

Third Session – Forty-First Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS

Official Report
(Hansard)

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-First Legislature

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 18, 2018

The House met at 1:30 p.m.

Madam 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.

Please be seated. Good afternoon, everybody.

ROUTINE PROCEEDINGS

Madam Speaker: Introduction of bills? Committee reports?

TABLING OF REPORTS

Madam Speaker: In compliance with section 4 of the Members' Salaries, Allowances and Retirement Plans Disclosure Regulation, I am pleased to table the report of amounts claimed and paid for members for the 2017-2018 fiscal year.

Ministerial statements?

MEMBERS' STATEMENTS

Criminal Justice System Modernization Strategy

Mr. Greg Nesbitt (Riding Mountain): Madam Speaker, for the last couple of weeks, members on this side of the House have been reflecting on trust. Manitobans place their trust in the government and in members of this Assembly to ensure they have sustainable health care, good-quality schools and reliable housing. But there is more sacred trust—there is no more sacred trust than the trust that Manitobans place in us to ensure that their streets and neighbourhoods are safe.

Unfortunately, the NDP broke that trust every single day that they were in government. Over the last decade, Manitoba had more homicides per capita than any other province. Under the NDP's watch, our province experienced the second highest violent crime and total crime rates in the country, with property crime rates that were out of control. And while all of this was going on, the NDP's only answer was to spend more money locking up

more people. Between 2005 and 2015, Manitoba's incarceration rates nearly doubled, while spending on corrections more than doubled, from \$78 million to over \$190 million.

Madam Speaker, our government and our Minister of Justice (Mrs. Stefanson) are taking a different approach. Our criminal justice modernization strategy is built on four pillars, including crime prevention, targeted resources for serious criminal cases, more effective restorative justice and responsible reintegration.

We are already seeing positive results, and we've committed to reporting back to Manitobans annually on the progress we have made for them.

Madam Speaker, unlike the members opposite, we will never betray the trust that Manitobans have put in us. We will ensure safe communities and timely access to justice for all Manitobans.

Thank you, Madam Speaker.

Provincial Mine Rescue Competition Winners

Mr. Tom Lindsey (Flin Flon): HudBay Snow Lake rose to the challenge to claim the winning title in the 57th Manitoba Provincial Mine Rescue Competition, held May 25th and 26th in Lac du Bonnet. HudBay Flin Flon, HudBay Snow Lake, Tanco and Vale were all competing for the title.

Over the course of the two days, teams took part in an underground and first-aid mine rescue mission, a written exam, firefighting test, a technician competition and practical skills competitions.

The team—consisting of captain, Bob Forsyth; Riley Eastman; Brandon Cook; Jenni Oseluk [*phonetic*]; vice-captain, Jordan Galloway; director of operations, Brian Shapka; technician, Bernard Fourie; coach, Terry Hornyak; and instructor, Dallas Henrikson—worked collectively to claim the 2018 title.

The two-day annual event tests the completeness of mines' emergency response plans and the competencies of response personnel. Tests like these are essential for ongoing improvements and training of high-level rescue services for mines across the province.

All of Manitoba's mine rescue teams provide peace of mind to all underground employees. With their unique and valuable skill set, anyone in trouble would be fortunate to know well-skilled rescuers are coming for them. These teams train throughout the year, not only for the competition, but to be ready to respond in a circumstance we hope will never come. These teams are vital to mining operations here in our province, and we are proud of their efforts.

With HudBay Snow Lake's success in the provincial competition, the team is now eligible to take part in the bi-annual western region mine rescue competition in Fernie, BC, in September 2019, and I wish the team the best of luck.

I would like to acknowledge all participants in the 57th annual mine rescue competition on their efforts and the support they provide to Manitoba mine workers and say congratulations to the winning team of HudBay Snow Lake.

Next year, Madam Speaker, the competition will be held in Flin Flon.

Thank you.

Integrity and Accountability

Hon. Cameron Friesen (Minister of Finance): I rise to put some words on the record about integrity and accountability.

Our government is addressing the challenges left behind by the former NDP government. After 17 long years of debt and decay and decline, we have, for two past years, demonstrated our ability to correct the course and put Manitoba on the road to recovery.

During the 2011 election campaign, their leader said the notion of raising the PST was nonsense. And yet constituents in Morden and Winkler continue to write to me as their MLA to indicate that they're aware the NDP went on to broaden the PST five times and raise the PST to 8 per cent in 2013. That's not integrity, Madam Speaker.

Previous government deferred or delayed major decisions on important policy files like environment, infrastructure, wait times and health care. What were they good at? They were good at amending the former taxpayer protection legislation to give themselves a raise.

Madam Speaker: Order, please.

I—just a reminder to ministers that, when doing private members' statements, they are not to be using

any references to government actions and policies. Members' statements are to be related to their constituencies.

If the ministers want to talk about a government policy, it needs to come through a ministerial statement. But members' statements need to be tied into constituency—for ministers, they need to be tied into something related to their constituency.

So I would ask the member to bring it back into that topic.

Mr. Friesen: Thank you for your guidance, Madam Speaker.

Morden-Winkler constituents continue to tell me that our government needs to be accountable to the people of Manitoba, and I've received correspondence about this. It's all hands on deck on this side of the House. We understand that; we're leading by example by giving back our COLA. The NDP stated publicly that they would give back their COLA, but have they demonstrated that they have done so? Let them to do so today.

Madam Speaker, we're not afraid of the challenges in front of us. We will continue to get the job done on behalf of all Manitobans. We are keeping our promises and getting results for all Manitobans.

Wilderness Protection Areas

Mr. Rob Altemeyer (Wolseley): Anyone who loves Manitoba's network of protected areas, such as provincial parks, should be very concerned about the Pallister government's agenda.

The first sign of trouble was their first throne speech when it failed to even mention protected areas at all, the first time that had happened in decades. Then came their infamous bill 24, which wiped out a rule that government must provide a public report every five years on the status of Manitoba's ecological reserves. Ecological reserves used to enjoy the most stringent level of protection in our entire province, and now no one will know if they're actually still being protected.

In June 2017, the Pallister government refused to declare Pemmican Island a provincial park and instead handed it over to mineral exploration rights—private corporate interests. This went directly against the wishes of local First Nations communities and undermined 15 years of effort on their part to see this island protected.

* (13:40)

After this abysmal start, a new minister was appointed, but her only action so far—that we know of, anyways—has been to quietly approve another mineral exploration project, this time inside Nopiming Provincial Park, close to recovering moose habitat, without posting any of that on the government's usual website. No one—*[interjection]*

Madam Speaker: Order.

Mr. Altemeyer: —would even know this was happening if it weren't for the good work of the Manitoba Wilderness Committee.

How out of step is the Pallister government on this file? The United Nations goal, adopted by our previous government and even the previous Harper government, calls for protection of 17 per cent of the earth's landmasses and inland waterways.

When I pointed out Manitoba's heading in the wrong direction now, the minister gave two different answers in two minutes. Her first reply was to say, yes, she supported the 17 per cent pledge, and then she said she doesn't support it in Manitoba but supports it nationally, so other provinces have to do more because she's not doing anything.

The sad truth, Madam Speaker, is anyone who's picked up a bubble gum wrapper in a protected area or a park has done more on this file than this government has done in two years. We will continue to expose the truth and tell the public what's really going on every opportunity we get. *[interjection]*

Madam Speaker: Order.

Truth, Integrity and Trust

Hon. Rochelle Squires (Minister of Sustainable Development): I rise today to speak about truth, integrity and trust. During the 2016 election, our party committed to govern with integrity, honesty and openness, and my constituents in Riel were very clear that they wanted a government that would act with integrity.

After 17 years of broken NDP promises, broken trust and a lack of integrity in dealing with political staff, civil servants and their constituents, Manitobans voted overwhelmingly for positive change.

Our PC government made a solemn commitment to tackle the many difficult challenges we faced when forming government. We have acted with honesty and openness; we have told Manitobans the

true state of our province's finances, unlike the NDP government who used creative accounting to hide the consequences—

Madam Speaker: Order, please.

Again, a reminder to the minister that reflecting on government policy or government actions does not fall within a minister's ability here when it comes to members' statements. Members' statements need to be reflective of the constituency, as it is not a ministerial statement.

So I would ask the minister to bring her comments back into relating to her constituents.

Ms. Squires: Well, thank you very much, Madam Speaker, and I appreciate your guidance and your comments on this.

The constituents of Riel have said that they want a party to represent them that will act with honesty and openness, and we have told Manitobans that we will deliver, unlike the NDP government who used creative accounting methods to hide their consequences of reckless overspending.

The constituents of Riel want a party that will be inclusive, and we know that that is exactly what we are offering them. Our party is committed to the values of honesty, integrity and trust, and we are acting on these promises for the constituents of Riel and all Manitobans.

ORAL QUESTIONS

Hudson Bay Rail Line Repair Canadian Transport Agency Ruling

Mr. Wab Kinew (Leader of the Official Opposition): Madam Speaker, after a year of uncertainty and hardship, the Manitoba NDP won a decision which orders the Hudson Bay rail company to fix the rail line and restore service to Churchill starting July 3rd, 2018.

Now, this is the first order that HBR and OmniTRAX to—the first time they've been ordered to repair the line as a result of the actions of any government or, you know—*[interjection]*

Madam Speaker: Order.

Mr. Kinew: —party entity.

Now, though the Premier and the provincial government said that there was nothing to do, we decided to take action and we proved that there is actually something that could be done on behalf of the people of Churchill. We stood up for the

people of Manitoba. Even as—though some of the backbenchers all for these past two weeks have been talking about us, we've been standing up and talking about things that matter to the people of Manitoba.

Now, even though our caucus was able to do something that this government hasn't been able to do, there is still time for the Premier to get involved and do the right thing.

Will the Premier commit to assisting the enforcement of this order, including any potential actions at the federal court level?

Hon. Brian Pallister (Premier): Well, I do want to commend the NDP for one thing, Madam Speaker: going to court for a reason other than to raise taxes on Manitobans is fabulous. I like that as an alternative, frankly, to the last court action they took, which was to go to court to take away from all Manitobans the right to take them at their word. And they won. They won in court, Madam Speaker. They won, and in so winning, they lost any hint of integrity. They lost the right to have Manitobans respect them. They lost the right to have Manitobans take them at their word.

So, while they're off doing the show job of fighting in court, Madam Speaker, we'll be working to get the rail line going and get the port rebuilt. *[interjection]*

Madam Speaker: Order.

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

Mr. Kinew: Well, mark the day down in your calendar. The Premier just admitted today, just now, that there is something that the Province could be doing to getting the rail line fixed. That is a complete contradiction—*[interjection]*—that's in complete contradiction to what he said the last 13, 14 months, and yay, if it was because—a result of this action that we brought before the CTA, then, hey, we're all the merrier for that.

But, again, we didn't bring it to help the Premier. We did it to help the people of Churchill.

Now, potentially, the order could be ignored, or there is a possibility that this thing could end up in another venue. There is a possibility that the order to repair the rail line could be appealed.

