

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

Official Report
(Hansard)

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

MANITOBA LEGISLATIVE ASSEMBLY
Fortieth Legislature

Member	Constituency	Political Affiliation
ALLAN, Nancy, Hon.	St. Vital	NDP
ALLUM, James	Fort Garry-Riverview	NDP
ALTEMEYER, Rob	Wolseley	NDP
ASHTON, Steve, Hon.	Thompson	NDP
BJORNSON, Peter, Hon.	Gimli	NDP
BLADY, Sharon	Kirkfield Park	NDP
BRAUN, Erna	Rossmere	NDP
BRIESE, Stuart	Agassiz	PC
CALDWELL, Drew	Brandon East	NDP
CHIEF, Kevin, Hon.	Point Douglas	NDP
CHOMIAK, Dave, Hon.	Kildonan	NDP
CROTHERS, Deanne	St. James	NDP
CULLEN, Cliff	Spruce Woods	PC
DEWAR, Gregory	Selkirk	NDP
DRIEDGER, Myrna	Charleswood	PC
EICHLER, Ralph	Lakeside	PC
EWASKO, Wayne	Lac du Bonnet	PC
FRIESEN, Cameron	Morden-Winkler	PC
GAUDREAU, Dave	St. Norbert	NDP
GERRARD, Jon, Hon.	River Heights	Liberal
GOERTZEN, Kelvin	Steinbach	PC
GRAYDON, Cliff	Emerson	PC
HELWER, Reg	Brandon West	PC
HOWARD, Jennifer, Hon.	Fort Rouge	NDP
IRVIN-ROSS, Kerri, Hon.	Fort Richmond	NDP
JHA, Bidhu	Radisson	NDP
KOSTYSHYN, Ron, Hon.	Swan River	NDP
LEMIEUX, Ron, Hon.	Dawson Trail	NDP
MACKINTOSH, Gord, Hon.	St. Johns	NDP
MAGUIRE, Larry	Arthur-Virden	PC
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Flor, Hon.	Logan	NDP
MARCELINO, Ted	Tyndall Park	NDP
MELNICK, Christine, Hon.	Riel	NDP
MITCHELSON, Bonnie	River East	PC
NEVAKSHONOFF, Tom	Interlake	NDP
OSWALD, Theresa, Hon.	Seine River	NDP
PALLISTER, Brian	Fort Whyte	PC
PEDERSEN, Blaine	Midland	PC
PETTERSEN, Clarence	Flin Flon	NDP
REID, Daryl, Hon.	Transcona	NDP
ROBINSON, Eric, Hon.	Kewatinook	NDP
RONDEAU, Jim, Hon.	Assiniboia	NDP
ROWAT, Leanne	Riding Mountain	PC
SARAN, Mohinder	The Maples	NDP
SCHULER, Ron	St. Paul	PC
SELBY, Erin, Hon.	Southdale	NDP
SELINGER, Greg, Hon.	St. Boniface	NDP
SMOOK, Dennis	La Verendrye	PC
STEFANSON, Heather	Tuxedo	PC
STRUTHERS, Stan, Hon.	Dauphin	NDP
SWAN, Andrew, Hon.	Minto	NDP
WHITEHEAD, Frank	The Pas	NDP
WIEBE, Matt	Concordia	NDP
WIGHT, Melanie	Burrows	NDP
WISHART, Ian	Portage la Prairie	PC
<i>Vacant</i>	Morris	

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, May 6, 2013

The House met at 1:30 p.m.

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

Good afternoon, everyone. Please be seated.

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

**Bill 34—The Property Registry Statutes
Amendment Act**

Hon. Stan Struthers (Minister of Finance): I move, seconded by the Minister of Health (Ms. Oswald), that Bill 34, The Property Registry Statutes Amendment Act, be now read a first time.

Motion presented.

Mr. Struthers: As part of our government's work to reduce costs and find innovative ways to improve service, we announce the sale of assets of The Property Registry to Teranet Manitoba in December 2012, along with a 30-year service delivery agreement. This amendment includes minor changes to enable Teranet Manitoba to provide property registry services to Manitobans as set out in the statutes.

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

Further introduction of bills?

**Bill 38—The Provincial Offences Act and
Municipal By-law Enforcement Act**

Hon. Andrew Swan (Minister of Justice and Attorney General): I move, seconded by the Minister for Local Government, that Bill 38, The Provincial Offences Act and Municipal By-law Enforcement Act; Loi sur les infractions provinciales et Loi sur l'application des règlements municipaux, be now read a first time.

Motion presented.

Mr. Swan: This bill really contains two new pieces of legislation. The provincial offences act will replace the 50-year-old Summary Convictions Act. The new act will modernize the way we deal with provincial offences by providing a clear and effective process.

The municipal bylaw enforcement act will assist Manitoba municipalities by establishing an effective administrative system for the enforcement of municipal bylaws.

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

Any further introduction of bills? Seeing none—

PETITIONS

Municipal Amalgamations—Reversal

Mr. Kelvin Goertzen (Steinbach): Yes, good afternoon, Mr. Speaker. I wish to present the following petition to the Legislative Assembly.

And these are the reasons for this petition:

The provincial government recently announced plans to amalgamate any municipalities with fewer than 1,000 constituents.

The provincial government did not consult with or notify the affected municipalities of this decision prior to the Throne Speech announcement on November 19th, 2012, and has further imposed unrealistic deadlines.

If the provincial government imposes amalgamations, local democratic representation will be drastically limited while not providing any real improvements in cost savings.

Local governments are further concerned that amalgamation will fail to address the serious issues currently facing municipalities, including an absence of reliable infrastructure funding and timely flood compensation.

Municipalities deserve to be treated with respect. Any amalgamations should be voluntary in nature and led by the municipalities themselves.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Local Government afford local governments the respect they deserve and reverse his—and reverse his decision to force municipalities with fewer than 1,000 constituents to amalgamate.

Mr. Speaker, this petition is signed by W. Bohn, D. Goodman, C. Goodman and hundreds of other fine Manitobans.

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

Further petitions?

Provincial Road 520 Renewal

Mr. Wayne Ewasko (Lac du Bonnet): I wish to share this petition with the House.

The background to this petition is as follows:

The rural municipality of Lac du Bonnet and Alexander are experiencing record growth due especially to the increasing number of Manitobans retiring in cottage country.

The population in the RM of Lac du Bonnet grows exponentially in the summer months due to increased cottage use.

Due to the population growth, Provincial Road 520 experiences heavy traffic, especially during the summer months.

PR 520 connects cottage country to the Pinawa Hospital and as such is frequently used by emergency medical services to transport patients.

PR 520 is in such poor condition that there are serious concerns about its safety.

We petition the Legislative Assembly as follows:

To urge the Minister of Infrastructure and Transportation to recognize the serious safety concerns of Provincial Road 520 and to address its poor condition by prioritizing its renewal.

This petition is signed by D. MacKenzie, D. Fallis, K. Van Benthem and hundreds of other fine Manitobans, Mr. Speaker.

Municipal Amalgamations—Reversal

Mrs. Leanne Rowat (Riding Mountain): I wish to present the following petition to the Legislative Assembly of Manitoba.

And these are the reasons for this petition:

The provincial government recently announced plans to amalgamate any municipalities with fewer than 1,000 constituents.

The provincial government did not consult with or notify the affected municipalities of this decision prior to the Throne Speech announced on November 19th, 2012, and has further imposed unrealistic guidelines—or deadlines.

If the provincial government imposes amalgamations, local democratic representation will be drastically limited while not providing any real improvement in cost savings.

Local governments are further concerned that amalgamation will fail to address the serious issues currently facing municipalities, including an absence of reliable infrastructure funding and timely flood compensation.

Municipalities deserve to be treated with respect. Any amalgamations should be voluntary in nature and led by the municipalities themselves.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Local Government afford local governments the respect they deserve and reverse his decision to force municipalities with fewer than 1,000 constituents to amalgamate.

This petition is signed by B. Fortune, R. Radcliffe, L. Radcliffe and thousands and thousands of other Manitobans.

Hydro Capital Development—NFAT Review

Mr. Blaine Pedersen (Midland): Good afternoon, Mr. Speaker. I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

Manitoba Hydro was mandated by the provincial government to commence a \$21-billion capital development plan to service uncertain electricity export markets.

In the last five years, competition from alternative energy sources is decreasing the price and demand for Manitoba's hydroelectricity and causing the financial viability of this capital plan to be questioned.

* (13:40)

The \$21-billion capital plan requires Manitoba Hydro to increase domestic electricity rates by up to 4 per cent annually for the next 20 years and possibly more if export opportunities fail to materialize.

We petition the Legislative Assembly of Manitoba as follows:

To urge that the Minister responsible for Manitoba Hydro create a complete and transparent Needs For and Alternatives To review of Manitoba Hydro's total capital development plan to ensure a—to ensure the financial viability of Manitoba Hydro.

And this petition is signed by A. Reimer, A. Goertzen, W. Schroeder and many, many more fine Manitobans.

Highway 217 Bridge Repair

Mr. Cliff Graydon (Emerson): I wish to present the following petition to the Legislative Assembly.

And this is the reason for this petition:

The bridge over the Red River on Highway 217 outside of St. Jean Baptiste was built in 1947 and provides a vital link for economic opportunities and community development on both sides of the river.

The Department of Infrastructure and Transportation closed the bridge after spending significant sums of money and time on rehabilitation efforts in the summer of 2012.

Individuals require numerous trips across the river each day to access schools, businesses and health-care facilities. The bridge closure causes daily undue hardship and inconvenience for residents due to time requirements and higher transportation costs.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Infrastructure and Transportation to repair or replace the existing bridge as soon as possible to allow communities on both sides of the river to return to regular activity.

And this petition has been signed by D. Bruneau, by C. Bouchard and M. Geneau and hundreds and hundreds of other fine Manitobans.

Municipal Amalgamations—Reversal

Mr. Stuart Briese (Agassiz): I wish to present the following petition to the Legislative Assembly of Manitoba.

