday, the Minister of Finance didn't even know whether his party had yet taken the vote tax. Maybe today he'll have a response to that. How does the Finance Minister, who deals with the BITSA bill or the budget or any of the other finances, how does he not know that they have already taken the vote tax or whether they have or not?

And so, Mr. Speaker, I don't think this budget or this legislation, Bill 47, is in the best interests of Manitobans. In fact, it's going backwards. It is not something that is going to be something that we can support. And I just find the way the NDP are attacking taxpayers in Manitoba to be something that is going to hurt future generations and for sure the current generation. But they are not looking down the road to the future of what is going to make Manitoba capture the potential that we have here in this province. The only thing that's going to do that is a new government with a new direction.

Thank you, Mr. Speaker.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise to talk to this Bill 47, which is financial legislation, part of the government setting the financial agenda for this year. I would start by a recent comment by a noted Manitoba economist, John McCallum, at the University of Manitoba, who commented on what was happening with this government's fiscal policy with the increase in provincial sales tax. And he said that the history of increasing sales taxes in a climate like this is not a good one, that you drive down spending and investment at a critical time when you need to be encouraging spending and investment in order to make sure that the economy keeps going at a healthy pace and, in fact, grows.

So the overall policy of this government is certainly of major concern, not just to me but to, you know, noted economists in Manitoba who have put forward their views. I think the mistakes that this government has made in terms of raising the PST without a referendum, the particularly egregious

problem that people who have had service industries—that many industries where there are a lot of women involved who had their provincial sales tax put on last year and then that tax increase this year, that they are seeing an increase of 8 per cent. And that's certainly a problem for businesses, but it's also a problem in general for the economy when you have an 8 per cent increase in the tax that people are having to pay.

\* (11:30)

And as many have pointed out, that the problem is not just the increase in tax but there are many areas of Manitoba's economy where you have people paying tax on tax, that you may have situations where a business is itself paying the provincial sales tax on some of its business inputs, and then on its products or services there is the provincial sales tax. And when you have a tax which is on tax and there are, I believe, even some instances where it's a tax on tax on tax, you compound the increase and the cost because of the way that things are structured. And certainly one of the things that could have been done a lot better was to reduce the taxes on business inputs which, in many areas, this government has failed to do, and that would have been a sensible offset.

The other area which has been discussed at some length, people who are on low incomes. They are people who are squeezed in terms of their expenses more than others because they're living at the margin, and so when you increase costs for people who are on low income, then it makes it much more difficult for them, and then the government should have done something to offset that. The government should have done what the GST does, and that's provide a rebate to low-income people.

The government, as I have pointed out on many occasions in this Legislature, should have addressed the shelter rate and increased the shelter rate so that those on low incomes are not having to use the food from their—the money for the food for their children to pay for their rent. This is a very poor-sided approach to supporting people on low income, and the government has been very negligent in using this approach because it has forced far too many families to use the money for their children's food for their rent, and the result being that children are not getting the nutrition that they should have got—that they should be getting.

And, certainly, the situation of people on low income and their nutritional status, which I have raised again and again during the course of this

legislative session, is something we should be paying a lot more attention to because when we don't pay attention to that, we get high-cost bills for health and for education and many other areas. And the lack of prevention affects the lack of foresight. The lack of proper planning by this government has been outrageous.

There is a—when you are in an economy like this, one of the things that you should be doing is thinking further ahead, making the investments in the research and development which are so critical to bringing the next products and services online to developing the businesses to making sure that there are the jobs here in Manitoba, and that is an area where this government has fallen far short of where it should have. We are losing, for example, the Institute for Biodiagnostics and the investment in research that went there and the investment that that institute brought in, and this government has failed to assemble the effort to make sure that the amount of—and the effort and research increases significantly at this very, very critical time.

So, for all these reasons, I am certainly, you know, opposed to the government's general fiscal policy and the way they're approaching the budgeting for this province. I have talked about their overspending on many occasions and their poor management of dollars as well as their inability to spend them nearly as wisely as they should. So I'm opposed to this legislation as it's constructed at the moment for all those reasons.

Thank you, Mr. Speaker.

**Mr. Speaker:** Any further debate on Bill 47?

Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill 47, The Budget Implementation and Tax Statutes Amendment Act, 2013.

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

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Mr. Speaker:** I hear a no.

**Voice Vote**

**Mr. Speaker:** All those in favour of the motion will please signify by saying aye.

**Some Honourable Members:** Aye.

**Mr. Speaker:** All those opposed to the motion will please signify by saying nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** Opinion of the Chair, the Ayes have it.

**Mr. Kelvin Goertzen (Official Opposition House Leader):** On division, Mr. Speaker.

**Mr. Speaker:** On division.

\* \* \*

**Mr. Speaker:** We'll now proceed to call Bill 7, The Planning Amendment and City of Winnipeg Charter Amendment Act (Affordable Housing), standing in the name of the honourable member for Midland.