So I would ask the Premier: Given the fact that the government now admits that they can take action to get the rail line fixed and that they can take action

to get the port reopened, will they commit the resources of the government to ensuring that OmniTRAX respects this order handed down from the CTA?

Mr. Pallister: Well, it's really good the NDP isn't going to court to try to make the case they care about the people of Churchill, Madam Speaker, because they'd lose that court case. The fact is that they cared so little about the people of Churchill that they gave the people of OmniTRAX between 20 and 22 million dollars in subsidies, not a penny of which went to the people of Churchill.

Now, Madam Speaker, I gather that they're trying to get credit for something they caused to happen because they created a culture of subsidization, because they created a culture of paying a rich American multinational corporation money to underwrite its risks and then a rail line fell apart and they want to take credit for a court case.

Madam Speaker, while they're trying to take credit, we're quietly and effectively working with our partners to get the rail line and the port back going. Proud of the work of our team. Not so sure about that group. *[interjection]*

Madam Speaker: Order, please, from both sides of the House, I think, would be very beneficial.

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

Mr. Kinew: You know, I don't mind that the Premier now says that the provincial government can take action to get the rail line fixed. I just wonder, why didn't he adopt that position for the past 13 or 14 months? He could have been taking action to get the rail line fixed all this time, and then it's only now, in June of 2018, after the application to the CTA results in the CTA ordering OmniTRAX to fix the line, that the Premier now admits that the Province all along rightly should have been taking action to help the people of Churchill.

So what I'm asking for today is for the Premier to devote the necessary resources so that this order can be respected. We know that potentially once July 3rd comes around, perhaps the order is not acted upon immediately. Perhaps, even, there's an appeal made to another venue—federal court, for instance.

With the resources of the Justice Department, with the resources of government at his disposal, will the Premier commit those resources to ensuring that this order to fix the rail line happens and that the

people of Churchill are reconnected with the rest of the province by land?

Mr. Pallister: Well, Madam Speaker, I understand that the member wants publicity, and what we want is results. And we want results for the people of Churchill and the people of the North. And so that's why we have been going over and above our constitutional responsibilities.

That's why we have been focused on securing the security of the people of that community so affected and so profoundly affected by the loss of rail service. That's why we've been working to make sure that affordable food was available to people, that heat was available, that fuel was available, Madam Speaker. That's why we've been working very effectively and quietly with our partners to make sure that, in fulfilling our constitutional authority and our constitutional responsibilities to the full, others would do the same.

Madam Speaker, I am pleased to see the progress. I don't call another court case with OmniTRAX progress.

* (13:50)

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

Concordia and Seven Oaks ER Closures St. Boniface ER Renovations

Mr. Wab Kinew (Leader of the Official Opposition): The Premier says he's working quietly. Most people say he's just not doing anything at all to help the people of Churchill.

The fact is that he's spent more money fighting teachers in Nova Scotia in a Nova Scotia courtroom than he is on trying to get the rail line to Churchill fixed. We're simply asking that he devote maybe the same amount of money towards helping the people of Churchill in the CTA case. *[interjection]*

Madam Speaker: Order.

Mr. Kinew: Now, we know that health care is one of the things that makes us a compassionate society, Madam Speaker. Health care is about being there for someone's birth. It's about being there through injury and illness. It's about being there for people at the end of life.

And that's why this rushed cuts-and-closure agenda that the government is bringing in is concerning so many people, particularly those in St. Boniface, who know that their ER will be overrun

after Concordia and Seven Oaks close—if they do in fact close.

I would ask the Premier: Will he back off his misguided plan to close ERs at Concordia and Seven Oaks? Will he commit to building a new ER at St. Boniface that could actually handle the coming influx of patients?

Hon. Brian Pallister (Premier): I appreciate the many lectures from the member on compassion, Madam Speaker, and welcome him commenting on it on a regular basis. I think what people in need really want isn't the smiling face followed by rejection or a lack of action. What they want is actual action.

That actual action, for example, for the people of the Lake Manitoba basin, was announced today. A project—a long awaited—recommended over six decades ago, Madam Speaker, and not acted upon by any NDP or PC administration for many, many years; a project that would see an outlet built to give the people—the great people of that region of the province their lives back and to give them a greater sense of security.

That's my mini-lecture for the member opposite, Madam Speaker. Here, we're about compassion but we're about getting results and keeping our promises.

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

Bureau de l'éducation française Assistant Deputy Minister Position

Mr. Wab Kinew (Leader of the Official Opposition): Getting results? We got an order to fix the rail line to Churchill. Meanwhile they're here for an extended session talking about us. So who's actually working on behalf of—*[interjection]*

Madam Speaker: Order.

Mr. Kinew: —the people of Manitoba?

L'éducation française est l'avenir de la communauté francophone de notre province. Nous savons que les Franco-manitobaines et manitobaines ont dû lutter pour leurs droits dans le passé. Et alors ça, c'est pourquoi ils ne comprennent pas les coupures de leur BEF.

Translation

French education is the future for our province's francophone community. We know that, in the past, Franco-Manitobans have had to fight for their

rights. And that is why they do not understand the cuts to the BEF

English

Now, the cuts that the Premier has made in the Department of Education to French language services is causing a real concern for people. We know that Canadian Parents for French surveyed their members. Not one parent agreed with this government's plan to rearrange and to make cuts of that government department.

Now, the Premier has also received a recommendation. A new report came out recently advising them on how they could fix the situation, but it would involve re-adding the ADM position for the Bureau de l'éducation française.

Given this outpouring of consensus from the community, given these repeated calls from the community, will the Premier heed their advice and will he re-add the assistant—

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

Order, please.

And just as information for members that when asking supplementary questions, they are to be on the same topic as the first question, so they are to be tied together. So just a reminder to members in the future.

Hon. Brian Pallister (Premier): Well, I very much appreciate your admonition, Madam Speaker, but I'm quite content to have the member ask any question, and I thank him for his question. I want him to know there's been no reduction in funding to the Bureau de l'éducation française.

Il n'y a pas de réduction de financement au Bureau de l'éducation française.

Translation

There has been no reduction in funding to the Bureau de l'éducation française.

English

I want him also to know that we're focusing on enriching French language programs and that we have added resources for that very reason.

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

**Quality of Life in Manitoba
Utilities and Health Services**

Mr. Wab Kinew (Leader of the Official Opposition): You know, Manitobans expect their government to provide the services that they need, like schools and hospitals, while keeping life affordable to them. Yet, life is getting harder in Manitoba with the closures of emergency rooms here in the city, the government's, you know, rate hikes to the utility bills that Manitobans have to pay each and every month, and the Premier's cuts are only—*[interjection]*

Madam Speaker: Order.

Mr. Kinew: —making things worse.

Now, I know some of the backbenchers starting to raise their voice now and say they don't agree with the utility rate hikes or they don't agree with the cuts to services like physiotherapy and the prescription drug coverage that so many families in our province—*[interjection]*

Madam Speaker: Order.

Mr. Kinew: —rely on.

I even hear the Minister of Finance (Mr. Friesen) saying, why are we bothering to close these emergency rooms in the city of Winnipeg? And it's for good reason. These are misguided decisions, decisions that will only damage the quality of life for people in Manitoba.

So I would ask the Premier: Will he take the benefit of this extended session and come back with a real plan that involves investing in community health care, consult with his Minister of Finance and, you know, give him an opportunity to speak up at the Cabinet table instead of heckling here in the House, and bring back a real plan—

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

Order.

Hon. Brian Pallister (Premier): No amount of balsa wood and duct tape is going to patch up the divisions of that member's caucus, Madam Speaker.

And the fact is, when he talks about getting things done, it is kind of funny, isn't it, when you consider the record of the NDP? I mean, 17 years and they didn't put a shovel in the ground to build an outlet, not once—not once, Madam Speaker—and the

people of Lake Manitoba basin know that, and they know that we're serious about taking action.

So the not-get-'er-done party over there didn't get 'er done, okay, and they didn't get that road built, that Freedom Road built, but we're getting 'er done, Madam Speaker. We're getting things done for people. We got people home to their communities, where they just talked about it. They talk about cuts; we're spending over \$1.3 billion more than they ever did on three compassionate departments of government alone.

So, Madam Speaker, this is a group over here knows how to get things done, knows how to keep life affordable and knows how to do it, not just talk about it or claim credit for it when they didn't do it.

We're doing it. We're getting 'er done, Madam Speaker. They failed; we're fixing it up. *[interjection]*

Madam Speaker: Order.

Interlake ER Services Doctor Staffing Level

Mr. Andrew Swan (Minto): Madam Speaker, while the Minister of Health was in opposition, he and his colleagues tried to convince Manitobans that finding emergency room doctors to practise in rural communities was an easy thing to do.

After more than two years in government, will the minister now admit that he was wrong and apologize to those communities without an emergency room doctor?

Hon. Kelvin Goertzen (Minister of Health, Seniors and Active Living): Madam Speaker, of course, there wasn't much of a need for emergency room doctors in many rural communities because the NDP shut down 20 facilities throughout Manitoba and particularly in Westman. They weren't out there looking for emergency room doctors because they were busy closing the doors of the ERs that they would've worked in.

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

Mr. Swan: Well, it's interesting to hear what the Minister of Health says, because over this past weekend, seven out of the 10 Interlake-Eastern emergency rooms were left without a doctor. That means seven out of 10 ERs were unable to provide full treatment to people coming to the ER with a medical emergency.

Summer's here, and many of those communities rely on and welcome hundreds and even thousands of other Manitobans to enjoy cottage country. But ER closures put more pressure on rural emergency rooms for residents and visitors alike, especially those in the Interlake and eastern regions of Manitoba. Many people will now have to drive or be taken by ambulance to Selkirk, Seven Oaks or Concordia.

Why has the minister failed to improve access to doctors in the very communities we know will be busy this summer?

Mr. Goertzen: Well, Madam Speaker, the member's had a conversion on the road to the cottage. It's been many years that the NDP were in government, 17 years, where they had the opportunity to try to improve access not just in rural Manitoba but to the health-care system more generally.

Madam Speaker, what did they do? Instead of actually improving access or getting more emergency room doctors, they started to close facilities. In fact, when I became the Minister of Health, I asked about some of those temporary closures, and I was advised that one facility had been temporarily closed for 17 years.

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

Mr. Swan: And, Madam Speaker, not a single ER opened by this minister.

We know the pressure on these emergency rooms will only increase as the summer continues. The last weekend of June will be a busy one in cottage country, maybe the busiest weekend of the year. But, unfortunately, it's also the worst weekend for a health emergency in cottage country.

We already know that Friday, June 29 there will again be only three emergency rooms in the entire region staffed by a doctor. ERs in Pine Falls, Pinawa, Beausejour, Teulon, Eriksdale, Arborg and Gimli will all be without a doctor.

Why has the minister failed to provide emergency room doctors at the busiest time of the year? *[interjection]*

* (14:00)

Madam Speaker: Order.

Mr. Goertzen: Madam Speaker, it may surprise the member to know that June has been a pretty busy time for decades in Manitoba.

It was a busy time for the decades that the NDP were in government. June after June after June, Madam Speaker, they were closing emergency rooms: closing them in Eastman, closing them in Westman, closing them in southern Manitoba.