And these are the reasons for this petition:

The provincial government recently announced plans to amalgamate any municipalities with fewer than 1,000 constituents.

The provincial government did not consult with or notify the affected municipalities of this decision prior to the Throne Speech announcement on November 19th, 2012, and has further imposed unrealistic deadlines.

If the provincial government imposes amalgamations, local democratic representation will be drastically limited while not providing any real improvements in cost savings.

Local governments are further concerned that amalgamation will fail to address the serious issues currently facing municipalities, including an absence of reliable infrastructure funding and timely flood compensation.

Municipalities deserve to be treated with respect. Any amalgamations should be voluntary in nature and led by the municipalities themselves.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Local Government afford local governments the respect they deserve and reverse his decision to force municipalities with fewer than 1,000 constituents to amalgamate.

This petition is signed by A. Enns, J. Popkes, A. Gonan and many, many other fine Manitobans.

Provincial Sales Tax Increase—Referendum

Mrs. Myrna Driedger (Charleswood): I wish to present the following petition to the Legislative Assembly.

And these are the reasons for this petition:

The provincial government promised not to raise taxes in the last election.

Through Bill 20, the provincial government wants to increase the retail sales tax, known as PST, by one point without the legally required referendum.

An increase to the PST is excessive taxation that will harm Manitoba families.

Bill 20 strips Manitobans of their democratic right to determine when major tax increases are necessary.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to not raise the PST without holding a provincial referendum.

And it—that is signed by C. Maxymowich, F. Derksen, H. Dann and many, many others, Mr. Speaker.

Mrs. Bonnie Mitchelson (River East): And I wish to present the following petition to the Legislative Assembly.

And these are the reasons for this petition:

The provincial government promised not to raise taxes in the last election.

Through Bill 20, the provincial government wants to increase the retail sales tax, known as the PST, by one point without the legally required referendum.

An increase in the PST is excessive taxation that will harm Manitoba families.

Bill 20 strips Manitobans of their democratic right to determine when major tax increases are necessary.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to not raise the PST without holding a provincial referendum.

And this petition is signed by T. Harvey-Pruden, R. Pruden, G. Hanson and thousands of other angry Manitobans. Thank you.

St. Ambroise Beach Provincial Park

Mr. Ian Wishart (Portage la Prairie): Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

And these are the reasons for the petition:

The St. Ambroise provincial park was hard hit by the 2011 flood, resulting in the park's ongoing closure, the loss of local access to Lake Manitoba as well as untold harm to the ecosystem and wildlife in the region.

The park's closure is having a negative impact in many areas, including disruptions to the local tourism, hunting and fishing operations, diminished economic and employment opportunities and the loss of the local store and a decrease in property values.

Local residents and visitors alike want St. Ambroise provincial park to be reopened as soon as possible.

We petition the Legislative Assembly of Manitoba as follows:

To request the appropriate ministers of the provincial government consider repairing St. Ambroise provincial park and its access points to their pre-flood conditions so the park can be reopened for the 2013 season or earlier if possible.

This petition is signed by M. Steeves, M. Rey, K. Rogers and many, many more fine Manitobans.

Provincial Sales Tax Increase—Referendum

Mr. Dennis Smook (La Verendrye): I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

The provincial government promised not to raise taxes in the last election.

Through Bill 20, the provincial government wants to increase the retail sales tax, known as the PST, by one point without the legally required referendum.

An increase to the PST is excessive taxation that will harm Manitoba families.

Bill 20 strips Manitobans of their democratic right to determine when major tax increases are necessary.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government not to raise the PST without holding a provincial referendum.

This petition is signed by B. Dueck, C. Friesen, T. Basarab and many more fine Manitobans. Thank you.

Mr. Cliff Cullen (Spruce Woods): I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

The provincial government promised not to raise taxes in the last election.

Through Bill 20, the provincial government wants to increase the retail sales tax, known as the PST, by one point without the legally required referendum.

An increase to the PST is excessive taxation that will harm Manitoba families.

Bill 20 strips Manitobans of their democratic right to determine when major tax increases are necessary.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to not raise the PST without holding a provincial referendum.

This petition is signed by M. Tweed, G. Fidler and R. Fidler and many hundreds of other concerned Manitobans, Mr. Speaker.

Mr. Ralph Eichler (Lakeside): I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

The provincial government promised not to raise taxes in the last election.

Through Bill 20, the provincial government wants to increase the retail sales tax, known as the PST, by one point without the legally required referendum.

An increase to the PST is excessive taxation that will harm Manitoba families.

Bill 20 strips Manitobans of their democratic right to determine when major tax increases are necessary.

We petition the Legislative Assembly of Manitoba as follows:

We urge the provincial government not to raise the PST without holding a provincial referendum.

Submitted on behalf of D. Boyle, R. Nichol, A. Chartrand and many more fine Manitobans.

Hydro Capital Development–NFAT Review

Mr. Ron Schuler (St. Paul): I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

(1) Manitoba Hydro was mandated by the provincial government to commence a \$21-billion capital development plan to service uncertain electricity export markets.

(2) In the last five years, competition from alternative energy sources is decreasing the price and

demand for Manitoba's hydroelectricity and causing the financial viability of this capital plan to be questioned.

* (13:50)

(3) The \$21-billion capital plan requires Manitoba Hydro to increase domestic electricity rates by up to 4 per cent annually for the next 20 years and possibly more if export opportunities fail to materialize.

We petition the Legislative Assembly of Manitoba as follows:

To urge that the Minister responsible for Manitoba Hydro create a complete and transparent Needs For and Alternatives To review of Manitoba Hydro's total capital development plan to ensure the financial viability of Manitoba Hydro.

This is signed by J. Wolanski, D. Kischuk, B. Kehler and thousands upon thousands of other Manitobans.

Provincial Sales Tax Increase–Referendum

Mr. Larry Maguire (Arthur-Virden): Yes, Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

And these are the reasons for this petition:

(1) The provincial government promised not to raise taxes in the last election.

(2) Through Bill 20, the provincial government wants to increase the retail sales tax, known as the PST, by one point without the legally required referendum.

(3) An increase to the PST is excessive taxation that will harm Manitoba families.

(4) Bill 20 strips Manitobans of their democratic right to determine when major tax increases are necessary.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to not raise the PST without holding a provincial referendum.

And this petition is signed by A. Grandmont, V. Braun, A. Titterton and many, many other Manitobans, Mr. Speaker.

TABLING OF REPORTS

Hon. Jennifer Howard (Minister charged with the administration of The Workers Compensation Act): I am retabling the 2012 WCB Annual Report. Apparently, the report that was tabled intersessionally had an error in it on page 60, should have read 962,511 instead of 926,511. This is the corrected version of that report.

Mr. Speaker: Any further tabling reports? Seeing none—

MINISTERIAL STATEMENTS

Flood Update

Hon. Steve Ashton (Minister responsible for Emergency Measures): I rise in the House today to provide a brief update on the flood.

The warmer weather we've had over the weekend is expected over the next few days. While water levels remain high in some regions, flood risks are easing in many areas of the province.

The Red River is at or near crest through most of the province. A second, lower peak is expected next week.

Flows on tributaries in the upper portion of the Assiniboine basin are increasing but are generally decreasing on tributaries in the lower basin. A flood warning has been issued for the Assiniboine River from St-Lazare to Brandon. Flooding in these areas is expected to be primarily affecting agricultural land.

Flows on the Big Grass River into the Big Grass marsh are rising on the snowpack from the eastern slope of Riding Mountain as it continues to melt. Streams in the Parkland and Swan River region are also rising. Most streams are not expected to rise higher than peak levels experienced early in the year.

High flows on the Dauphin tributaries could cause Dauphin Lake to rise by 3 feet above the operating range but are expected to be lower than the levels experienced in 2011.

Flood tubes were provided to the Ebb and Flow First Nation over the weekend to provide protection to several homes threatened by overland flooding.

The RM of Coldwell made a cut in the existing dike at Lundar on May 4th to allow overland flooding to drain out from behind the lake.

Despite the favourable weather, we're continuing to see flood conditions in part of the province and we are continuing to be vigilant.

Mr. Ralph Eichler (Lakeside): I thank the minister for his statement.

Of course, we're very pleased to see the Red River as a forecast has certainly come down in—far as the flood zone's concerned. Of course, with the trucking industry, the significant impact with closing the Highway 75 would have had on all Manitobans, of course, the cost of those goods as well.

And, of course, we want to keep on with Lake St. Martin. Our—I know that the number of people that are still out of their homes there, some 2,000 folks as regard of their being dislocated from their homes since 2011, we know that they certainly want to get back into their residences.

And, of course, the RM of Coldwell in Lundar, we know the reeve and council does an outstanding job up there, and we certainly know they'll be doing a lot of work in making sure the safety of those folks around Sugar Point and those other cottages in that area.

Thank you, Mr. Speaker.

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

Mr. Speaker: Does the honourable member for River Heights have leave to speak to the ministerial statement? *[Agreed]*

Mr. Gerrard: Mr. Speaker, I thank the minister for the statement. I'm still looking forward to what the peak levels are expected to be at Brandon and elsewhere along the Assiniboine River and hope that the minister will have that information later this week.

I would also hope that the minister may be able to start forecasting what the peak levels are going to be on Lake Manitoba and Lake St. Martin.

And I, lastly, would hope that the minister would have some news for us in terms of when the people from Lake St. Martin are going to be able to go back home again.

So, thank you.

Introduction of Guests

Mr. Speaker: Prior to oral questions, I'd like to draw the attention of honourable members to the public

gallery, and we have quite a number of folks with us here this afternoon.

We have seated in the public gallery from Neelin High School 27 grade 9 students under the direction of Ms. Kerri Malazdrewicz. This group is located in the constituency of the honourable member for Brandon East (Mr. Caldwell).

And also in the public gallery we have from St. John's-Ravenscourt School 30 grade 9 students under the direction of Ryan Kope. This group is located in the constituency of the honourable member for Fort Garry-Riverview (Mr. Allum).

Also seated in the public gallery we have from Hosanna Christian School 10 grade 8 to 10 students under the direction of Joshua Robertson. This group is located in the constituency of the honourable Minister of Culture, Heritage and Tourism (Ms. Marcelino).