**Bill 7—The Planning Amendment and  
City of Winnipeg Charter Amendment Act  
(Affordable Housing)**

**Mr. Blaine Pedersen (Midland):** Speaking to Bill 7, this Planning Amendment and City of Winnipeg Charter Amendment Act, it's split into two because the City of Winnipeg has their own planning act and so this bill covers both of them, both The Planning Act and The City of Winnipeg Charter.

Now, when we had our bill briefing the Minister of Local Government (Mr. Lemieux) said this is the easiest bill he's ever presented to the Legislature. Well, I can see why, because he never did any work on it. And, you know, it's becoming a pattern here.

But the problem—there are numerous problems with this bill. And I know that there has been some third parties in speaking with the minister and his department on this, and they explained to the minister and his department why this initiative—this affordable housing initiative has failed in every other community in North America. There are numerous reports available for that, that the—it's about inclusionary zoning and how it's failed to meet its goals, and yet this minister—perhaps if he had done the homework before, he wouldn't have made the statement that this was the easiest bill. And, in fact, the member for Brandon East (Mr. Caldwell) has expressed concerns about this, about forming ghettos in downtown Brandon. So, you know, they should do some homework for a change, on these bills, before they bring them in.

But really, what this bill—it talks about affordable housing but it doesn't define what

affordable means, and affordable can mean many different things. Affordable housing in Waverley West versus affordable housing in, say, one of the older neighbourhoods within the inner city, there's a lot of difference in there between what is affordable and what is not affordable. Central Mortgage and Housing, CMHC, their definition of affordable housing is that affordable housing costs less than 30 per cent before tax, household income, and for-shelter costs include the following for renters: rent and any payments for electricity, fuel, water and other municipal services. For owners, it's mortgage payments, principal and interest, property taxes and any condominium fees, along with payments for electricity, fuel, water and other municipal services.

So there is definitions out there, and yet this bill does not define affordable. Instead, what they've done is they've put in here it is to be defined by the—in the bylaw by any municipality wishing to express an interest in affordable. And this does affect new developments, because should a municipality decide that they want to implement some sort of affordable housing within a development, this affects the costs of the other lots being developed around this, say, particular one lot out of 10 lots, if it has to be housing that meets the CMHC criteria for affordable. And so it affects the cost of the lots and, ultimately, it could probably affect the sale of those housing developments—houses being built on the—in-within that development, if they—there is concern about what this affordable housing is actually going to look like.

So, you know, while we understand that there needs to be affordable housing, whatever that—however you define that is, and yet this government is trying to download onto municipalities their wish to have municipalities provide affordable housing rather than the Province do this. And the real concern expressed by stakeholders in this is that this is really just a first step by this government. This is incremental steps, as we've seen in many of their bills. The first step is to push this onto municipalities to—with this bill, give municipalities the ability to define affordable housing. The next step will probably be to demand that municipalities provide affordable housing. And ultimately that cost will go on to the municipalities, it will go on to developers and to the people who are trying to build new housing or renovate housing or whatever the case may be.

\* (11:40)

So, again, Mr. Speaker, this—looking like a feel-good bill with really hidden implications in here and, again, we do have concerns about this. I know that when it goes to committee there will be presentations there expressing some concerns about this. So, you know, when it gets there, hopefully, government will listen to those concerns. I know they haven't been very good at listening to anyone these days, but that's—seems to be a pattern within them.

So while the intent is noble in providing affordable housing—the as with all things, the devil's in the details and, of course, with this bill they've left out the details, and that's to the detriment of Manitobans and the detriment of this bill. So we would like to see them revamp this bill and come back with a much clearer definition of what their real intentions are rather than skirting around the issue and possibly downloading it onto municipalities.

So, with those words, then, Mr. Speaker, I will let someone else speak to this bill. Thank you.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, just a few words on Bill 7, the planning amendment act and City of Winnipeg Charter amendment act.

The overall intention here, I think, is not unreasonable that you can build in inclusive developments which have a range of people from a range of income in those developments. It's my understanding that there have been successes in, for example, Vancouver where people are allowed to build higher in terms of adding extra floors provided that they add some affordable housing units within those complexes.

But I think that the point needs to be made that when you're doing something like this, is really important to get it right, that the government should have done a lot more homework in looking at what works and what doesn't work elsewhere, that, you know, to have this without the certainty that we've actually got it put together in a way that is going to make a difference and to make our communities more inclusive is a problem. And I think that very often this government has got what they thought were good ideas and maybe intentions, but they've gone off the rails because they haven't done their homework and the detail.

And so I'm certainly looking forward to the presentations at committee stage because I think the details are probably extraordinarily important if we're going to get this right. Thank you.

**Mr. Speaker:** Any further debate?

**Some Honourable Members:** No.

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House, then, is Bill 7, The Planning Amendment and City of Winnipeg Charter Amendment Act (Affordable Housing).

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

We'll now proceed to call Bill 22, The Planning Amendment Act (Subdivision Approval), standing in name of the honourable member for Midland.