They spent all their years in government—they had full control of the government, Madam Speaker. They had their hand on the wheel, and all they could think to do with all that opportunity and all that authority is to close emergency rooms in rural Manitoba.

Auto Theft Suppression Strategy Dissolution of Program

Ms. Nahanni Fontaine (St. Johns): According to the Winnipeg Police Service, there's been a major spike in vehicle theft over the last month, Madam Speaker. Since May, the rates of stolen vehicles have jumped by 54 per cent.

Six months ago, the Minister of Justice dissolved the provincial strategy to reduce the number of vehicle thefts and keep our safe—streets safe, Madam Speaker. I would submit there is a direct correlation between the dissolution of this program and the recent spike in vehicle thefts under this minister's administration.

Why did the minister cut the Auto Theft Suppression Strategy?

Hon. Heather Stefanson (Minister of Justice and Attorney General): I think we need to put this into perspective. The member opposite is taking a one-month snapshot in time to try and illustrate her point.

We know that Manitobans elected us to repair the services in our province over the long term, Madam Speaker, and that's why we've introduced our Criminal Justice System Modernization Strategy, to do just that.

After 17 years of NDP mismanagement of our criminal justice system, Madam Speaker, we will repair those services.

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

Ms. Fontaine: The Auto Theft Suppression Strategy was established in 2005. The program closely

'monored' people who repeatedly stole vehicles, and was extremely successful, Madam Speaker.

Previously, about 29 vehicles were stolen daily in Manitoba. By 2015, just 10 years after the program, that number had dropped to actually nine per month. Now we are seeing these rates slowly creep up again under this minister's administration, or lack thereof.

Why did the Minister of Justice cut a program that was proven to work on behalf of Manitobans?

Mrs. Stefanson: We agree with the Winnipeg Police Service that these crimes are preventable, Madam Speaker, and Manitobans should take the necessary precautions to protect themselves.

So, Madam Speaker, we will work with our partners in law enforcement to improve our criminal justice system. That's why we introduced our Criminal Justice System Modernization Strategy, to do just that: fix the 17 years of NDP mismanagement.

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

Ms. Fontaine: Clearly, it's not working.

According to the minister's own Estimates book, this program cost only \$40,000 a year, Madam Speaker. It is a small price to invest for more than 70 per cent improvement in auto theft rates. It's yet another example of this government—or this minister's narrow-minded approach to cutting costs.

The minister is cutting a successful prevention program that reduces rates of theft, gang activity and recidivism. Either the 'minnder'—minister's blinders are up, or she simply does not care.

Manitobans want a government that takes action on vehicle theft. Will the Minister of Justice reinstate the program today?

Mrs. Stefanson: Again, I'll remind the member opposite that she's taking a one-month snapshot in time.

We have realigned probation services to produce better outcomes for Manitobans for the long term, Madam Speaker. We continue to fund all of the staff positions previously associated with the Auto Theft Unit, and under the realignment, the intensive supervision of the highest risk auto theft cases still remains.

So we will continue to work with law enforcement to ensure better outcomes for Manitobans.

Introduction of Guests

Madam Speaker: Prior to moving on with oral questions, we do have some guests that just joined us in the gallery, and they are not going to be here for very long. So I would like to introduce to you, seated in the public gallery from École Christine-Lespérance, 50 grade 6 students under the direction of Philippe Champagne and David Gérard. And this group is located in the constituency of the honourable member for Seine River (Ms. Morley-Lecomte).

On behalf of all members here, we welcome you to the Manitoba Legislature.

Recreational Facilities in South Winnipeg Operation of Community Foundation

Ms. Flor Marcelino (Logan): For the last five years, Manitoba Housing has operated and maintained community recreation amenities in the Bridgwater neighbourhood, including the community fountain that provides recreation for thousands of residents in south Winnipeg. Yet now, the Pallister government has turned the taps off, having turned the fountain on for just one day this year.

Through you, Madam Speaker, I ask the minister: Will he cut through whatever disagreement he might have with the City—*[interjection]*

Madam Speaker: Order.

Ms. Marcelino: —and turn the taps on for the residents of south Winnipeg?

Hon. Scott Fielding (Minister of Families): Madam Speaker, Manitoba Housing has been investing in new developments in the Bridgwater area. We think that's an important investment. We have 'mit'—we have met the requirements the City has laid out on numerous occasions for the fountain and other—the amenities that's a part of that.

That's a discussions that are still going—ongoing. But we have met all the obligations required under the development agreements, Madam Speaker.

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

Ms. Marcelino: The answer is no.

Madam Speaker, area resident Kala Subramarian says, I feel cheated. When we moved here almost

three years ago, we bought the house because of the family-friendly neighbourhood with splash pads, fountains, soccer fields and parks. But now south Winnipeg residents can't use these amenities and the Province has turned off the taps to the fountain.

Through you, Madam Speaker, I ask the minister: Will he show that he can work with others and turn the taps on for Ms. Subramarian and the rest of this—Bridgwater?

Mr. Fielding: Manitoba Housing, being the developer of these properties, have introduced these amenities that are there. In fact, we 'mit' the—met the requirements. The City has changed the goalposts to a certain extent in terms of the development.

But we do continue to speak with the City. Dialogue with the City is ongoing in terms of this important amenity. And we anticipate that the City will take responsibility as per in terms of the development agreement that was laid out. *[interjection]*

Madam Speaker: Order.

The honourable member for Logan, on a final supplementary.

Ms. Marcelino: The minister will not turn the taps on.

It will soon be 30° again in Winnipeg and students will be done for the school year in just a couple short weeks. Residents in south Winnipeg shouldn't have to care who holds responsibility for their summer recreation. Their—these services should simply work. Yet, once again, the Pallister government is showing they can't work with others, turning the taps off to the fountains for the residents of Bridgwater.

Through you, Madam Speaker, I'm—ask the minister one last time: Will he put aside his arguments with the City of Winnipeg and open the taps for the people of south Winnipeg?

Hon. Cameron Friesen (Minister of Finance): Madam Speaker, the NDP government increased the borrowing program in Manitoba by a rate that was—*[interjection]*

Madam Speaker: Order.

Mr. Friesen: —four times the rate of the growth of the economy of Manitoba—*[interjection]*

Madam Speaker: Order.

Mr. Friesen: –resulting in three credit grade–rating downgrades and a \$1-billion debt service charge.

Now, Madam Speaker, this last weekend, there was a new movie released. We understand it was *The Incredibles*. But, really, that member's statement reminds me more of Buzz Lightyear from *Toy Story*. Under them, increase in spending was to infinity and beyond.

* (14:10)

Seven Oaks School Division School Boards and Language Programs

Ms. Cindy Lamoureux (Burrows): Madam Speaker, Seven Oaks School Division has done some amazing work over the years to incorporate the cultures that make up our province.

Next year, Seven Oaks School Division will be starting the Filipino bilingual elementary school program, which is the first of its kind in Canada.

Seven Oaks now offers language classes in Punjabi, Polish, Portuguese, Italian, Filipino, Cree, Ojibwe, Spanish and German.

Can the minister assure those attending and working within the Seven Oaks School Division that these programs will not be jeopardized in any way by this government's Education Department?

Hon. Ian Wishart (Minister of Education and Training): I thank the member for the question. We're always pleased to work with all of the school divisions in the province to make sure that programming for–within the school division is that that meets the needs of that particular community.

We were also very pleased to meet with Seven Oaks School Division the other day to announce a new school.

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

Ms. Lamoureux: Madam Speaker, last week, I asked the minister if he would provide assurance that the school boards would not be dissolved. However, he never answered the question.

So I'd like to ask again: Very clearly, yes or no, is the minister planning on keeping school boards here in Manitoba?

Mr. Wishart: I thank the member again for the question. If she was listening last week, she'd realize that we're in the process of consulting with Manitobans as to what the structure going forward

for education funding would look like in Manitoba. We're listening to Manitobans. I know they don't want to, but we do.

Madam Speaker: Order.

The honourable member for Burrows, on a final supplementary.

Ms. Lamoureux: Madam Speaker, this government has a tendency to pull the rug out from Manitobans with kick–quick decisions that they have not consulted on. We saw this with our health care, we saw this with post-secondary education and now we're starting to see the red flags go up with elementary and high schools.

Will the minister commit today to those living within the boundaries of the Seven Oaks School Division that their children's education and programs will not be dismantled along with their school division?

Mr. Wishart: We are certainly committed to getting a better quality education for Manitoba students. After 17 years of NDP government, we went from middle of the pack across Canada to dead last on literacy and numeracy. We know we have to do better not only for Manitoba students, but for their parents and their family members as well.

Lake Manitoba and Lake St. Martin Outlet Construction Announcement

Mr. Derek Johnson (Interlake): The previous NDP government and their Infrastructure minister, Steve Ashton, would talk and make promises full of empty words regarding flood relief for First Nations living around Lake St. Martin and the communities living around Lake Manitoba, including my very own community.

Today, there was a very special announcement made by our PC government which fulfills our commitment to Manitobans regarding the additional outlet channel for the lakes.

Can the Minister of Infrastructure please inform this House on how our PC government fulfills our commitments—a promise made, a promise kept?

Hon. Ron Schuler (Minister of Infrastructure): Well, Madam Speaker, after 60 years of talk, after the 2011 billion-dollar flood and 17 years of NDP inaction, finally First Nations, residents, farmers, cottage owners, are going to realize a dream that only in two years of our PC government, and under the leadership of our Premier (Mr. Pallister), a

\$540-million two-channel project's going to be built. It's going to be completed.

What the NDP could never get done, our government's going to accomplish. *[interjection]*

Madam Speaker: Order.

Manitoba Public Insurance Rate Increase Request

Mr. Tom Lindsey (Flin Flon): Under this government, life is becoming less affordable for Manitobans. A day after reporting a \$91-million profit for 2017-18, MPI has requested a 2.2 per cent overall increase in addition to the 2.6 per cent increase ordered in December of last year and the 3.7 per cent increase last March.

Under this government, Manitoba's incomes aren't going up to match rate hikes, while unemployment is.

Will the minister commit to keeping MPI rates affordable for all Manitobans?

Hon. Cliff Cullen (Minister of Crown Services): I do appreciate the members opposite, their newfound interest in Crown corporations. Nice to have a question on Crowns back to back.

Certainly, I know, after 17 years of NDP, they left the Crown corporations in a mess. We're going to work with Manitobans, we're going to work with our new boards to make those—strengthen those Crown corporations.

That's exactly what we set out to do and that's what we're going to deliver on.

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

Mr. Lindsey: Madam Speaker, if MPI's rate application is approved, the average vehicle owner will pay about \$27 more a year, adding to increases that have already been imposed. This government forced transit to increase costs, but they won't show us what else they're hiding because they won't introduce a BITSA bill.

This Premier (Mr. Pallister) took a 20 per cent pay hike. His Finance Minister's law made it easier for them to—*[interjection]*

Madam Speaker: Order.

Mr. Lindsey: —keep that pay increase.