And also in the public gallery we have with us today members from the Canada Society of Safety Engineering, Manitoba Federation of health-Labour health and safety committee, and also Canadian NAOSH Week committee Manitoba representative Jeff Bencharski of Manitoba Hydro, all whom are the guests of the honourable member for St. Norbert (Mr. Gaudreau).

On behalf of all honourable members, we welcome you here this afternoon.

ORAL QUESTIONS

PST Increase Private Sector Funding

Mr. Brian Pallister (Leader of the Official Opposition): The spenDP ribbon-cutting case for major tax hikes continued last week.

On Thursday, amid much fanfare, the government announced they were giving a million dollars to Canadian Tire. They, unfortunately, weren't using Canadian Tire money, Mr. Speaker.

There were smiling faces all around. The Premier got wonderful media coverage from it, and all at no cost to the NDP, of course. Canadian Tire executives were smiling, naturally, Mr. Speaker. They looked like lottery winners. But something was missing. Someone was missing amidst all those happy faces: the person paying for that.

The person who is paying for that, of course, is the Manitoba taxpayer, who is being jacked up for 1,600 additional tax dollars in just the last year by

the spenDP. So, amidst all the excuses for raising PST, this wasn't included.

But would the Premier today admit that the PST is going up at least in part to create a slush fund for his scurrilous spending and recreant ribbon cutting?

Mr. Speaker: Order, order. Just give me one moment, please. I was hoping we'd get off to some very good question period here this afternoon.

I just want to caution all honourable members, please. There is quite a list of words that are both parliamentary and unparliamentary, and I want to ask honourable members, because we have so many folks with us here this afternoon—the viewing public as well—to be very cautious and choose our words very carefully when we're both asking questions and answering questions. So I caution all honourable members, please.

The honourable First Minister, to respond to the question.

Hon. Greg Selinger (Premier): Yes, thank you, Mr. Speaker, and thank you for the clarification on the appropriate language to use.

* (14:00)

Mr. Speaker, it's a sad day when members of the official opposition are opposed to creating new jobs in Manitoba. We were very pleased to have Canadian Tire choose Winnipeg, Manitoba, as a centre of excellence for developing the new retailing model that's sweeping across the globe right now, using a social-media platform, e-tailing. And in that centre, they will start with 50 high-paid jobs for people that would create different applications, different social-media outlets, different opportunities to retail products all across Canada through the work, the excellent creative work, done here in Manitoba.

And it's an unknown story that the new-media sector in Manitoba is one of the most rapidly growing job sectors in the province. Mr. Speaker, 94 per cent of the money invested in new media in Manitoba goes right into employment. This announcement was supported by the University of Winnipeg, Red River College, the University of Manitoba, Yes! Winnipeg. It had broad support because it brings downtown high quality jobs of the future and it does it in such a way that those—

Mr. Speaker: Order, please. First Minister's time has expired.

Tax Increases Economic Growth

Mr. Brian Pallister (Leader of the Official Opposition): Well, there's a fundamental difference in the perspectives of these two organizations here, Mr. Speaker, and it is this: The NDP and the Premier believe—they actually believe their own rhetoric that they create jobs. They forget that it's Manitobans who actually create jobs.

And that's why they're willing to take \$1,600 out of every household in this province in additional tax just in the last year, because they want to decide where to spend it, but maybe Manitobans should have the right to decide where to spend it, Mr. Speaker. Maybe they'd spend some of it at Canadian Tire, and if they did, how many jobs could Manitobans create with the money?

The No. 1 determinant for economic growth in our economy and all economies is disposable income. And Manitoba seniors, Manitoba families, Manitoba small businesses are seeing their disposable income lessened because of increasing spenDP taxes, which reduces the ability of Manitobans to create jobs by creating an NDP slush fund so they can pretend that they are creating the jobs. The Premier is not a creator of jobs; he's a job killer.

So I want to ask the Premier: With tax increases of over half a billion in the last year, how many jobs has he killed?

Hon. Greg Selinger (Premier): I know the member has been away from the Legislature for a while, but while he was away the Manitoba economy doubled from \$32 billion to \$64 billion. And now for—we have a historic number of people working in Manitoba, with one of the lowest unemployment rates in the country, Mr. Speaker. That is what we've achieved.

And, Mr. Speaker, this partnership that we forged with Canadian Tire to bring high quality jobs to Manitoba, to make it a centre of excellence, is something that is broadly supported by all Manitobans.

Families need to know that their children have access to jobs of the future and we are providing that with this initiative, Mr. Speaker. They need to know they can go to Red River College or any of our universities and get the skills that will allow them to participate in the new economy right here in

Manitoba, and this announcement forges that path to the future.

The members opposite, the Leader of the Opposition—

Mr. Speaker: Order, order. The First Minister's time has expired.

Mr. Pallister: It's a dinosaur attitude and he's still got it, Mr. Speaker. He says he's creating jobs. He says they're creating jobs, but it's Manitobans. It's Manitobans who are doing well in spite of the obstacle of that government.

Attracting business is something this government knows little about. It's like a dating game. Picture a classy restaurant, Mr. Speaker, white tablecloths, nice wineglasses, subdued lighting. And here's our suave Don Juan seducing a Canadian Tire executive across the table, with 192 communications people whispering sweet nothings in his ear. Now, Canadian Tire plays a little coy at first, a little hard to get, but they fall for our charming, alluring Premier. Cause for celebration? Not really—not really—because all relationships are forged on positive agreement, not on solicitation, not on offering a cheque for a million dollars. And we just lost Facebook too.

How does raising the PST, how does eliminating the taxpayer protection act help us become more successful at the dating game of attracting—

Mr. Speaker: Order, please. The member's time has expired.

Mr. Selinger: Mr. Speaker, Manitoba remains one of the most affordable places in Canada to do business, and one of the reasons we do that, one of the reasons we're keeping it affordable in Manitoba for business, is because we've been able to continue to build hydro.

The Leader of the Opposition, he wants to put a halt to hydro just like he wanted to put a halt to the floodway when we were building it in the first decade of this new millennium, Mr. Speaker. His approach is to get in the way, stop economic development in Manitoba.

Under him, when he was last in office, the disposable income of Manitobans declined by 15 to 20 per cent. Under us, the disposable income has gone up by over 40 per cent. There's more money in the pockets of Manitobans today.

Manitobans have prospered over the last 12 years. The thing they're most afraid of is the Leader of the Opposition imposing his harsh, harsh tough love on Manitobans, Mr. Speaker.

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

Vote Tax

Mr. Pallister: Mr. Speaker, I'm lucky in my life. I've known real love. It's not really love if you have to pay for it. It's not real jobs if you have to rent them with corporate welfare, either.

And the reality is Canadian Tire, last year alone, had profits of half a billion dollars while this government was running a deficit of over half a billion dollars. There's something wrong with this picture. It's illogical. It's a money-losing government and it's a money-losing government for a reason. The Premier says it's a great investment. He says he created the jobs. We like jobs too, but he took a million dollars from Manitobans to create around 15 jobs, he says.

That's a real stretch, but he also says he wants a million dollars for another subsidy, Mr. Speaker. He wants a million dollars for a vote tax for his organization.

Now, the million dollars in Canadian Tire is a good investment. I want to know: How many jobs is he going to create with the million dollars that's going to his political party?

Mr. Selinger: Mr. Speaker, I've never seen so many contradictions come out of one question's preamble in my life. It's a remarkable achievement to pack that many paradoxical statements into one preamble, but the member's working at it. I'm sure he'll improve in the future.

Mr. Speaker, total employment in Manitoba has grown by 12,100 positions over the last 12 months—last 12 months. Our youth unemployment, third lowest among all the provinces. Our unemployment level, 4.9 per cent, third best in the country. Those are the kinds of things that we're doing in Manitoba.

We're creating and working with the community to create jobs. We're working with private corporations. We're working with the non-profit sector. We're working with employers. We're working with our post-secondary and our high schools to create apprenticeship opportunities.

We will create, along with our partners, 75,000 new skilled jobs over the next eight years. That's our vision.

Mr. Speaker: Order, please. The minister's time has expired.

The honourable Leader of the Official Opposition, on a—do you have another supplementary question?

Mr. Pallister: Yes, Sir.

PST Increase Private Sector Funding

Mr. Brian Pallister (Leader of the Official Opposition): Well, there we go again with all that creationist talk, Mr. Speaker. We create jobs, he says. Well, the fact of the matter is, he has press conferences, and they're more important to him than the creation of jobs is. It's about publicity. It's about the publicity around a million-dollar giveaway to Canadian Tire.

So I want to know, if he's taking a million-dollar subsidy—and he calls it a subsidy—then I would call it a subsidy too, I guess, Mr. Speaker, a subsidy of the NDP, a subsidy for not working, a subsidy for being lazy. How come there are no ribbons around that subsidy? How come there's no publicity around that subsidy, no banners? Is the Premier embarrassed about taking his \$1-million subsidy?

He said he won't address the fact that he's creating jobs with the money. Apparently, he's not creating jobs, no economic spinoffs. Just going to take the money away from single mothers, young families, hard-working Manitobans, give it to a lazy political party as a subsidy.

So I want to know, and he should put on the record for all Manitobans to know—because he did such a good job of publicizing the subsidy to Canadian Tire—we deserve to know: How much of a subsidy is he taking?

Mr. Speaker: Order, please. The member's time has expired.

Hon. Greg Selinger (Premier): Mr. Speaker, when you compare 1999, when the members were last in office, to today, a two-income family of \$60,000 is paying \$2,410 less in taxation. When you take a two-income family of four at \$80,000, they're paying \$3,372 less than they paid 12 years ago, Mr. Speaker. When you take a look at what's been done, we've

kept Manitoba affordable and we've made it more affordable.