### **Bill 22—The Planning Amendment Act (Subdivision Approval)**

**Mr. Blaine Pedersen (Midland):** Bill 22, The Planning Amendment Act—and if you haven't seen a pattern yet, here it comes, because there was a committee struck by the Province, by the AMM, by various other groups to study amendments to The Planning Act, and before the committee had even given their report in government comes out with a bill about Planning Act and—much to the chagrin of some of the committee members that they did not have any input into this bill. So hopefully at the public hearings, that they will be able to bring forward—perhaps the report will then be issued and they can make any changes that they see fit to bring in.

Now, this bill is really, again, sounding better than what it actually does because what this is just changes to principally rural properties, and a rural property that's going to be subdivided out, a yard site that's going to be subdivided out from a quarter section, perhaps needs to go through the planning branch, and it—what this bill—but what this bill only addresses is if there is an already subdivided yard site that does not require a separate entrance or anything like that, that it can be split in two providing it meets all the other planning requirements such as sewage disposal, et cetera.

So, while this does address some of the issues that happen in minor subdivisions in rural municipalities, it really falls short of giving the municipalities the ability to do a little more extensive subdivisions still within not changing the intent of the properties from agricultural to residential, things like that. But this bill is—it falls short because it still keeps the heavy hand of government involved in municipal planning, in municipal subdivisions, and

these are really subdivisions that could be done on a rural basis—on a municipal basis because the municipalities know best what the local conditions are, and we're—and yet government is insisting that they still be involved. It has to go through all the government departments when it really doesn't affect any other department, and it's best taken under advisement by the municipality.

There is some provisions in the bill to allow the municipality on these minor subdivisions to make decisions, and then, yet, be able to—it affects the appeal process and what not within the local municipalities. It does give them some certainty in deciding subdivisions, but, at the same time, this bill could've been much more better planned had they actually waited for the report that was coming out on planning amendments—planning act and planning amendments.

This is a huge issue for many rural municipalities as we try to counter the depopulation that's happened across many rural municipalities being able to populate these yards and in some cases to put two housing units in one yard is—certainly goes a long ways towards keeping people in the community which ultimately helps the rural communities because, when you have people there, it helps the commerce of the local community. It helps the school keep kids in school and that.

But I guess this government is wanting to control everything so they've done a small incremental step with this. They could have done much better had they done their homework. They started doing a report but yet they failed to wait for that report, instead bringing out another one of these feel-good bills that makes them look good but really doesn't address the real issues that are facing municipalities across this province.

Thank you, Mr. Speaker.

**Mr. Speaker:** Any further debate on Bill 22?

Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill 22, The Planning Amendment Act (Subdivision Approval).

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

Now proceed to call Bill 4, The Personal Health Information Amendment Act, standing in the name

of the honourable member for Steinbach (Mr. Goertzen), who has 30 minutes remaining.

#### **Bill 4—The Personal Health Information Amendment Act**

**Mr. Speaker:** Is there leave for this matter to remain standing in the name of the honourable member for Steinbach?

**Some Honourable Members:** No.

**Mr. Speaker:** Leave has been denied.

Is there further debate on Bill 4? Any further debate?

Is the House ready for the question?

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is bill—the honourable member for River Heights.

\* (11:50)

**Hon. Jon Gerrard (River Heights):** I want to talk briefly on Bill 4, the personal health information act. This is an important bill. Health information—making sure that access is done in an appropriate fashion is important.

There are two sides to this, one of which is making sure that the people who need it are able to get access, and the other side is making sure that there is not access inappropriately. This bill addresses the inappropriate access and rightfully so. But it would have been smart, I think, to—if the bill had, at the same time, provided a clarification and a clearer path in terms of ensuring that those who need that access can get that access quickly to help people who are sick, can get that access quickly when they're—and appropriately—when there is an opportunity to improve the functioning of the health-care system by understanding problems which went wrong, and making sure that we were able to benefit from the accumulated experience and knowledge of people who are either receiving care or delivering care as health professionals.

There is still a considerable way to go in Manitoba in terms of use of medical records in ways that helps access information but also helps track people who are accessing the information, so that we know that it's being used appropriately and as it should be.

So, with those few remarks, I have worked hard in the past to get better access for families and for

people who are being cared for, and that's an important step. And we need to make sure, as we move forward, that we continue to have the balance right in terms of good access for those who need it, combined with measures like this, which will limit and penalize access where those people are getting access when they shouldn't.

Thank you.

**Mr. Speaker:** Any further debate on Bill 4?

Is the House ready for the question?

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is Bill 4, The Personal Health Information Amendment Act.

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

### House Business

**Hon. Andrew Swan (Acting Government House Leader):** On House business, Mr. Speaker.

**Mr. Speaker:** On House business.

**Mr. Swan:** I think if you canvass the House, I'll think you'll find agreement to call it 12 o'clock.

**Mr. Speaker:** Is it the will of the House to call it 12 noon? *[Agreed]*

The hour being 12 noon, this House is recessed and stands recessed until 1:30 p.m. this afternoon.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, September 10, 2013

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