The Premier used to sell insurance, Madam Speaker. How come he isn't ensuring that

Manitobans get the best 'possible' deal instead of the worst? *[interjection]*

Madam Speaker: Order.

Mr. Cullen: Certainly, our government wants to make sure that we have quality products available for Manitobans—quality products at a reasonable rate. We want to make sure that we have a strong fiscal corporation, that the reserves are sufficient to ward against any particular catastrophes that may occur.

Certainly, our government will not be raiding the reserves like the previous government did under the NDP—tried to raid the reserves of Manitobans for other uses. We will not do that. We will stand for and up for Manitobans.

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

Mr. Lindsey: Madam Speaker, this government imposed a 15 per cent cut on MPI, created a massive workload counting regulations that sidetracked 20 workers from their normal duties to satisfy Bill 22.

When it comes to inflation, they're taking a step back, letting things get more expensive and saying that's just the way the market works while consumers, including Manitoba's most vulnerable people, have to carry the cost.

The Premier used to be a teacher, Madam Speaker. How come he's putting Manitobans through the school of hard knocks?

Mr. Cullen: Well, let's talk about hard knocks.

It was under the previous NDP government that they increased the provincial sales tax to all Manitobans and increased it across a number of other areas across the province. That is hard knocks on Manitobans.

The NDP brought this on us. They've got us into a massive debt: \$1-billion debt service cost annually. That's hard knocks on Manitobans. That's the hole the NDP left us with. That's the hole that we will dig out of as we work with Manitobans to get out of that hole. And we're going to deliver for Manitobans on behalf of Manitobans.

Post-Secondary Education Funding Concerns

Mr. Matt Wiebe (Concordia): Madam Speaker, the cuts to post-secondary education are having a significant and negative impact.

Because of this Pallister government's cuts, Red River College was forced to cut several programs, lay off instructors and hike tuition by \$250 for every program. It's a loss to post-secondary education in Manitoba and it's getting harder for Manitoba students to pursue training to get a good job.

Why is this minister only focused on the bottom line instead of training for the future of young Manitobans?

* (14:20)

Hon. Ian Wishart (Minister of Education and Training): I thank the member for the question. Perhaps he should have read the article right through to the end, where it also talked about Red River College making improvements to seven courses and adding some to make sure that there are greater opportunities.

We're working with post-secondary education and—to make sure that the needs of the future are being met. *[interjection]*

Madam Speaker: Order.

The honourable member for Concordia, on a supplementary question.

Mr. Wiebe: Madam Speaker, the minister knows that training seats have been cancelled and whole programs have been deleted under his watch. Post-secondary education was cut by \$6.2 million, and students now have to pay more to get less.

At Red River College, students in four programs will now have to pay the entire cost of their programs without any government funding, including those studying to be health-care aides, Madam Speaker. This will add a tremendous burden to students who just want a good job here in this province.

Why is the minister making it harder for young people to pursue post-secondary education in this province?

Mr. Wishart: We're very pleased to work with the post-secondary education system across the province to make sure that we can design a long-term, sustainable program.

While they were in government, they never got around to doing the colleges review during the 10 years, even though it was mandated, because they didn't really care what happened to post-secondary students.

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

Mr. Wiebe: Madam Speaker, the unemployment rate in this province is 6.5 per cent, which is the worst that it's been since 1997, and out-migration to provinces is the 'highlights'—highest it's been in years.

The Pallister government's response to this has been completely tone deaf. They cut tuition supports, cancelled programs, slashed training seats, right at the time when unemployment is going up and is at the highest it's been in 20 years.

It's as if they're telling young people there's no sense in studying here because there's not going to be a job for you here in Manitoba.

So why else would the minister be cutting funding to post-secondary education at this critical time?

Hon. Brian Pallister (Premier): I appreciate the opposition member's need for urgent and frightened rhetoric, Madam Speaker. Nonetheless, funding for post-secondary education's never been higher in the province's history, and his alarmist rhetoric doesn't suit the reality of the situation at Red River, where they just reduce programs by two and increase them by seven.

Seven Oaks Community New K-to-5 School

Mr. Nic Curry (Kildonan): Our PC government has taken measures to repair the services after a decade of debt, decline and decay under the former NDP government. The good people of Kildonan have been waiting for change as we see our community in north Winnipeg grow larger and larger.

Two weeks ago, both the Premier and the Minister of Education announced important details about a new dual-tracked kindergarten school—excuse me—K to 5—chokes me up—that families, students and the community of Seven Oaks have been begging for, for years.

Can the Minister of Education please inform the House about this wonderful addition to our beautiful North End community?

Hon. Ian Wishart (Minister of Education and Training): I thank the member fill Kildonan for that question.

Our goal since day one has been to improve the services and have new schools built in Manitoba to

deliver quality, new learning and—environments for the students and for the teachers.

This school will relieve pressure in areas like The Maples and Amber Trails where pressure has been building for a number of years in the school system. It's a new 56,000-square-foot school on Templeton Avenue, with capacity for 450 students initially, moving up to 600 as the community grows around it.

Our PC government has committed more than \$200 million to seven new schools across this province. Our PC government is pleased to deliver on the promises to Manitobans.

Madam Speaker: The time for oral questions has expired.

Speaker's Ruling

Madam Speaker: I have a ruling for the House.

At the start of routine proceedings on May 31st, 2018, the honourable member for Flin Flon (Mr. Lindsey) raised a matter of privilege relating to another matter of privilege he had raised on May 17th, 2018, which was subsequently dealt with on May 30th, 2018. The previous matter addressed an incident in the House which occurred on May 16th, 2018.

In his submission on May 31st, 2018, the honourable member for Flin Flon contended that, during Oral Questions on May 16th, the Premier (Mr. Pallister) had used documents in his hand as a prop in debate and that in ruling on a subsequent point of order, the Speaker had stated that members should not use exhibits in any debate.

The honourable member for Flin Flon further indicated that the Premier had not respected this ruling from the Chair and that his disregard for the authority of the Speaker impacted members in their ability to perform their jobs. The honourable Government House Leader (Mr. Cullen) and the honourable member for Assiniboia (Mr. Fletcher) both spoke to this matter before I took it under advisement.

As members know, there are two conditions which must be met to demonstrate a prima facie case of privilege: timeliness and the demonstration of sufficient evidence to prove that the privileges of the House have been breached.

Before I address those conditions, however, I must identify a problem with the member's

submission. He appeared to be providing information as supplemental material relating to his previous matter of privilege. However, members should know that once a ruling on a matter of privilege is delivered, the matter is closed and should not be revived.

If a member wants to raise a new matter of privilege, they must follow the same process as for any privilege submission, including (1) meeting the test of timeliness, (2) explaining precisely what privileges were breached and (3) concluding their remarks with a motion suggesting a remedy to the problem.

On the third point: while I have recently allowed members a moment in the House to write out their motions if they have neglected to include one in a privilege submission, I am giving notice now to all members that I will no longer be providing such prompts. If a motion is not included in any future privilege submissions, the matter will be ruled out of order as a breach of our rule 36(2).

In his submission on May 31st, 2018, the honourable member for Flin Flon did not address the first and third of the requirements noticed above, though he did provide useful information regarding precisely what privileges he had alleged were breached.

Given these omissions, I must find that the member has not established a prima facie case of privilege. However, for the sake of clarity, I will speak to his concerns regarding the alleged breach of privileges identified.

In his submission on May 31st, 2018, the honourable member for Flin Flon suggested that the Premier was disregarding the authority of the Speaker and that the Premier's lack of respect for the rules of this House, quote, impacts the ability of all members to pursue their duties. End quote.

The member also stated that when one member does not respect a ruling of the Speaker, quote, this undermines the confidence in the rules and traditions of this House that all members ought to have, end quote, and that such a situation will, and I quote, will undermine the trust and confidence that Manitobans place in our Legislature. End quote.

This is a serious allegation. To this I would respond that the situation in question was resolved at the time to satisfaction of the Speaker. As the member noted, the question of the use of exhibits at the end of question period on May 16th was raised as

a point of order immediately by the honourable Leader of the Official Opposition (Mr. Kinew).

In response to that point of order, I ruled that members should not use exhibits in the House and that the Leader of the Official Opposition did have a point of order. Focusing for one moment on the substance of that point of order, let me offer some clarity regarding the use of exhibits in the House.

On page 617 of the Bosc and Gagnon's third edition of House of Commons Procedure and Practice, it is noticed that, and I quote: "Speakers have consistently ruled that visual displays or demonstrations of any kind used by Members to illustrate their remarks or emphasize their positions are out of order. Similarly, props of any kind have always been found to be unacceptable in the Chamber. Members may hold notes in their hands, but they will be interrupted and reprimanded by the Speaker if they use papers, documents or other objects to illustrate their remarks." End quote.

* (14:30)

The basis for this practice is, of course, that we are meant to engage in debates in this place with our words and not with visual aids. This sentiment is a cornerstone of the Westminster tradition of parliamentary democracy. No argument here is ever bolstered with the use of exhibits, only with eloquence and wisdom.

Manitoba Speakers have upheld this practice for decades, as have I during my tenure. Consequently, I would urge all honourable members to be attentive to my words on this matter today, as I will be watching for such infractions.

Regarding the issue of members commenting on my performance in this role or disregarding the authority of the presiding officer, I would caution all honourable members about reflecting on decisions or actions of the Chair. As is noticed on page 323 of the third edition of House of Commons Procedure and Practice, quote: The actions of the Speaker may not be criticized in debate or by any means except by way of a substantive motion. Reflections on the character or actions of the Speaker—an allegation of bias, for example—could be taken by the House as breaches of privileged and punished accordingly. End quote.

Given the numerous matters of privilege raised in recent days, I feel it is incumbent on me as your Speaker to provide some further essential

information regarding the process for raising matters of privilege in this House.

As the esteemed parliamentary scholar Joseph Maingot explained on page 217 in the second edition of Parliamentary Privilege in Canada, and I quote: The purpose of raising matters of privilege in either House of parliament is to maintain the respect and credibility due to, and required of, each House in respect of these privileges to uphold its powers and to enjoy the—pardon me—and to enforce the enjoyment of the privileges of its members. A genuine question of privilege is therefore a serious matter not to be reckoned with lightly and accordingly ought to be rare and thus rarely raised in the House of Commons. End quote.

Returning once more to the third edition of House of Commons Procedure and Practice, it is noted on page 142 that, and I quote, a member wishing to raise a question of privilege in the House must first convince the Speaker that his or her concern is prima facie on the first impression or, at first glance, a question of privilege. End quote.

To be clear, this means a member must demonstrate precisely and clearly which privileges have been breached. Beyond that, as I noted earlier, the member must demonstrate that they are raising the matter at the earliest opportunity, and they must crucially conclude their remarks with a motion suggesting a remedy to the problem they have identified. Failure to meet any of these tests will result in the matter not being ruled as a prima facie case of privilege.

I would urge all honourable members to consider all of these factors before they stand in the House to raise a matter of privilege.

I thank members for the attention to this important information.

Petitions? Oh, the honourable leader—the honourable Official Opposition House Leader.

Ms. Nahanni Fontaine (Official Opposition House Leader): Madam Speaker, respectfully, I do challenge your ruling.