*(14:10)

We've worked with all our partners to create more jobs to have the third lowest unemployment rate in the country. And our vision and our plan for the future is to continue to expand the economy, including building Manitoba Hydro, to build more jobs, to keep our affordability advantage, to keep the lowest energy costs in North America, to continue and to attract to Manitoba the kinds of investments that Canadian Tire came here for. They came here for skilled workers—

Mr. Speaker: Order, please. The First Minister's time has expired.

Mr. Pallister: As opposed to the Premier, there are people on this side of the House who have actually created jobs in their lives and know what is involved. They also know, as most of us understand, that the jobs you rent with subsidies will run out when the subsidy runs out, Mr. Speaker.

And the reality is something different from what he portrays in terms of unemployment, as well. He likes to leave out all the people who leave. He likes to leave out the fact that we lead the country in losing people. He likes to leave out the fact that Aboriginal people aren't included in the unemployment statistic. He likes to misrepresent his statistics to serve his purpose.

But the worst part of his lack of accountability, Mr. Speaker—the other day, those members scurried out the back door rather than talk to the people out front who were concerned about obsessively—about a government that obsessively focuses on raising taxes.

I want the Premier to answer the question. He's going to pay himself a million-dollar subsidy with borrowed money. I want him to tell this House and the people of Manitoba who pay that money how much he's going to take.

Mr. Selinger: Mr. Speaker, that's pretty rich commentary from a political party that took over a million dollars in public support and then bragged about it at their closed-door convention. At their closed-door convention, they bragged that they had a record public subsidy.

Now, the member—the Leader of the Opposition has said those jobs will disappear at Canadian Tire when the subsidy runs out. Let's come back a year from now, Mr. Speaker, and see how many jobs are

at Canadian Tire. It's a one-time-only subsidy of just over \$900,000. It's a one-time-only subsidy and support of over \$900,000.

Will the member, who's the Leader of the Opposition, resign if those jobs are here from now—a year from now and the subsidy is gone? Will he resign?

Mr. Speaker: Order, please. The honourable member for Charleswood has the floor.

PST Increase Taxpayer Protection

Mrs. Myrna Driedger (Charleswood): I'd remind the Premier that it's Manitobans that create jobs, not this NDP government.

Mr. Speaker, we can see why Manitoba taxpayers feel that they need protection from this NDP government. The NDP wants to gouge taxpayers with a PST hike and use that money the way they want to do it, and it's going to hurt Manitobans who will have absolutely no say in how that money is being spent.

So I'd like to ask the Premier to tell Manitobans why he refuses to leave that money in their pockets and let them decide how to spend their own money. That's what will create jobs in Manitoba, Mr. Speaker.

Hon. Greg Selinger (Premier): I appreciate the question. When we went out and talked to the families in southeast Winnipeg, they told us, Mr. Speaker, that one of their top priorities was a new elementary school in that neighbourhood. That school, Sage Creek school, has now been announced and will be completed early in 2016, and the members opposite are going to vote against those families having that school. They've already voted against it; they will continue to vote against it.

Mr. Speaker, we will build that school. We will provide a quality education to those young families and we will ensure their children can participate in those new jobs that we announced downtown just last week.

Government Intent

Mrs. Driedger: Well, Mr. Speaker, that NDP Premier has been all over the map about what he's going to use his PST grab for, and it's become obvious that they want that money for an NDP slush fund for the next election. That has become very, very obvious.

So, Mr. Speaker, I would like to ask that Premier today to admit that his PST tax grab is meant for one thing and one thing only, and that's a political slush fund.

Mr. Selinger: First of all, I want to thank the member from Charleswood from acknowledging that we have been all over the map in Manitoba, listening to Manitobans. We have.

They've told us they—we need roads in the north, Mr. Speaker, and the members of the opposition, they've never been seen north of Portage Avenue.

They told us that we need schools in south Winnipeg and in southeast Manitoba, Mr. Speaker, and we're doing that.

They told us that we need flood protection along the Assiniboine valley and up into Lake Manitoba and Lake St. Martin, and we're going to provide that, Mr. Speaker.

They told us that we need QuickCare clinics, and just today the Minister of Health (Ms. Oswald) announced a new CancerCare QuickCare clinic in Winnipeg for all Manitobans, Mr. Speaker.

Call for Referendum

Mrs. Driedger: Well, it's interesting. This Premier is saying that he's out there talking to people, and yet on Thursday he didn't have the guts to show up and speak to 500 Manitobans. Five hundred people were there and they wanted to hear from this Premier. He did not show up to listen to Manitobans.

Thousands have signed a petition, Mr. Speaker, demanding a referendum on the PST hike. Over the weekend, the Manitoba Chambers of Commerce unanimously demanded that this government obey the current law and call a referendum to see if Manitobans agree with this PST tax grab.

So I would like to ask this NDP Premier: Will he listen to Manitobans, will he obey the law and will he call a referendum?

Mr. Selinger: I do appreciate the question. When we've talked to local business groups, one of the priorities they've identified is infrastructure. They've made that very clear.

Another priority that they have identified is a skilled labour force for the future, and we've announced major initiatives to continue—of the skilled labour force, including new capital for schools, including new capital for colleges, including

new capital for universities all across the province of Manitoba.

Those things will make a long-term investment in the prosperity of the province because we will equip our young people with the skills they need to participate in the labour market. That's how we'll build the future, Mr. Speaker.

PST Increase Impact on Seniors

Mr. Cliff Cullen (Spruce Woods): Well, Mr. Speaker, what's the Premier afraid of? Why doesn't he call a referendum and let Manitobans decide how to spend their money?

Mr. Speaker, last week we asked the Minister responsible for Seniors to stand up for Manitoba seniors against this NDP PST hike. The minister refused to stand up for Manitoba seniors. He was nowhere to be found on Thursday night. This NDP government continues to raid the pockets of Manitoba seniors and there's no end in sight.

Why has this minister refused to stand up for Manitoba seniors?

Hon. Stan Struthers (Minister of Finance): Well, the member for Spruce Woods needs to look no further than the budget that we voted on here just a short time ago. He—they can see that we bumped up the tax credit for seniors to \$1,100. You know what—do you know what that was when you folks were in government? Two hundred and fifty bucks, Mr. Speaker.

You know, Mr. Speaker, it's certainly rich to listen to members opposite feign interest and feign support for seniors in this province and then vote against an increase like that.

Mr. Cullen: Well, Mr. Speaker, it's the policies of this NDP minister that are driving seniors back to work. The Minister responsible for Seniors still stands to—still refuses to stand up to Manitoba taxpayers.

Last year in Manitoba, seniors were told they were going to have to pay more tax on a whole list of new products and services. Items such as personal grooming, house and life insurance are now subject to PST, Mr. Speaker. And now the PST is on the rise.

Why is this NDP government taking money from seniors on fixed incomes to create their own slush fund to subsidize corporations?

Mr. Struthers: Well, Mr. Speaker, that's quite an attitude toward seniors in Manitoba.

Mr. Speaker, our budget made it very clear that we were going to—that we would come through on the tax credit. We would eliminate seniors from paying property tax in this province. That was in the budget. We're moving forward with that. Members opposite voted against that too.

Mr. Speaker, in the Budget 2013, we also made it very clear that we were moving forward with the next tranche in terms of the basic personal exemption, \$250. It's a real benefit to Manitobans, including seniors.

* (14:20)

Mr. Cullen: This is the minister of tax and spend, and he's taken more and more money out of seniors' pockets. Mr. Speaker, many seniors are on fixed incomes and they have never had more of a hand in their pocket from this Minister of Finance.

Mr. Speaker, why is this minister allowing the NDP to gouge Manitoba seniors to set up their own slush fund for their own special projects? Why won't the NDP allow Manitoba seniors to keep more of their own money to help their families and to grow the economy?

Mr. Struthers: Mr. Speaker, this is a group of people across the way who made seniors pay for colostomy supplies. This is a group of people that, you know, they try to say they support seniors, and yet when they were on this side of the House they tried to privatize home care.

Mr. Speaker, yes, it's very sensitive across the way. I realize that, because we need to treat seniors with respect. We need to show support for seniors, and that's the approach of this government. I'll put our record up against yours any day.

Mr. Speaker: Order, please. Order, please.

I'd like to caution the honourable Minister of Finance, please, to place your comments through the Chair. We don't want to personalize the debate here.

The honourable member for Riding Mountain has the floor.

PST Increase Rural Residential Care Facilities

Mrs. Leanne Rowat (Riding Mountain): This NDP government is now providing a PST slush fund for—incentives for corporations like Canadian Tire. In

contrast, funding from this morally broke government appears to have stalled when it comes to matters such as funding support services for vulnerable persons living with intellectual disabilities.

For several years, community living residential care facilities throughout rural Manitoba have struggled with staffing and recruitment and retention. Four Brandon residential care agencies wrote to the government and they said, and I quote: We believe that the staffing crisis puts our residents and staff at a much greater risk of injury and harm, and the liability—a liability risk imposed on boards is unacceptable.

Mr. Speaker, I ask the Premier (Mr. Selinger): Why is the NDP failing to provide funds for vulnerable persons and the caring staff that support them, and instead are creating a PST slush fund to give corporations like Canadian Tire?

Hon. Jennifer Howard (Minister responsible for Persons with Disabilities): I thank the member for the question.

Certainly, the issues that many community living agencies are facing in rural Manitoba are well known to us. I've met with many of those agencies, with many of their executive directors. We've had very good discussions about how we can help them to support their staff to support what they're doing.

In this government, we have seen increases to the community living budget well over double since our time in office. We have—[interjection] Well, that is the money, Mr. Speaker, that is supporting wages for people, that is supporting homes for people. It is the very budget that members opposite last week committed to cutting by 1 per cent across the board.

So we'll continue to sit down and work with those agencies about how we can better support them to deliver those services to vulnerable Manitobans.

Mrs. Rowat: And the rhetoric regarding residential care facilities being cut by 1 per cent is just spin, Mr. Speaker.

For the last several years the residential care facilities in rural Manitoba have been trying to address the current staffing crises. Some agencies are even remortgaging residential care homes that were free and clear of loans. We have also heard of residential homes being closed, and clients such as a 70-year-old man from Boissevain being taken into

Brandon because of tough decisions being made by the agencies to be responsible and accountable.