Madam Speaker: The ruling of the Chair has been challenged.

The question before the House is the—shall the ruling of the Chair be sustained?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Recorded Vote

Ms. Fontaine: Madam Speaker, a recorded vote, please.

Madam Speaker: A recorded vote having been called, call in the members.

* (15:30)

The one hour provided for the ringing of the division bells has expired. I am therefore directing that the division bells be turned off and the House proceed to the vote.

The question before the House is: Shall the ruling of the Chair be sustained?

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Bindle, Clarke, Cox, Cullen, Curry, Ewasko, Fielding, Friesen, Goertzen, Graydon, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Martin, Mayer, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Piwniuk, Reyes, Schuler, Smith (Southdale), Smook, Squires, Stefanson, Teitsma, Wharton, Wishart, Wowchuk, Yakimoski.

Nays

Allum, Altemeyer, Fletcher, Fontaine, Gerrard, Kinew, Klassen, Lamoureux, Lindsey, Maloway, Marcelino (Logan), Marcelino (Tyndall Park), Smith (Point Douglas), Swan.

Clerk (Ms. Patricia Chaychuk): Yeas 37, Nays 14.

Madam Speaker: The ruling of the Chair has been sustained.

PETITIONS

An Honourable Member: Madam Speaker, on a point of order.

Point of Order

Madam Speaker: The honourable member for Assiniboia, on a point of order.

Hon. Steven Fletcher (Assiniboia): I would—I appreciate very much your ruling and I—my vote was in part due to the fact that in the ruling, taken literally, it would prevent me to bring forward matters of privilege in a timely manner as, obviously, the criteria about writing the motion is not an easy thing for me to do in real time. I—it's an observation so—

Madam Speaker: I thank the member for those comments, and that is something that I think we will probably have to discuss further with the member too and determine a solution to that. So perhaps we can have a further conversation, in terms of how to do this on a go-forward basis.

Petitions?

Tina Fontaine—Public Inquiry

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

These are the reasons for the petition.

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

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

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

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

* (15:40)

Signed by Alexander Gamblin, Jesse Gamblin, Thaddeus Conrea [*phonetic*] and many, many other Manitobans.

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

Further petitions?

The Pas Primary Care Centre Funding

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

The background to this petition is as follows:

(1) Access to quality health care is a fundamental right of all Manitobans, no matter where they live.

(2) Upstream interventions in health care, such as primary prevention, keep Manitoba families healthy at home.

(3) The Premier has slashed budgets and cancelled projects for northern communities, making it harder for families to get the primary health care they need.

(4) The budget of the northern regional health authority has been slashed by over \$6 million and has negatively affected doctor retention programs and the Northern Patient Transfer Program.

(5) The Premier cancelled the construction of a new physician clinic.

(6) A new primary-care clinic, staffed by doctors, nurse practitioners, mental health clinicians and dietitians would help area residents receive wide-ranging services right in their community that are culturally appropriate.

(7) Community primary-care clinics provide non-urgent care for families and seniors, freeing up emergency rooms.

(8) A new primary-care clinic would provide quality, accessible health care for 18,000 people in the communities of The Pas, OCN, the RM of Kelsey, Cormorant, Moose Lake, Easterville and Grand Rapids.

(9) With limited services in the North, the Premier is forcing families and seniors to travel further for the health care they need.

(10) All Manitobans, no matter where they live in the province, have the right to access quality primary health care with the comfort of their loved ones nearby.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to recognize the importance of providing health-care services to northern communities and immediately reinstate the funding for The Pas primary-care centre's new facility so northern families and seniors can access the quality primary health care they deserve.

Madam Speaker, this petition is signed by many Manitobans.

Vimy Arena

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

The background to this petition is as follows:

(1) The residents of St. James and other areas of Manitoba are concerned with the intention expressed by the provincial government to use the Vimy Arena site as a Manitoba Housing project.

(2) The Vimy Arena site is in the middle of a residential area near many schools, churches, community clubs and senior homes, and neither the provincial government nor the City of Winnipeg considered better suited locations in rural, semi-rural or industrial locations such as St. Boniface industrial park, the 20,000 acres at CentrePort or existing properties such as the Shriners Hospital or the old Children's Hospital on Wellington Crescent.

(3) The provincial government is exempt from any zoning requirements that would have existed if the land was owned by the City of Winnipeg. This exemption bypasses community input and due

diligence and ignores better uses for the land which would be consistent with a residential area.

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

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

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

And (2) to urge the provincial government to take all necessary steps to ensure the 'perservation' of public land along Sturgeon Creek for the purpose of parkland and recreational activities for public use, including being an important component of the Sturgeon Creek Greenway Trail and Sturgeon Creek ecosystem under the current designation of PR2 for

the 255 Hamilton Ave. location at Vimy Arena site, and to maintain the land to continue to be designated for parks and recreation active neighbourhood and communities.

This petition's been signed by many Manitobans.

Gender Neutrality

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

The background to this petition is as follows:

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

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

Gender neutrality describes the idea that policies—[interjection]

Madam Speaker: Order.

Mr. Gerrard: —language and other social institutions should avoid distinguishing roles according to people's sex or gender in order to avoid discrimination arising from impressions that there are social roles for which one gender is more suited than another.

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

Being forced to accept an assigned gender affects children and newborns as they grow and become part of society. There are many psychological benefits for transgender and non-binary people to be allowed to develop without the

constraints put upon them by having their gender assigned based on purely physical attributes.

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

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

The federal government now issues passports and is educating personnel about the correct language and references for non-binary persons.

* (15:50)

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

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

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

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

Signed by Marley Vandal, Alexander Rempel, Nathalie Richard and many others.

Thank you.

Madam Speaker: Grievances?

ORDERS OF THE DAY GOVERNMENT BUSINESS

Hon. Cliff Cullen (Government House Leader): Would you call the government motion that's on the Order Paper relative to the Standing Committee on Legislative Affairs in respect of the report entitled Modernizing Manitoba's Conflict of Interest Legislation?

Madam Speaker: It has been announced by the Government House Leader that, for this afternoon, he's calling this—the government motion on the Standing Committee on Legislative Affairs study, the report titled Modernizing Manitoba's Conflict of Interest Legislation—Recommendations of the Conflict of Interest Commissioner.

GOVERNMENT MOTION

Hon. Cliff Cullen (Government House Leader): I move, seconded by the Minister of Justice (Mrs. Stefanson),

THAT the Standing Committee on Legislative Affairs, the committee, study the report titled: Modernizing Manitoba's Conflict of Interest Legislation—Recommendations of the Conflict of Interest Commissioner, by Jeffrey Schnoor, Queen's court, dated April 2018, and make recommendations regarding how best to proceed with changes to the rules governing members of the Legislative Assembly in The Legislative Assembly and Executive Council Conflict of Interest Act and The Legislative Assembly Act; and

THAT, within the parameters of the practices and rules of the House and the instructions of this motion, the committee be authorized to decide how it will conduct its business, including deciding to hold meetings at such times and places it considers advisable to receives briefs and hear presentations; and

THAT, despite rule 4(12) the committee may meet in the months of June, July and August; and

THAT the committee be able to call witnesses, including, but not limited to, the Conflict of Interest Commissioner, and other experts in ethics, political science or whatever field the committee deems appropriate; and

THAT the committee must report to the House by November 8, 2018.

Madam Speaker: It has been moved by the honourable Government House Leader (Mr. Cullen), seconded by the honourable Minister of Justice (Mrs. Stefanson),

THAT the Standing Committee on Legislative Affairs, the committee, study the report titled: Modernizing Manitoba's Conflict of Interest Legislation—Recommendations of the—

An Honourable Member: Dispense.

Madam Speaker: Dispense.

The motion is in order. Debate is open.

Mr. Cullen: Certainly look forward to a debate on this particular motion today. I think members of the House will be familiar with the report that was recently requested by government and that Mr. Schnoor had provided to members of the House. And I think many members will remember that report, and the highlight there was that we in Manitoba have some of the weakest current legislation across our country. A lot of our rules are outdated—some ambiguous rules in respect of the current legislation. And certainly, the report pointed out much work is required in terms of moving us forward into the 21st century.

I'm hopeful that this motion will be passed today. We certainly have had discussions with Mr. Schnoor in terms of coming to committee. And I know I asked for leave last week to have the committee meet tomorrow night, and, unfortunately, the opposition did not agree to that. But I will point out to the House today that, certainly, the author of the report, Mr. Schnoor, is available tomorrow night. And we would certainly like to call this committee tomorrow night to go through the recommendations that he has put forward.

I think this particular motion is very transparent. It allows the committee to basically establish their own rules in terms of how they want to proceed with reviewing this very important report. Clearly, you know, the author has pointed out that—the good work that has been done in other jurisdictions. He has done, certainly, quite a considerable jurisdictional

analysis of what other provinces are doing, and he certainly has some good background in that respect. And I think he would be a very good witness for this particular committee as we move forward in trying to review the—all the recommendations that are before us.

Clearly, a lot of work has to be done on this particular area. Obviously, there's going to be a lot of legislative changes that are required here, and I think all members of the House would agree that we should be moving forward in terms of updating that legislation. Clearly, the process to update legislation does take some time. I firmly believe that this committee structure is a great opportunity for members to come around the table and reach consensus on the recommendations that have been provided in that particular report. Once we come to consensus in terms of the recommendations on the report, they could be submitted back to government and government could provide direction to Legislative Counsel to have the legislation drafted. And from there it could be brought back to the House for more wholesome discussion in terms of what the details of the proposed legislation going forward would look like.

So, in our view, this is an opportunity in the spirit of openness and transparency to address this particular report, and, quite frankly, Madam Speaker, an opportunity for members of that particular committee to delve deeper into the recommendations that are found within that report and get the answers that the recommendations speak of and certainly answers in respect of what other jurisdictions have done in terms of updating their conflict of interest legislation, as well.

So I think this would be an opportune time to get the ball rolling tomorrow night, have a session with Mr. Schnoor if the committee so decided. And we could get the—get things moving and obviously have subsequent meetings. This particular resolution allows to have subsequent meetings in July and August and, clearly, we'd like to have a report back to government by November. And that would allow changes to be put forward in terms of legislation that could be addressed by the House in a more wholesome manner. And, ultimately, Madam Speaker, it's something we could get to committee and share views of Manitobans.

And, certainly, the report signals that this process and the legislation should be completed and in place prior to the next election, and that certainly

would be government's indication that we should have this updated legislation in place for the next legislative—the new—the next government in—subsequent to 2020.

* (16:00)

So that is certainly the scope and that's the intent of this particular resolution. We think it's a good opportunity for us as Manitobans and MLAs to move forward and review this very important piece of legislation, Madam Speaker, recognizing that very little has changed in terms of this legislation over the past number of years here in Manitoba.

So we certainly want to signal this as a great opportunity to move forward in terms of our conflict of interest legislation, and as it does indicate, the resolution allows the committee to call witnesses as they see fit, whether they be experts in ethics, political science or whatever other area that the committee may deem appropriate.

So we think this is an appropriate mechanism to move forward. Certainly, once the government received the report back some time ago, a number of weeks ago, we had signalled this would—might be the opportunity—would be the best way to have that discussion amongst MLAs at the committee structure.

So we're certainly hoping that the opposition members will buy into this process. I think it could be a very effective process moving forward. It's something that's certainly recommended, that we have a wholesome discussion about it.

And with that—those few words, Madam Speaker, I look forward to opposition members' perspective on this particular motion.

Thank you.

Mr. Andrew Swan (Minto): And here we are in day seven of the emergency session—the emergency session which the Premier (Mr. Pallister) said we had to have because, supposedly, there were—*[interjection]*

Well, members already, who don't know why we're here, already starting to heckle, Madam Speaker, and that's fine. I'll just make notes of everyone who heckles, and we'll plenty of time to answer the questions and the points that they're putting forward, because here we have a government which does not have a clue why it's here, a government does not have a clue what it's doing and a government that does not have a clue how to

actually act as a government and deal with other parties in this House to get things done.

An Honourable Member: Like having your caucus.

Mr. Swan: And so, today, I'm going to use my time, despite the Minister of Sustainable Development (Ms. Squires) and others who want to heckle rather than listen, and I'm going to explain some of the reservations we have with the way this government is proceeding.

Again, we're at day seven of an emergency session—

An Honourable Member: Don't like working?

Mr. Swan: —that was called to deal with financial matters. And the member for Interlake (Mr. Johnson) has asked, with good reason, well, what is it that we're doing? We thought we were coming back to this House to talk about financial matters, and yet, every single day, the House leader has stood up and has called something other than financial matters.

We had thought we could have moved on with concurrence, which the Government House Leader (Mr. Cullen) knows is our wish. We also, by this point, could be well into debating and perhaps even have passed or agreed to disagree on the government's budget implementation and tax statute bill. But for the first time in modern history when there's not an election, this government has decided that that's not a priority. In fact, that's not something they have to do.

And so instead of dealing with financial matters, we've now dealt with other things. At first, this government decided that Bill 29 was the most pressing and urgent concern. Now I guess they don't. We heard the other day in private members' business that, in fact, it was passing a private member's resolution on awareness of Lyme disease that was the urgent and pressing matter that's brought us back. And now, today, it appears that the Government House Leader is suggesting that there is a new emergency priority of this government. It is clear this government does not know what it is doing.

Now, there is something the Government House Leader could've simply put on the record: does his government accept the report of Mr. Schnoor, or does it not?

If it accepts the report of Mr. Schnoor, we don't need to be standing up in this House debating it. We don't need to be calling a special committee. The government could bring in a bill to advance what

Mr. Schnoor has said. If we believe there are things in that bill which do not match what Mr. Schnoor had to say, we will have our ability to raise those concerns. If indeed the bill does not match, we can deal with that. Or if, as members of this House, we don't agree with something contained in the bill because we don't think it's appropriate, we have our chance to put it forward.

But I don't understand the reasoning of the government now on day seven of this phony-baloney emergency sitting of the Legislature why this is suddenly, this afternoon, the government's most important action.

Now let me be clear. Our party supports the updating of the conflict of interest legislation, and there is no stronger example of why we need better conflict of interest legislation than the Premier (Mr. Pallister) of this province.

And I would remind every member of this House, it was the Premier of this province who failed to follow the existing conflict of interest legislation in a way that would have been perfectly obvious to anybody. Well—and members—I know the government members are shocked that their Premier could be that clueless about his very clear obligations—

Madam Speaker: Order, please. Order.

I think we have determined in the past that name-calling and calling somebody clueless in here is not something that we recognize as parliamentary language. And I would urge all members to be careful in the language that they're choosing because I think in the last little while, there has been some very hurtful comments made in this Chamber, and I want everybody to be very careful that name-calling is not anything that I am going to tolerate.

So I would ask the member to please be careful with the language he's using.

Mr. Swan: Yes, thank you, Madam Speaker, for your direction, and I won't impute any motives then, on why the Premier did not disclose the two corporations of which he is a major driving factor in the country of Costa Rica, even though the existing conflict of interest legislation says that any such corporations—whether they happen to be in Manitoba, whether they happen to be elsewhere in Canada or whether they happen to be anywhere else in the world—must be disclosed on the annual conflict of interest form.

The Premier did not do that. He did not do that in any year after he returned to this Legislature after some time in Ottawa, where he also had to complete conflict of interest information. He returned and did not provide that information, and, in fact, he did not provide any information until it became known thanks to a news story down in Costa Rica that, in fact, the Premier did have an interest in at least two corporations in Costa Rica.

And even when that happened, the Premier said, well, no, I don't have to divulge that. I don't have to. And we said, well, what gives you the authority to make that statement? And he said, well, the Conflict of Interest Commissioner told me.

Well, I think that became exposed for all to see when I asked the very same question in writing.

An Honourable Member: What became exposed is your disrespect.

Mr. Swan: Well—and now the member for Radisson (Mr. Teitsma)—

Madam Speaker: Order. Order.

Mr. Swan: Thank you, and I do hear the member for Radisson talking about respect, and that is exactly what—[*interjection*]

Madam Speaker: Order.

I think I have raised this a number of times. When I ask for order, I don't expect people to be heckling while I'm still asking for order. I think that's very, very inappropriate. I would ask everybody's respect please for people that have the floor. And please heed the Chair, because it doesn't help for having an orderly conversation, an orderly debate in here, when the rules are constantly being misused and abused.

So I would ask for everybody's consideration please.

Mr. Swan: Indeed, it is a matter of respect when the Premier of this province fails to comply with the legislation and the obligations on him under the existing conflict of interest legislation.

And, again, it was only after not only the story broke and the Premier gave his explanations, that eventually these two corporations showed up in his annual declaration, but he was very clear to say that this was a voluntary declaration, that he was just doing it out of the, I guess, the goodness of his heart and not out of any obligation set upon him by the act.

And I think as the Premier has said many times, the tone starts at the top, and in this case, the tone which is set forward by the Premier is not one of respect. It is not a tone of openness. It is not a tone of transparency. It is indeed, Madam Speaker, the exact opposite.

* (16:10)

And that's why we have some doubts about the good faith of government going forward, when they've now received a very comprehensive report from the Conflict of Interest Commissioner.

And it's important, I think, at the outset, Madam Speaker, to put on the record that there was some dispute over what would even happen with this report. And I am aware that when the report was done, the idea was that it would just be kept, perhaps, confidential and away from other Manitobans. And it was Mr. Schnoor himself who said, well, no, I've been requested to provide this report on behalf of the people of Manitoba and members of this Legislature, so I'm going to provide it to every single MLA and I am going to make sure that this is a public document, which has been done.

And we think that bringing this motion on today in the emergency session and the calling of the committee unnecessarily delays what we think would be positive changes if this government would have stood up and introduced a bill to confirm what's contained in Mr. Schnoor's report.

And this House is the ultimate all-party committee, Madam Speaker. I know, and I've been aware, of a number of other formal committees and informal committees under different circumstances that have got—gone ahead and done some positive things. And I think just a couple of weeks ago we completed our work on the organ donation committee, which was not even a formal committee. The member for Brandon West (Mr. Helwer) can tell you it was a task force without some of the other powers. I've actually sat on all-party committees which weren't given a complete blueprint, as has happened in this case, with the Conflict of Interest Commissioner's report.

And I sat on the Healthy Kids, Healthy Futures task force, which was indeed a committee that was struck by this Legislature. We had a number of government members, as well, a number of Conservative members in opposition at the time and a Liberal who sat on that committee. And that was useful. But unlike the present situation, we hadn't

been handed a report which had been requisitioned to specifically deal with matters that can be contained in a bill.

Debate of this matter in the House, similar to all other bill debates, is truly the best method for studying this report. And now that it appears we're sitting for an extended time, the House certainly has the time, as we're doing this afternoon, to be debating important things. But it would be much better to be debating an important bill. And it's about time that the Premier (Mr. Pallister) directed his House leader to actually use the time of this House in an effective and in an appropriate way.

So, to state very clearly: we're urging the government to bring forward the commissioner's recommendations as a bill and that we go ahead and give it due democratic diligence.

Now, this all-party committee that is the House is able to debate all matters in depth and as such is equipped to study the report and make recommendations as needed. And once the bill is debated in the House and every member of this House has had a chance to speak, it could then proceed through the process and be called to committee where everyone has the opportunity to give their thoughts.

If the government was truly—if the—true—it was—government was concerned that opposition members were not going to agree or were going to try to delay the bill, they also have the strength in this Legislature of certain time frames. And if the bill was to be introduced in the next session, they would guarantee passage of that bill within a certain time. We do believe it's an important piece of legislation and we do believe that it's an appropriate way through the committee process to give stakeholders and others a chance to be heard.

Now, as I started my comments today, Madam Speaker, I want to put on the record that conflicts of interest are very important to Manitobans who deserve a government only has one interest in mind, and that's doing what's right for Manitobans. And I would like to think that every member of this House would share the same goal, but as we know, over the past two years, we have demonstrated that we have a Premier who says one thing and who does another. We have the Premier who believes there's one set of rules that applies to everybody else and one set of rules that applies to him. And we saw that very clearly with a Premier who likes to spend a lot of time in the tropics, a lot of time down in Costa Rica

being effectively disconnected from everything else going back home in Manitoba.

And an example of that, of course, was when the media and our opposition were able to expose that, for a three-week break, down in Costa Rica, the Premier (Mr. Pallister) did not receive any emails to his own account. We also discovered that the Premier took a grand total of two telephone calls, totalling about 10 minutes, for the three weeks that he was down in Costa Rica.

And why is that a concern? Well, some people say, well, it's just jealousy. Are people jealous the Premier has a nice resort property? No. The concern is that the Premier thinks nothing of departing, perhaps to look after his undisclosed corporations, perhaps dealing with other business, when he is not involved in what's going on at home.

And I would remind members that this was a period of time when other provinces were able to get things done. Other provinces sat down and were able to negotiate climate change agreements with the federal government. Other governments were able to sit down and negotiate other agreements with the federal government, and Manitoba was actually, probably, aside maybe from Saskatchewan, was probably the biggest laggard actually getting things done, to such a point that it was putting Manitoba tax dollars at risk as the Premier and his Cabinet actually risked losing money from the federal government.

And we know that Manitobans want to know where a leader has property, even if it's outside of Manitoba, because being a public servant means working for the people and declaring all information that may prove otherwise. And we need legislation that ensures that the disclosure practices for Cabinet ministers are extensive and more thorough. And Mr. Schnoor, I believe, has done a good job of dealing with that and providing that in the report. I'm not sure what the government thinks will happen at a committee. Do they think the committee, in which they will have a majority of members, is simply going to be able to wash away what Mr. Schnoor has had to say? It is incredibly unclear.

We need legislation that will allow Manitobans to ensure that every decision a minister makes comes in the interests of Manitobans and not other hidden motives. And I do look forward to what other members of this House are going to have to say on this issue and what other information they will be able to bring forward in this Legislature to point out some of the real concerns that we do have.