Again, I ask the Premier: Why does he not believe that a crisis facing residential care facilities in rural Manitoba is a priority for Manitobans? Instead, he sees his support for a PST slush fund as more of a priority for corporations like Canadian Tire.

Ms. Howard: Well, the support from this government to community living well exceeds \$100 million. The support to community living has been at historic levels in this government.

And we know that we have to work with those agencies on how they're delivering those services. We have to talk to them, which we have done. We have made commitments to review, with many of the agencies that the member cites, their funding guidelines to make sure that they are getting the funding that they're entitled to and that they're required. But we also know that we have to look for ways to deliver services more efficiently and better to vulnerable people, and we're open to those kinds of changes, Mr. Speaker. We're having those discussions right now with people.

I don't think that everything that has been done is enough, and we have more work to do, but I—

Mr. Speaker: Order, please. The minister's time has expired.

The honourable member for Spruce Woods.

Mrs. Rowat: And I would just like to state that it would be great if this minister and this government would have been able to share those guidelines which Winnipeg has had for the last seven years and rural Manitoba has not, Mr. Speaker.

Mr. Speaker, on Sunday I learned that an elderly vulnerable person who resides in a residential care facility was looking to be panelled for personal care. Apparently, he was denied this option for the reason that he was presenting with too many health challenges and intellectual challenges. They didn't believe that they could meet those needs, so he was denied.

So, Mr. Speaker, I ask the Premier (Mr. Selinger): Does he believe that he has a moral and financial obligation to support vulnerable people with severe health and intellectual challenges, or does he believe that a million-dollar cheque to—

Mr. Speaker: Order, please. The member's time has expired.

Ms. Howard: Certainly, I think members opposite know well that where they have individual cases that need some attention, we're very open to receiving that and seeing what we can do to ensure they get that kind of attention.

But I want to be very clear, Mr. Speaker. They can run as far and fast away from the promise they made just two weeks ago to cut, across the board, by 1 percent the expenditures of government. They can run far away from that, but a cut to 1 per cent to the community living budget would have real impact on the very agencies the member opposite purports to want to help.

We have made those decisions to invest in those agencies. We'll continue to invest in them, but we'll also continue to work with those agencies on better and more efficient ways to deliver their services to vulnerable people. That is what we believe in on this side of the House, Mr. Speaker.

PST Increase Private Sector Funding

Mr. Cliff Graydon (Emerson): Mr. Speaker, this is a government that is morally and financially bankrupt.

Last week the spendP announced that they were going to subsidize Canadian Tire through a slush fund collected on the backs of Manitobans.

Pro-Fab is a business in Arborg that didn't need provincial subsidies and has created hundreds of jobs for the province without asking for a single dollar. Their employees are paying the bills for a large corporation who went after a government handout.

Mr. Speaker, why does a large corporation like Canadian Tire need to be subsidized by the employees of Pro-Fab?

Hon. Stan Struthers (Minister of Finance): Mr. Speaker, like the Premier said earlier in question period, it's a sad day when somebody from the opposition gets up and speaks against creating jobs in Manitoba.

Mr. Speaker, we have a proud record of working with the private sector and working with the nonprofit sector to provide good jobs here in Manitoba, and we can do that because in this province we are one of the most affordable places in

which to set up a business, whether you talk about large businesses or small businesses.

I think I've mentioned before, Mr. Speaker, that we've eliminated the small business tax in this province. That's paying real benefits to Manitoba families in this province.

Mr. Graydon: Yes, Mr. Speaker, they have a proud record and the member for Interlake (Mr. Nevakshonoff) is one of those that has that proud record by telling the companies in Arborg that it's not his fault they built in the wrong place.

Diemo Machine Works is a business in Arborg that applies—that employs over 85 people. They have become an industry leader in machining and fabrication. They're proud Manitobans and have not received one penny from the government.

Canadian Tire is a large corporation with an annual profit of a half a billion dollars, stock's trading at \$70 a share. They will receive government funding paid for the employees by Diemo manufacturing through a 14 per cent PST slush fund increase.

Mr. Speaker, I want to ask the government: Why should the hard-working employees of Diemo pay for this NDP slush fund?

Mr. Struthers: Well, Mr. Speaker, first of all, members opposite need to give the business leadership some credit. Business leaders make good decisions on where they're going to locate their operations and hire Manitobans, and we're open to working with smart business leaders who make those decisions based on the facts.

Now, here's one of the facts, Mr. Speaker, that members opposite should think about. When they were in government, there was an unequal treatment of north and rural and city when it came to the hydro rates. We on this side of the House equalized those hydro rates, and that's a real benefit for Manitobans in every region of this province. And they had their heads so far stuck in the sand that they voted against that when we brought it forward.

* (14:30)

Mr. Graydon: Mr. Speaker, the Finance Minister just suggested that there aren't smart businessmen around Arborg. He could maybe—they should take advice from the member from Swan River who said that the lights are better in Saskatchewan; they should move there.

They—Vidir is a business in Arborg that has become a leader in manufacturing grain bins, carousels and bicycle racks which ship all over the world. They're proud Manitobans and they decided to build in Manitoba because they loved Manitoba.

Canadian Tire's a large corporation with an annual profit of a half a billion dollars. They've received government funding paid by the employees of Vidir through a 14 per cent PST increase.

Mr. Speaker, I want to ask this government: Why should the hard-working employees of Vidir pay for another NDP handout?

Mr. Struthers: Mr. Speaker, what the leadership at Canadian Tire understands and what the leadership of many businesses understand, that doesn't seem to have sunk in across the way, is that there's lots of good reasons to set up shop in Manitoba. There's lots of good reasons to employ people in Manitoba.

If it was up to the doom-and-gloomers across the way, there'd be reasons not to do that in Manitoba.

We're going to work with businesses. We're going to work—like setting the environment in this province that encourages good decision making, good business decision making, and we're going to continue to work with the private sector and—

Mr. Speaker: Order, please. The minister's time has expired.

Experimental Lakes Research Facility Government Commitment

Hon. Jon Gerrard (River Heights): Mr. Speaker, the future of the world-renowned Experimental Lakes Area and its research, its contribution to a healthy Lake Winnipeg, is at stake.

At the end of question period last week, May the 2nd, the Minister of Conservation (Mr. Mackintosh) said he was very supportive of saving the Experimental Lakes Area.

I ask the minister today: How much money is the NDP government ready to put forward this year to help ensure ELA continues the excellent work that it's doing?

Hon. Greg Selinger (Premier): I thank the member from River Heights and the Leader of the Liberal Party for the question.

We are working, along with the government of Ontario and institutions in the community, like the institute for sustainable development, to find a

solution to keeping the Experimental Lakes open. It does—has provided world-class research that has benefited the lakes of Manitoba, including Lake Winnipeg, including the Great Lakes.

The federal government is responsible for that project. They want to—they have cut off funding to that project. If there's a willingness on their part to work with other governments and other institutions, we will co-operate with them to keep that research alive, as it's very important not only for the lakes of Manitoba but for lakes all around the world, Mr. Speaker.

Mr. Gerrard: Mr. Speaker, the minister and the Premier together have indicated that they are working with the government of Ontario, with the International Institute for Sustainable Development and with the federal government to ensure that the Experimental Lakes Area and its research continues.

So I ask the Premier, you know: When will this agreement appear? We are at a very critical stage. The research this year is threatened. When will this agreement be ready?

Mr. Selinger: Mr. Speaker, as you know, it's the federal government that decided to terminate funding and to mothball the Experimental Lakes Area. The leader—the member of the opposition, Leader of the Opposition, has not spoken a word about how important this research is.

We are willing to work with other provincial governments, like the government of Ontario, with institutions that are committed to sustainable development. But we need a federal partner that is also interested in preserving that research and in preserving that kind of work in Canada—world-class research, Mr. Speaker. We will help, but everybody's got to come to the table, and the faster they come to the table, the faster we'll be able to announce a concrete solution.

Mr. Gerrard: Mr. Speaker, the Premier says that he's ready to help. The government of Ontario has said it's ready to commit some dollars for this year to make sure that ELA and its research continues.

Let me ask again: Is the Premier ready to commit some dollars to make sure that the ELA and its research continue this year, and how much?

Mr. Selinger: Again, Mr. Speaker, we are ready to contribute towards a solution, but the federal government, which is a hundred per cent responsible for shutting this operation down, for withdrawing

funding from it and for mothballing this facility, has to be part of the solution. If they are willing to be part of the solution, we are willing to be part of the solution, along with the government of Ontario.

And, yes, we're prepared to put resources into it this year.

CancerCare Manitoba QuickCare Clinics

Ms. Sharon Blady (Kirkfield Park): Thousands of Manitobans and their families face a battle with cancer every year, and, as many in this Chamber know, I, too, have gone down that journey in dealing with cancer, and then yet, next month, look forward to my five-year anniversary of being cancer-free.

But, Mr. Speaker, that journey would've been so much harder had it not been for the care that I received from so many amazing medical health-care professionals and the care that I received through CancerCare Manitoba.

And I was wondering if the Minister of Health could give us some more details about the amazing announcements that she made today regarding the Cancer QuickCare Clinic and HelpLine being established to help cancer patients like myself.

Hon. Theresa Oswald (Minister of Health): I want to commend the member for Kirkfield Park who has faced this battle very bravely, has shared it with Manitobans in the hopes of providing more education and opportunity for people to seek options, so I commend her for that.

It was my privilege to be at CancerCare Manitoba this morning to announce our plans to develop, in partnership with CancerCare, a CancerCare QuickCare clinic that will be led by nurses and nurse practitioners, designed to expedite care for those individuals that are facing a battle with cancer. During the course of treatment, they may face complications. By creating this clinic, they will be able to bypass a general emergency room, go directly to this clinic and, indeed, even call ahead for advice or to make an appointment in that clinic, Mr. Speaker.