And we need legislation that provides appropriate remedies for infractions. And, again, to go back to the Premier's nondisclosure of his Costa Rica corporations, the Conflict of Interest Commissioner right now has a very, very small tool box with which to deal with infractions. We know that sometimes compliance is the best way to move ahead. We know sometimes when someone is told to do something and doesn't comply, you need to have other remedies. And when the Premier had failed to disclose his corporations in Costa Rica, it was necessary, if one wanted to challenge that and get a remedy, to actually apply to the Court of Queen's Bench in Manitoba and ask for a declaration involving a private citizen. To have to go and take that on and incur the expense of a lawyer and try and take on the Premier of the province or a Cabinet minister, is not something that is easy for someone to do.

Now, in terms of the report itself, Mr. Schnoor, who I do have a lot of respect for, Madam Speaker. Mr. Schnoor actually served as the deputy minister of Justice and Deputy Attorney General for much of the time that I was the Attorney General. I think every member of this House has some respect—*[interjection]*—well, the member for Interlake (Mr. Johnson) is muttering away. I missed his last point, but I'll just—

An Honourable Member: Probably talking about how you lied to—

Mr. Swan: Oh, well, now the member for Radisson (Mr. Teitsma) wants to put more things on the record, and, in fact, I'll address the concern by the member for Radisson because he wants to talk about that, and that's fine.

I did ask Mr. Schnoor what I would have to do if I wanted to set up a corporation in a foreign country, and I said what if I set up that foreign corporation, does it matter how much it's worth—

An Honourable Member: Then what did he ask you?

Madam Speaker: Order.

Mr. Swan: —does it matter what the corporation does? And because I do have the courage of my convictions, I put that in a letter to Mr. Schnoor, and, of course, the advantage of that is when Mr. Schnoor gave me a letter in response, that, then, became a matter of public record. And if the member for Radisson or any other member wants to go over to the Clerk's office and have a look at the

answer that Mr. Schnoor gave me, they are more than welcome to do so. So I encourage the member for Radisson (Mr. Teitsma) and the member for Interlake (Mr. Johnson) or any other member of this House to go over and—*[interjection]*—to go over and have a look at that letter. And if they don't want to have a look at that letter, then I would appreciate them letting me continue on with my comments this afternoon because, again, the way that the legislation is currently drafted is that someone can get verbal advice from the Conflict of Interest Commissioner, but if they want to be absolutely certain, if they want to be open and if they want to be transparent, they can go write a letter to the Conflict of Interest Commissioner who will then give a written response which then become public.

* (16:20)

I'm not sure what could be more open and transparent than that. And I would suggest that a premier relying on what he believes is the advice he was given which directly contradicts the clear terms of the law is the opposite of openness and transparency.

And again, I won't reflect on the Premier's (Mr. Pallister) motives because, frankly, I don't think I have to in this case. And I know the member for Radisson—I'm really looking forward to his speech in the House, and I will listen carefully to every word that he has to say. I don't know if he's going to try to justify the—*[interjection]*

Madam Speaker: Okay, order. Order.

I have asked for order several times. I would ask the member for Radisson—because he has been not listening to my requests, and I don't find that a very respectful behaviour in this House. I have indicated several times lately, calling for order, and I would ask the member for Radisson to please show some respect for this Chair and to stop the level of heckling that is going on right now.

Mr. Swan: I will move on.

What Mr. Schnoor said is that, given the increased scrutiny in recent years about the personal and financial activities of members of Executive Council, it is important that there be clear and comprehensive rules around conflict of interest for members of this Assembly, but also, and perhaps more importantly, Cabinet and Treasury Board ministers.

And it is true that those who serve in Cabinet, those who serve in Treasury Board, are party to major decisions being made, major outlays of public money. And we agree that we need a bill to start updating those conflict of interest rules as they are in place now.

I think it is fair to say that the existing law, although it might have been state of the art or, perhaps least charitably, middle of the pack when it was brought in, has not stood the test of time, and there is a need to move forward. And as Mr. Schnoor had to say as Manitoba's Conflict of Interest Commissioner, he's been approached by many Manitobans about their issues and concerns respecting conflict of interest. And I do believe—and the reason why I'm standing here speaking this afternoon is—that we should take careful consideration of his report given the direct insight that he has.

Now, given that deliberations that occur within Cabinet are confidential and that those records aren't released for public scrutiny until many, many years later, the public does need to be assured that when they're making decisions, they're doing so without enriching themselves or their families or their business partners or their donors or whoever that may be. And that's what recusal rules are for. Recusal's a very important tool for making sure that whatever interests a minister may have are not unduly affected by the person's role as a minister. And I think it's fair to say that merely operating on the honour system won't be enough to ensure the public. We need a bill that has clear provisions for recusal, as the report asks for.

Now, recommendation No. 15 from Mr. Schnoor's report is particularly important, and it details what he believes ministers should be prohibited from doing given their particular status as ministers of the Crown. And again, if the Government House Leader (Mr. Cullen) or if another minister of the Crown—maybe we'll hear later today or in another day to come—if they had said that they have particular problems with this, and then they don't plan to follow what Mr. Schnoor says, well, then they should put those objections on the record now rather than wait until we get to a committee where they hold the majority, where they can try to shut down committee and suggest, somehow, that the opposition members are in agreement with a report which differs in a material way from what Mr. Schnoor has said.

Now, what Mr. Schnoor said is that we need legislation that clarifies that a member of Executive Council or Treasury Board shall not manage or operate a business, both directly or indirectly, as included and as defined in the report. And one of the concerns which we've seen at the federal level, which we don't want to see at the provincial level, is that it is all too easy for someone to give up their daily operations of a business but still be very involved directly in those interests, particularly if it's still run by their extended family or their former business partners or their former law partners, whatever the case may be, and we need to make sure, as Mr. Schnoor has suggested, when a minister or Treasury Board member steps away from their business, there's a real break and they won't simply be deferring their interests until after their time in office is over.

And we support and we suggest that we agree with Mr. Schnoor's call for legislation that prohibits Cabinet and Treasury Board ministers from owning security stocks, futures, or commodities that are not publicly traded. And it's—if it's going to be law, it should be crystal clear that if a member of Cabinet or Treasury Board is giving up their business, they actually have to give it up for real. And the report's clear.

I know Mr. Schnoor did a lot of research looking at how other jurisdictions have struggled with this, that oftentimes what are called blind trusts, Madam Speaker, are not blind at all, particularly if a minister knows what went into the trust to begin with, and having securities and other investments and merely an arm's-length removal from business interests doesn't mean that that Cabinet minister or Treasury Board member won't know that their decision would impact their business in which they have a financial stake or their family has a financial stake.

Further, as Mr. Schnoor points out, if a minister's assets are placed in a blind trust under the current rules that we now work under, they don't even need to be disclosed, which is why it's even more important if there's going to be a law on the books it has to have real depth to it to make it very clear what the rules are.

So we believe that we need a bill which will make many important changes to the existing rules, and the many additional recommendations in the Schnoor report should also be considered and incorporated into the legislation.

Again, if the Government House Leader (Mr. Cullen) or another member—perhaps it should be the Premier (Mr. Pallister)—given all things, can come in here and say what he disagrees with in Mr. Schnoor's report, well maybe that will advance the debate this afternoon or another day in this House. And perhaps if the Premier will come in and confirm that he has no difficulty with anything in Mr. Schnoor's report, then I think we have mission accomplished and then we can expect to see a bill coming forward from this government, if not in the days to come, then when the House reconvenes in the fall. And I can put on the record that, if there is a bill which actually affirms what Mr. Schnoor has to say, our NDP caucus will be quite happy to support that effort and to support that bill passing in a very timely way.

But maybe we'll get some enlightenment this afternoon. Maybe we'll find out what in the Schnoor report is a problem for the government, why they think we would need to through the extra step of a committee when we already have a very important committee which is called the Legislature where we can have those debates.

Now, we know that this government has had trouble keeping its promises, not just out in the general community, but as it relates to their way of dealing with opposition parties and independent members. The government, of course, promised they would consult the opposition prior to putting the motion on the Order Paper to extend session for three weeks. And they went out and mentioned to the media that there was a, quote, agreement, end quote, when, in fact, there was no agreement. And, unfortunately, government members failed to mention, let alone consult the opposition before proceeding with the decision to have this emergency session which I've already put on the record, Madam Speaker, is of dubious merit given the lack of any action by this government to take any steps to advance the budgetary process.

Every day, I can tell you, Madam Speaker, I look forward to seeing that there is a bill on notice and that we will have word that the government is going to be moving ahead with its BITSA bill. And every day I'm a little bit disappointed that we don't have any move on that. I would think that the Finance Minister would give this the utmost priority so that we could actually begin debating.

And I know members of the government may be out in public saying wow, you know, what's the big

deal with this bill? Well, it's a very big deal because last year this government used what is normally a bill which is just used to complete the work of the things which were set out in the budget speech and the budgetary papers—usually it simply makes the necessary legislative steps to have those things happen. But, breaking with the tradition in this Legislature and the way things are done, last year we saw a budget implementation bill that actually contained a lot of things which were of great concern to a lot of Manitobans. And one of them that we've talked about in some detail is the ending of the decades-long, 50-50 sharing of transit expenses between the Province and municipalities.

* (16:30)

So we've made it very clear that we don't—we can't hold the government to have to bring in BITSA, but until we do see BITSA, we are going to preserve our right as an opposition to ask more questions in concurrence and to not preclude our right to do so. And that, apparently, is what has now fostered this bizarre emergency session, these bizarre—apparently—emergency measures now being brought into the House by the government, which seem to change from day to day and week to week, depending on where they think that they're going.

So as I now get to the end of my time to speak, I do want to talk about how important conflict of interest legislation is for people's confidence. And they want confidence that their government is going to be open, that the government is going to be transparent and that their government and their Premier (Mr. Pallister) will inspire trust and inspire accountability. And good leadership, Madam Speaker, gives confidence and assures Manitobans that their government and their Premier is acting in their best interests. I know that transparency and accountability is something the Premier has talked about over and over and over again; even in his own words, his own deeds, his own actions, he has done the exact opposite.

And we're very disappointed, frankly, that the Premier has refused to be up front with Manitobans on even the most basic issues. And so we are concerned about a number of things the Premier has done that we think might be clarified—would be exposed, certainly—by proper conflict of interest legislation. Maybe he won't change the way that he deals with things, but at the very least, every single example of a conflict of interest would be put clearly

on the record and then Manitobans will be able to make their choices.

Now, we know that other provinces are well ahead of us. There is no question about that. As in a number of other areas, Manitoba has fallen behind. We think this is an excellent opportunity to bring Manitoba to the forefront.

I think it was important to go to Mr. Schnoor, who is the expert on this subject in his role as the Conflict of Interest Commissioner—again, trained as a lawyer, has worked within the highest levels of government, including serving as the deputy attorney general. And we actually believe that our wish that the government bring in a bill to confirm the report is a measure of respect for Mr. Schnoor and what he has brought to the table.

So for those reasons, we don't understand why the government's moving this way. We have concerns the government is moving in this way. And perhaps the government needs to go back to the drawing board, actually talk to the opposition parties and independent members so that we can truly build a—

Madam Speaker: The member's time has expired.

An Honourable Member: Madam Speaker—

Madam Speaker: I will acknowledge the member. I first have to follow the rotation. And when it is the member's turn, I will allow him to speak. Right now, I'm just looking around the room to see if there are any members in the rotation that wish to speak. If not, then I will go to the member for Assiniboia.

Hon. Steven Fletcher (Assiniboia): Thank you, Madam Speaker, and thank you to the 54 members of the Legislature who are ahead of me in the rotation for allowing me the opportunity to speak this afternoon.

Madam Speaker, the issue of conflict of interest is of utmost importance. The public may not appreciate how important this type of legislation is.

Madam Speaker, this is—ever since forming government, even when I was on the government side, one principle of conservatism that is absolutely essential is accountability, transparency and ethics. The law and ethics are two different animals. And when it comes to ethics, often the standard is higher than the test in the law. Now, that says a lot about the law, but it also says a lot if you go beneath the law in your ethical behaviour.

Madam Speaker, in order to help frame this important debate, I would like to table three documents. The first document is one dated June 14th, 2018, to the Manitoba Law Society speaking of this very issue of conflict of interest. The second document is the registration of a—first, a non-for-profit organization, and the second, a for-profit organization under the same—a very similar name.

Madam Speaker, when I was first a government MP, or a government—yes, a government MP, it was in 2006—the Harper government brought forward their first—the first piece of legislation, which the NDP supported, by the way, and that was the accountability act—the first piece. And it sounds boring to the general public, and I didn't really appreciate at the time why the Prime Minister decided to 'prioritize' that and gave it to one of the most talented MPs on the government benches, John Baird—the Honourable John Baird.

And I understand now. Because before that, there wasn't accountability at the federal level, not anywhere near what we would expect. After that bill was introduced, MPs who were parliamentary secretaries or in Cabinet or in the Privy Council had to liquidate all their assets or put them in a trust. So you could own your primary home and declare, I guess, any other property, but if you had stocks, bonds, mutual funds, penny stocks, any kind of business interest, you had to either sell it or put it in a blind trust.

Now, for me, I didn't really think about it because I had no money and, at the time, my mortgage, I think it was probably worth more than my property. So the issue didn't really resonate until—with me until I became a member of Treasury Board. I sat on that committee through the economic downturn with Jim Flaherty—the great Jim Flaherty—Rona Ambrose, Vic Toews. And the five of us saw—did all, you know, did the best we could in what looked like an economic catastrophe. It was an economic catastrophe. But the whole economic capitalist system was on the verge of complete 'collap.' Like, I'm thankful for the experience, but when I look back on it, it's just jaw-dropping.

* (16:40)

But the information that we had in that role, and for the seven years I was involved in—you know what, because it also dealt with regulations, which mine is going to get which licence or not get licences, which—what was going to happen,

you know, potentially to interest. Like, there was everything that you could—you needed to know to make a fortune.

But we couldn't do that because—and rightly so—we brought forward the accountability act. And not only did the accountability act protect Canadians from unethical behaviour, but it also protected the elected members from any kind of innuendo that they were benefiting or their spouses or their families were benefiting from all that.

Now the federal government—granted, it deals with a lot more at Treasury Board and things like that, but the principle remains the same. The pool may be smaller provincially, but the principle proves true regardless of what level of government you're at.

So becoming an MLA, I immediately noticed that the conflict of interest legislation was a joke. Like, it just—it was not even—it was beyond a joke. And I told the commissioner that and he seemed sad because he knew it was true, and he has subsequently written an excellent report on the subject.

However, we have to go back to the beginning of government. The government, in its first year, clearly wasn't going to bring forward any conflict of interest legislation, so in December of 2015, I asked the powers that be to develop three pieces of legislation: one dealing with MLAs, the other one senior bureaucrats and then political staffers.

The powers that be said—and I mean, well, the powers that be in the party definitely didn't want me to do anything—but the powers that be in the administrative process said no, we couldn't do it. They didn't have enough time.

Okay, so I spent the Christmas that year—when I wasn't doing family stuff, I was writing legislation. I took the Saskatchewan conflict of interest act, introduced by Brad Wall in 2004, and Manitobated it. And I included things like Treasury Board ministers or members, family members, spouses, dependants, financial vehicles.

At present, the conflict of interest only talks about mutual funds—mutual funds—like, the worst investment possible. They didn't say anything—the conflict of interest doesn't say anything about penny stocks or blue chip stocks or land outside of Manitoba. It is a complete—it's not even worth the paper it's written on, to be very frank.

So I put together a bill, a private member's bill that turned out to be 35 pages—imagine that,

a 35-page private member's bill—gave it to the administrative apparatus, and after some back and forth and changing, I was still told that I would not be able to introduce it because it had to be translated.

Well, that's ridiculous. You can't use translation, in my view, as a barrier to introduce legislation, but yet there we were—wasn't going to be due until June.

So, feeling very passionate about this, I had the bill professionally translated into French at my own cost. It cost me \$1,500. So now there was a English and French version. And I was still told that it had to go through the administrative translators. Okay, well, you already have a professional translator. And it was used as a decoy or a delay, delay, delay.

So I finally made this proposition to the powers that be. The 1985 Supreme Court ruling does not actually say that bills have to be introduced in both official languages. It says they have to be—when they're enforced, they have to be introduced—or, they have to be in both official languages.

So perhaps tomorrow we can—in the resolution, we can ask why did it take so long to get translated? Why did an independent—or, a government MLA at the time, have to pay out of his own pocket to get a piece of legislation translated?

Anyway, the way it resolved itself, I said—I told the powers that be I was going to introduce the bill in one language; that language would be in French. And then we'd go fight it out at the Supreme Court if they like. Three days later, I was able to introduce the bill. A lot of institutional pushback. Why? And the charge—\$1,500—still under—you know, still out of pocket for that.

But what is more important is the issue of conflict of interest. I introduced a bill pointing out it was woefully inadequate. There was a few media stories about it but, you know, it went away. I brought forward a—you know. I heard crickets. That was it. Brought forward another resolution in the fall, in the previous sitting of the Chamber, on conflict of resolution—conflict of interest. Again, crickets. Government's not doing anything. Nothing.

And then I bring forward the—a private member's bill again. And due to the rules, independents are allowed to bring forward one private member's bill and one resolution each session. Last session, I brought forward a conflict of interest piece of legislation and—or, a resolution, and then a piece of legislation on organ donation, another issue the government failed to deal with. And it wasn't until

after I brought the bill forward did the government do anything. Not far enough, but at least they moved.

This time—this year, I brought forward a bill on conflict of interest. Everyone voted for it in principle, except the government. And the first thing—first time I've heard a government member speak of conflict of interest that I can recall, was the next day right in the news. The House leader made an announcement. Really? The day after I introduce—and my bill is voted down?

Perhaps the government realized, finally, how they've exposed themselves. They've exposed themselves. No MLA in the opposition or the public has exposed the government. Now, the government is susceptible to issues around conflict of interest because they didn't deal with the issue. And they didn't deal with the issue immediately, even after raising heck over the member from Thompson, Steve Ashton, for what they would call a conflict of interest.

* (16:50)

Now, I wasn't here for that debate—or, those debates. But how could any government making that siren call come into government and not do anything?

Then we have the commissioner comes out with his report, which is very thoughtful, 84 recommendations, and he agreed with what I said a year and a half ago, that the conflict of interest legislation in Manitoba is the worst in the country. No kidding. It's probably the worst in the western world. It is so bad, hasn't been changed in 40 years. Come on. Sometimes there's a responsibility.

Order of importance: So we know where the order of importance is on conflict of interest when it comes to this group. But, sadly, Madam Speaker, due to the material in the tabled letters, I'm afraid the conflict of interest definitions don't go far enough. Yes, we need to tighten it up on MLAs and the Executive Council.

How would someone feel if the government was dealing in land, giving land that's worth millions, forcing the City to sell it for a dollar—for \$1—without consultation and then to find out that it's even—we'll just skip the middle part—then find out that the proponent of that same project is endorsing a political party that is responsible for that land transfer. Well, that's bad. And then what do we say when that person is a public figure working for a federal Crown corporation doing business with the

government worth millions, endorses the government for fundraising activities at a political fundraiser in a law firm whose—the chair is the same managing partner of the law firm that introduced the Bruce Oake foundation for-profit realty company, which I tabled, in the same month—did I table that one already? Yes—in the same month that this issue was leaked by, I guess, a city councillor, which was in the fall of 2017? And just a few weeks ago, a person by the same name that this corporation is named under and sole proprietor is endorsing a political party on a—what was clearly a business trip, as this person was away broadcasting and also doing business with a political party.

Madam Speaker, people and the grassroots members of all the political parties are good people, particularly members of the PC Party of Manitoba, and I don't think for a moment the grassroots were involved and I don't think for a moment the MLAs were involved. But somebody was, hence my complaint to the Law Society, which goes to some other issues that come to this place. Those letters have been tabled.

So the conflict of interest issue is far more serious than I could have even contemplated. Yes, we had the worst issues, worst conflict of interest issues for MLAs and Executive Council, and that's fine. I guess that's—government now has left themselves open. It should have just embraced the legislation or say we'll work on the framework or do something, but do it in real time; not two years later, halfway through the mandate.

Who knows what's happened now. I don't know, and we'll never know because whatever happened, it will certainly fall outside the conflict of interest legislation, as it now is, because it's so weak. That's why my previous letters were sent not to a conflict of interest commissioner because he has no power, but to the security commissions of Ontario and Manitoba dealing with stock issues.

Madam Speaker, when sweetheart land deals, sketchy land deals, are only possible through the political process in the timeline that they occurred,

and then to find out that the proponent, a public figure at a Crown corporation, and let's be frank, it's the CBC, endorses a political party while doing millions of dollars in advocating for a project, now it—it's just wrong. It's wrong if it was the NDP; it's wrong if it was the Liberals; it's wrong if it was an independent, and it's wrong if it's the PC Party of Manitoba. It's wrong.

Now, I'm sure, there's going to be some pushback from the PC Party, the people who are responsible, which is not the MLAs, I do not believe. They're going to be saying, how dare you? Well, I say, how dare you? How dare you provide a sweetheart deal, a sketchy land deal, then use that person to advocate for the political party on something—by the way, my constituents are furious about the project, not because of—it's a 55-bed male-only opioid treatment centre that has no involvement—none—by what? Manitoba Health—

Madam Speaker: Order, please.

When this matter's again before the House, the honourable member will have four minutes remaining.

The hour being 5 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow.

CORRIGENDA

On June 14, 2018, page 3091, second column, first paragraph, the first and second sentences should have read:

And, you know, when I came the first time and I came as a visitor, and I applied for immigration and there was five marks for the French language. And I did not know the French language, even English was intimidating me and still it sometimes intimidates me, and so I failed.

On June 14, 2018, page 3091, second column, fifth paragraph, the second sentence should have read:

I think the member for St. Boniface, he was fighting for French language, but, unfortunately, due to some bullying he was thrown under the bus.

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 18, 2018

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