Flooding Compensation (2011) Government Timeline

Mr. Ian Wishart (Portage la Prairie): Mr. Speaker, the flood of 2011 had a major impact on people in the Assiniboine valley, around Lake Manitoba and Hoop and Holler flood flow—flood zone. Two years

later, over 600 appeals of compensation remain unheard. At a rate of approximately 12 appeals per week, it'll be a further two years before some of these appellants are here—are heard.

Will the Minister of Agriculture and Rural Initiatives (Mr. Kostyshyn) explain to this House why he believes this is an acceptable time length? Is this prompt, timely response?

Hon. Steve Ashton (Minister responsible for Emergency Measures): Well, Mr. Speaker, I want to put on the record again that we invested—because that's the only way to describe it—\$1.2 billion in both fighting and providing help to Manitobans in the flood of 2011 that expanded to 2012.

The special programming around Lake Manitoba alone accounted for \$120 million, Mr. Speaker. We provided assistance to producers, in fact, of upwards to \$570,000. In fact, 95 per cent of the—of claimants have received full payment.

So, Mr. Speaker, we have been committed and we're also working now on the long-term mitigation. One of the reasons we've brought in this budget that the member opposite voted against, because we want to be there long term for Lake Manitoba and Lake St. Martin, and we will be.

Mr. Speaker: Order, please. Time for oral questions has expired.

Speaker's Ruling

Mr. Speaker: I have a ruling for the House. Order, please.

During private members' business on April 30th, 2013, the honourable member for River East (Mrs. Mitchelson) raised a point of order regarding comments spoken in debate on Bill 203, The Participation of Manitoba in the New West Partnership Act, by the honourable member for Elmwood (Mr. Maloway). The honourable member for River East asserted that the honourable member for Elmwood had made reference to her not—to her being back to listen. She advised that she had been present and had been listening the whole time, and asked the Speaker to rule on whether there was a point of order.

* (14:40)

The honourable Government House Leader (Ms. Howard) also spoke to the same point of order, and I took the matter under advisement to—in order to

peruse Hansard. I thank all honourable members for their advice to the Chair.

On page 838 of Hansard, for April 30th, records for the member for Elmwood as saying, in quotations: "I appreciate the member for River East is back to—paying attention to my speech." End of quotation.

These words can be interpreted two ways. They could be interpreted to mean that the honourable member for River East (Mrs. Mitchelson) was back in the Chamber, or they could be interpreted to mean that the honourable member for River East had turned her attention to the remarks in debate.

It is not really up to the Speaker to try to determine what the intent is of the comments spoken in debate, but I would note for the House in this case there is a considerable ambiguity that would suggest a reference to the presence or absence of members.

As I advised all honourable members when I took this under advisement, we are not to be making these types of references, so I would remind all honourable members to be careful about leaving such an impression on the record.

After looking at the remarks in Hansard, I believe that the honourable member for Elmwood was not referencing the absence of the honourable member for River East from the Chamber, but was drawing his own conclusion about her observation of the debate, which is not the basis of a point of order.

I would therefore rule that there is no point of order, but I do thank the honourable member for River East for raising the matter and for clarifying the record for the House.

Mr. Kelvin Goertzen (Official Opposition House Leader): With respect, Mr. Speaker, we challenge the ruling.

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

Voice Vote

Mr. Speaker: All those in favour of sustaining the ruling of the Chair will please signify by saying aye.

Some Honourable Members: Aye.

Mr. Speaker: All those opposed to the ruling will signify by saying nay.

Some Honourable Members: Nay.

Mr. Speaker: In the opinion of the Chair, the Ayes have it.

Recorded Vote

Mr. Goertzen: A recorded vote, Mr. Speaker.

Mr. Speaker: A recorded vote having been requested, call in the members.

Order. Order, please. The one hour allocated for the ringing of the division bells has expired. I'm instructing that they be turned off and we'll now proceed to the vote.

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

* (15:40)

Division

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

Yeas

Allan, Allum, Altemeyer, Ashton, Bjornson, Blady, Braun, Chief, Chomiak, Dewar, Gaudreau, Howard, Jha, Kostyshyn, Lemieux, Mackintosh, Maloway, Marcelino (Logan), Marcelino (Tyndall Park), Melnick, Nevakshonoff, Oswald, Robinson, Rondeau, Saran, Selby, Struthers, Swan, Whitehead, Wiebe, Wight.

Nays

Briese, Cullen, Driedger, Eichler, Ewasko, Friesen, Gerrard, Goertzen, Graydon, Helwer, Maguire, Mitchelson, Pedersen, Rowat, Schuler, Smook, Stefanson, Wishart.

Clerk (Ms. Patricia Chaychuk): Yeas 31, Nays 18.

Mr. Speaker: The ruling of the Chair has accordingly been sustained.

MEMBERS' STATEMENTS

Occupational Safety and Health Week

Mr. Dave Gaudreau (St. Norbert): Mr. Speaker, North America's Occupational Safety and Health Week is being officially recognized in Canada from May 5th to 11th this year. Its purpose is to raise awareness of injury and illness among employees, employers, partners and the public in the workplace, at home and in the community. The Society of Safety Engineering, CSSE, is leading this initiative in partnership with the Canadian Centre for Occupational Health and Safety, human resources

and skills Canada, Threads of Life and the American Society of Safety Engineers.

Mr. Speaker, NAOSH Week is successful because of its grassroots, community-based approach. All across Canada, NAOSH Week activities and events are organized by regional committees primarily composed of volunteers who desire safer and healthier workplaces and communities. They partner with businesses, suppliers, governments, community health organizations, CSSE chapters and other safety-oriented groups. Together these groups provide the networking, supports and resources essential to the success of NAOSH Week.

As a welder, I'm very aware of the risks involved with various trade occupations. That's why I care a great deal about the promotion of workplace health and safety. Last year, I was honoured to bring greetings on behalf of the province at three separate events as part of the NAOSH Week, and I'm keen on participating again this year. Some of this year's events will include a street hockey tournament, a walk in honour of victims of workplace accidents and occupational disease, informational sessions and a safety week fair. I urge all Manitobans to support this important cause by participating in as many public events as possible.

Thank you to the countless volunteers who are working hard to ensure a successful NAOSH Week across Canada and to all other participants who care about the workplace health and safety. A special thank you to the Canadian NAOSH Committee: chair Dawn Perrin, vice-chair Jim Hopkins of BCRTC Ltd.–SkyTrain, Saskatchewan and Manitoban representatives Bob Ocrane and JNE Welding and Jeff Bern–Berchanski of Manitoba Hydro and all the other representatives from across Canada. Together we are improving labour conditions across the country.

Thank you very much, Mr. Speaker.

Henry Champ

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, it's with great pride and yet deep sympathy that I rise today to pay tribute to a respected Manitoba leader who could be summarized as a man of many talents.

Born in Hartney in 1937, Henry Champ moved to Brandon where he would go on to study arts at Brandon University before landing his first job at the Brandon Sun in early—in the early 1960s, a start that

would fuel his passions to become Manitoba's most memorable broadcaster before his death in September 2012, at the age of 75.

After working for the Brandon Sun, Champ went on to work for the industry giants in positions such as CTV's W5 and served as the network's Washington and London bureau chief before taking a post with NBC, working in both Europe and Washington. In 1993, Champ moved to the CBC, again reporting as the Washington correspondent before retiring in 2008.

However, for Henry, retirement did not mean settling down. He continued to write a blog for CBC News, and was recognized in 2009 with the Radio-Television News Directors Association of Canada's President's Award for lifetime achievement.

A proponent of higher education, Mr. Champ received an honorary doctor of laws degree from Brandon University in 2005, and was appointed as chancellor of the university in 2008. Last Thursday, Brandon University again honoured Henry by renaming the renovated gymnasium, parts-part of the BU's Healthy Living Centre, after him.

Missed by many, Henry leaves behind his wife, five children and a legacy that will never be forgotten. As one of the first reporters on Bill Clinton's campaign trail, and one of the last reporters to leave Vietnam after the fall of Saigon, where he was a fearless correspondent quoted by some as, quote: running away from bullets on occasion, it is clear that Henry Champ truly was a man of many talents, and will be deeply missed.

Mr. Speaker, I ask all honourable members to join me in paying tribute to Mr. Henry Champ and his family.

Thank you.

National Nursing Week

Ms. Sharon Blady (Kirkfield Park): Mr. Speaker, this week is National Nursing Week, when we all—when we recognize all of the nurses and nurse practitioners across Manitoba who are so crucial to our health and to the health of our loved ones.

This year's theme for National Nursing Week is Nursing: A Leading Force for Change, and I couldn't agree more, Mr. Speaker. Our nurses are the face of our health-care system, and Manitoba is blessed with many outstanding professionals, researchers, students and educators who are visionaries and

leaders in the field. Indeed, we have 20 per cent more nurses per capita than the Canadian average.

We all remember what it was like not so very many years ago when our nursing workforce was under attack and over 1,000 nurses were fired. That is why I am proud to be part of a government that believes in investing in nurses and in health care. We have hired three nurses for every one that was fired in the '90s, and we have more than doubled the number of training seats for nurses and are attracting hundreds of these crucial staff from other provinces and from around the world, Mr. Speaker. I was part of those initiatives, doing training for Red River College's joint baccalaureate and diploma nursing programs, and heard many of the stories from the previous decade.

* (15:50)

We are also working to expand the role of our nurses, and I was delighted to be part of the announcement this morning for the new Cancer QuickCare Clinic and Cancer HelpLine which will open this fall and which will be staffed by nurses and nurse practitioners.

Likewise, we are deeply committed to ensuring safety for nurses and other health-care professionals in the delivery of patient care. Last week, our government announced a new violence prevention policy which will encourage facilities to implement steps to prevent violence and increase security. We want employees, patients and families to feel safer and we want to make sure we can recruit and retain health professionals to deliver care patients need.

On behalf of all honourable members, I would like to thank Manitoba's nurses for their hard work and dedication. You are truly leaders in improving the lives of Manitobans.

Thank you, Mr. Speaker.

PST Increase Protest

Mr. Ron Schuler (St. Paul): Mr. Speaker, it's a great honour to stand in this Legislature and recognize the May 2nd, 2013 rally that was held here at the Legislature against the NDPST. It was, in fact, a great evening, although it was a little cool, but there were wonderful speakers included in which were Chuck Adler, who spoke about democracy and how his family had to flee from totalitarianism, and he appreciated the fact that we would have a country that would respect democracy, respect referendums

and all the rest of it, and we appreciated his comments.

The Leader of the Opposition, business groups and taxpayers all came forward to call upon this NDP government to do the right thing and honour the referendum and listen to Manitobans. Unfortunately, the member for Kirkfield Park (Ms. Blady), the member for St. Norbert (Mr. Gaudreau), the member for Southdale (Ms. Selby), in fact, all NDP members slunk out the back doors, slunk out to their vehicles, scurried away and would not look the taxpayers in the eyes and explain to them why they ran on a promise not to increase the PST and then got elected and raised the PST.

In fact, the member for Dauphin, the Minister of Finance (Mr. Struthers), June 13th, 2011, said, and I quote: For crying out loud, Madam Acting Speaker, the Prime Minister of this country offered Canadians an opportunity to vote on the name of his cat. They voted on the name of his cat.

Why can't the same Prime Minister let farmers vote on their economic future? What's the difference? And he goes on to say: I'll tell you what the difference is, the Prime Minister doesn't care what the name of the cat is but I got to say they picked a good name for the cat. I like the name of the cat; Stanley's a fine name.

I'm not quibbling with results; I'm quibbling with the process. I say to the Minister of Finance, he quibbled about the process for the name of the Prime Minister's cat; why doesn't he stand up for Manitobans? He had more to say on Thursday about the Prime Minister's cat than he had to say about his PST to the hundreds and hundreds of Manitobans who came in the cold and wanted to speak to the Minister of Finance. Why does he say so much about the Prime Minister's cat and have nothing to say to the people of Manitoba?

Mr. Speaker: Order, please.

International Firefighters Day

Mr. Tom Nevakshonoff (Interlake): Mr. Speaker, this Saturday marked International Firefighters' Day. On this day we recognize the sacrifices that firefighters make to ensure that our communities are as safe as possible. In some cases, their dedication is shown through years of working in the industry; in others, through innumerable hours of volunteering. This is only one day but we can show our support and appreciation to the firefighters who protect us so well throughout the year.

This February I had the opportunity to spend time with some of the Interlake's courageous firefighters. The second annual St. Laurent firefighters' ball, held at the St. Laurent recreation centre, gave residents from the area a chance to come together and enjoy fun, food, games and, of course, support our local firefighters. The event was a hit and I thank everyone involved in making it such a success.

Not only do firefighters put their lives on the line every day but they also face a higher risk of cancer in later years. Over the past decade, Manitoba has led the way in continually passing laws that presumes that certain diseases are caused by firefighting. We were the first in Canada to have this kind of legislation and since then, we have continued to expand the types of cancers that are covered including the addition of breast cancer, in recognition of the role of women firefighters.

We've also extended the coverage to include heart attacks within 24 hours of an event, as well as to volunteer and part-time firefighters. Other jurisdictions are now following our example, Mr. Speaker. These measures are just some of the ways we can show our firefighters that we appreciate their sacrifices.

Firefighters the world over represent a group of committed people who routinely place the safety and needs of others before their own. Manitoba's brave men and women are no exception. I invite all honourable members to join me in remembering those who have risked and still risk their lives while protecting our communities.

Thank you, Mr. Speaker.

GRIEVANCES

Mr. Stuart Briese (Agassiz): Mr. Speaker, I rise today to once again try and press on this government of broken promises the hardship, frustration, anxiety and desperation they have imposed on the Lake Manitoba 2011 flood victims. I cannot express my admiration for these victims enough, whether it be ranchers, farmers, First Nations or other property owners or municipal governments.

They rose to the test with determination and integrity. They did what had to be done and then did more in spite of their provincial NDP government. They fought the man-made flood that was imposed on them to protect others in the province. In many cases, they lost the battle, but they didn't lose their resolve, and they started a new fight at a different

venue. I spent the spring, summer and fall of 2011 and into 2012 travelling the west side of Lake Manitoba, meeting people in halls, at their kitchen tables, in their yards and standing on roadways. I saw first-hand the devastation, and I saw the strengths of the people.

The issue of the 2011 Lake Manitoba flood will be debated for years to come. Impacts to property and to the people of the area will be felt for a generation. They were sacrificed for the greater good of the province, and they understood that. They weren't pleased with their position, but they did understand the situation. What they didn't anticipate was the callous way they would be treated by their provincial government. They were the victims of the flood, but they were also the heroes. They asked only that their sacrifices be recognized and that fair compensation be made for their losses.

Instead, they got lies and broken promises. They got a minister of Water Stewardship who never once visited the west side of Lake Manitoba during the flood. They got a Premier (Mr. Selinger) and a minister of Agriculture making all sorts of promises, creating all sorts of programs pre-election, and then promptly developing amnesia post-election. They got a minister of EMO who inflates every statistic to his political advantage and a Minister of Local Government (Mr. Lemieux) who says blame belongs to the municipalities, First Nations and victims because they lacked resources to fight the flood.

I attended a packed hall meeting in Langruth in 2011 and heard the then-minister of Agriculture explain the flood programs the government had put in place. He said, we are here for you. We won't abandon you. We will provide compensation for your losses. We will bring back your pre-flood status. We will provide multi-year programs until effects of the flood are mitigated. Joanne Egilson from Langruth stood at the mike and made a simple plea. She asked the minister to make the application simple and seamless. The programs announced by the government were good. The people believed the government and were grateful for what was offered. Unfortunately, they had no idea of the harsh, uncaring way they were going to be treated.

Simple and seamless was the furthest thing from the minister's mind. When people began to make applications, they were quickly bogged down in red tape, lost applications, bureaucratic nightmares and personal changes in government—personnel changes in government. They were treated not as flood

victims, but as adversaries. These people, these victims, are hard-working, honest citizens of Manitoba. They believe a promise is a promise. They believe a handshake can cement an agreement. Their integrity is unquestionable. They expect the same from the government. They learned very quickly that their integrity was not one that was shared by the provincial NDP government. They learned that the minister's lofty words in Langruth were so much wind. They learned that there were maximums and deductibles to the promised programs. They learned they were going to be lowballed on every claim made to MASC, and they learned they were going to be forced to appeal rather than be treated fairly up front. And now they are learning that the appeal system doesn't work all that well either.

These people had their homes, properties, livelihoods kicked out from under them through no fault of their own, and now the NDP is re-victimizing them. They are the heroes of the 2011 Lake Manitoba flood and should be recognized and treated accordingly.

In February of 2013, I attended another meeting in Meadow Lea with about 300 other people. The Minister of Finance (Mr. Struthers) stood before the audience, told them provincial programs were working well and blamed the federal government for any shortcomings. Now, I don't know what la-la land the minister is living in, if he is that out of touch with the people, or if he is simply that arrogant, but it certainly appeared to me that if the programs were working well, the minister should have been speaking to an empty hall.

*(16:00)

Some of the misinformation that is being propagated is that the new emergency ditch lowered Lake Manitoba. Depending on who you were listening to, the degree of the deception varies. The Premier says three feet; Minister for EMO says five feet. Unfortunately for them, their own experts say the maximum of 1.5 feet. The new ditch did lower Lake St. Martin and was proposed to be available to assist lowering Lake Manitoba, and for—prevent potential flood years by allowing more release of Fairford through the winter months. With an impending flood forecast for 2013, the ditch has been closed all winter and Lake Manitoba levels remained alarmingly high.

In spite of all the rhetoric, nothing has been done to improve the outflow of Lake Manitoba. A new channel from Lake Manitoba to Lake St. Martin is of

critical importance, and there's probably enough money left out of the severely inflated number of a hundred million dollars that the NDP could use as a cost for the new ditch from Lake St. Martin to Lake Winnipeg.

Another major myth the NDP government tries to sell is the \$1.2-billion cost of the 2011 flood. They try and sell that number as their cost and justification for tax increases. The NDP includes crop insurance and ag stability in their inflated figures. They should not, and those programs are both insurance programs from which farmers and ranchers pay premiums, and they account for about one third of the NDP's inflated numbers. The federal government, through disaster financial assistance, will account for about another one third of the flood cost and possibly more because they have now agreed to cost-share mitigation works such as diking and ditching. That leaves Manitoba with a maximum flood cost of roughly \$400 million, which is a far cry from 1.2 [inaudible]

The people of Lake Manitoba flood inundation zone deserve our respect. They deserve our thanks; the ranchers, farmers, First Nations, property owners and municipalities were the front-line troops in one of the largest flood incidents of recent history. They lost homes, they lost livelihoods through no fault of their own, and now they are being re-victimized by this NDP government.

You know, the—there's a number of things that happened and they're being included in those flood costs around Lake Manitoba. One number that jumps out at me is the Hoop and Holler cut at Portage la Prairie, which apparently cost \$8.5 million, and we're told since that happened, that it wasn't necessary at all. It's included in those expenses for the flood. It was a \$8.5-million photo-op for the Premier, and nothing else but; unnecessary, not needed and a waste of money.

Included in the so-called flood cost is the Livestock Mortality Program. Livestock mortalities was at a cost of \$6.7 million, and that was because of a snowstorm that happened well before the flood and nothing to do with flood costs. We're seeing these crop insurance costs—if you're going to include crop insurance costs in the overall cost of the flood, then, obviously, you probably—any car accident during the year or MPI claim, it's probably a flood cost too. It's just another insurance program—your house burns down, throw that in there too—you're victimizing the victims.

They go on to say there's a \$300,000 average payout to these farmers. The other night after that was first said in the House here, I went home and I phoned about 10 or 11 farmers up there. I actually did find one that got close to \$300,000 out of the 10 or 11 I called; I've also found one that got zero. And the only thing about him getting \$300,000 was his claims were over \$500,000. So, if you claim—I guess the trick was to claim high enough and maybe when you got the half that the province was going pay you on your claims—that probably was how it worked.

I—it—these people put up legitimate claims. They were told by their local offices that they would qualify and then they were dumped on. Every claim was told—or almost every claim was told, go to appeal; we don't want to make a mistake, so you go to appeal. Then the criteria is laid on at appeal that they really don't have a claim. I have a couple at Kinostota that are still out of their home a year after—two years after the flood, and haven't even been offered anything.

I urge every member of this House to take a sober second look at what has happened around Lake Manitoba. Forget your political stripe. All of us are Manitobans—as Manitobans owe a debt of gratitude to the people of Lake Manitoba. Keep in mind, the next disaster may affect you, and it's our duty as Manitobans to stand together and protect each other. We have a strong heritage and a combined strength. Let's make things right for the Lake Manitoba flood victims.

Thank you, Mr. Speaker.

Mr. Speaker: Any further grievances? The honourable member for Spruce Woods, on a grievance?

Mr. Cliff Cullen (Spruce Woods): Yes, Mr. Speaker, and thank you very much for the opportunity to rise today on a grievance. Clearly, there's a lot of issues we could be discussing on a grievance today. I'm going to try to keep my remarks somewhat focused on this year's provincial budget which was released here not too long ago.

I certainly appreciate the member for Agassiz bringing forward his grievance, in particular, talking about the situation around Lake Manitoba. I can assure that member and other members around the House that we are still being impacted and still suffering from the flood of 2011 in southwestern Manitoba, and we have a lot of people that still have

outstanding claims there. And, quite frankly, some of those people, well, they have given up on the process because the government has driven them down and basically done all they can not to pay those claims. And as a result, a lot of those Manitobans are, quite frankly, walking away from those claims, and it's unfortunate to hear that, Mr. Speaker.

And I know there's a lot of appeals under way as well. Hopefully, the government, and through their appeal mechanism, will be there to support those Manitobans that were impacted by the flood in 2011 and we will hope they take seriously those very situations—those very serious situations that many Manitoba families face themselves in.

Mr. Speaker, in terms of the budget this year, certainly was an interesting budget. I know the previous years, the government, the Minister of Finance (Mr. Struthers), minister of taxation and spending, has been very innovative in terms of his ways where he can get money out of Manitobans' pockets. And we saw the broad strokes in terms of the increase in the PST last year. He was certainly creative in coming up with new ways to get money out of Manitobans. And, along with the increase, certainly, in the broad terms of the PST, he was also able to develop some new fees for Manitobans and got money out of Manitobans' pockets that way.

You know, and the interesting part, you know, we had all those fee increases, an increase in taxes over last year, and last year, in terms of the budget, we look at the third-quarter reports, and the government themselves are saying they still look like they're going to miss their mark by \$120 million.

Well, Mr. Speaker, we're not sure where that's going to end up, and we certainly are looking forward to what that end of the fiscal year looks like. But, clearly, even with the new taxes, the new fees last year, the government has indicated they were going to have a \$500-million-plus deficit last year, and we're thinking it could even be higher than that, given the third-quarter financial reports.

But that's looking back a little bit; let's look forward to this year's budget that the minister introduced. He has a budget here of—a \$12-billion budget. This is a—unheard of spending here in the province of Manitoba. When this government and this minister's government came into—in 1999, the provincial budget was about \$6 billion. So, in essence, they've doubled their spending budget here in the course of 13 years, Mr. Speaker.

I think we have to look back on the record, and what have we got for that increase in spending, Mr. Speaker? Well, what they've also done—what they've also doubled is they've also doubled the debt of the Province. They've taken the provincial debt from a figure of about \$13 billion in 1999 to a estimated debt here at the end of this fiscal year being a little more than \$30 billion, and that's \$30 billion that is going to have to be paid back some time, and, obviously, it's looking like it's going to be our children and probably our grandchildren. They're going to be faced with that particular amount of debt.

Now, it's clear, and you'll read these in articles around the province where they're saying, you know, it's not a revenue problem. They can come up with all kinds of revenue, and they have done and been creative in generating revenue from Manitobans. But they have a spending problem, Mr. Speaker, and that's really what's got us in the predicament that we're in now, their ability to spend over and above what they've budgeted, and also they've always been able to spend more than what they take in. So it's—hasn't been a very positive trend in terms of the economic strategy going forward.

* (16:10)

In fact, Mr. Speaker, some magazines, some industries will report—they'll actually rank premiers by their economic ability, their ability to manage finances within a province. And how did our Premier (Mr. Selinger) do? Well, he ended up 10th—dead last. There's lots of room for improvement if you're 10th across Canada in terms of fiscal management of a government and, you know, dead last.

And that's the real issue here. If we're not going to be economically attractive to both people and business, they are going to go other places. And right next door we have Premier Wall who was ranked third in terms of fiscal management, Mr. Speaker, and we've seen the change, certainly, in terms of the provincial sales tax here in Manitoba. The government is bent on increasing the provincial sales tax by one percentage point or a 14 per cent increase here in Manitobans, whereas our neighbours in Saskatchewan, they're at 5 per cent.

So anybody living along the border, certainly, the member for Swan River (Mr. Kostyshyn), I'm sure, was getting some phone calls from his constituents. Those members of his riding that are—live close to the border—obviously a business in Swan River's going to be impacted by a change—a difference in 3 per cent of the public—or the

provincial sales tax, just across the border. And I think the minister that represents Dauphin and the member from Dauphin, is going to be having the same problem when his businesses in Roblin phone him and say, well, I'm have to compete with Saskatchewan now, Mr. Speaker, and it's becoming more and more difficult given the policies and—that you've brought forward here under this particular budget.

And I think it's important too to recognize, Mr. Speaker, when we put this big picture in front of Manitobans in terms of our debt and our growing debt, we as a province are paying \$883 million a year in interest payments alone. And that's \$883 million that can't be invested in health care; it can't be invested in education; and it can't be invested in infrastructure. So that's a very considerable amount of money that isn't being reinvested in the economy here in Manitoba.

And the scary part to that statement, Mr. Speaker, is that we have record low interest rates currently in Manitoba, and how long can that last? That's not going to last forever. Just to give you some idea what a 1 per cent increase in interest rates alone will mean to the—to Manitoba government, a 1 per cent increase in interest rates alone will cost the province \$270 million, and that's at the current debt level we have. So you can imagine, 1 per cent interest increase costing us as taxpayers another \$270 million, which, again, cannot be used for health care, cannot be used for education and cannot be used for infrastructure in Manitoba.

Now, the thing—there's one thing about increasing revenue, increasing taxes. If the Manitobans could say that, yes, you know, we've got a balanced budget; it looks like things are turned around, we're on the road to some good economics, we're going to start paying down the debt—I think Manitobans would maybe have—you know, maybe buy into that, but the fact of the matter is even with this extra taxation and extra fees that the minister is proposing for this year, he is still proposing a \$500-million deficit this year. So, clearly, even with the extra \$200 million he's going to generate in the PST, he's still missing his mark, still plans to overspend by \$500 million. And, again, that's money that's going to be added on to the provincial debt. So, Mr. Speaker, I think Manitobans certainly have cause for concern.

Now, Mr. Speaker, the other thing that Manitobans will remember prior to the last election—

well, we went through the last election—what did the Premier of the province say to Manitobans? No PST increase is what he promised. He said—in fact, he called the idea of a PST increase nonsense. And here we are, less than two years later, we've had a dramatic increase and broadening of the provincial sales tax. This year, we've got a 1 per cent—one point increase in the provincial sales tax or a 14 per cent increase on all those products again, and services that were added in back in last year's budget.

So Manitobans are faced with that, and what they're said to the Premier is, Mr. Premier, you've lied to us; you've led us down the garden path, you got elected and you turn around—you broke our promise to Manitobans. And not only that, Mr. Speaker, under the current balanced budget and taxpayer protection act, Manitobans felt they were—had the right to a referendum for new taxes. And, clearly, under that—under this Bill 20 that the government is proposing, they are going to take away that authority for Manitobans to vote on a PST increase. And I think Manitobans are very upset with that, and I thank you for the opportunity to voice my concerns on this budget.

Thank you.

Mr. Speaker: Prior to the next item of business, I just want to draw the attention of honourable members that using third-party quotations, whether its unparliamentary language that's used within that quote, is still unparliamentary. So I'm cautioning honourable members to pick and choose your words very carefully and to not use unparliamentary language even if it's contained within someone else's statement.

So any further grievances?

ORDERS OF THE DAY GOVERNMENT BUSINESS

House Business

Hon. Jennifer Howard (Government House Leader): I'd like to announce that the Standing Committee on Public Accounts will meet on May 8th, 2013, at 7 p.m., to consider the following reports: the Public Accounts for the fiscal years ending March 31st, 2011, and March 31st, 2012, volumes 1, 2, 3 and 4; Auditor General's report, Annual Report to the Legislature dated January 2013, Chapter 1, Accounts and Financial Statements, section 10 annual report.

The witnesses to be called are the Minister of Finance (Mr. Struthers) and the Deputy Minister of Finance.

Mr. Speaker: It has been announced that the Standing Committee on Public Accounts will meet on May 8th, 2013, at 7 p.m., to consider the following reports: the Public Accounts for the fiscal years ending March 31st, 2011, and March 31st, 2012, volumes 1, 2, 3 and 4; the Auditor General's report, Annual Report to the Legislature dated January 2013, Chapter 1, Accounts and Financial Statements, section 10 annual report.

And the witnesses to be called include the Minister of Finance and the Deputy Minister of Finance.

Ms. Howard: Yes, thank you very much, Mr. Speaker. Would you resume debate on a second reading of Bill 18 followed by Bill 9, 12 and 14.

DEBATE ON SECOND READINGS

Mr. Speaker: So we'll resume debate on second reading of Bills 18, 9, 12 and 14, in that order, starting with Bill 18, which is the proposed motion the honourable Minister of Education (Ms. Allan), Bill 18, The Public Schools Amendment Act (Safe and Inclusive Schools).

Bill 18—The Public Schools Amendment Act (Safe and Inclusive Schools)

Mr. Speaker: Standing in the name of the honourable member for Spruce Woods (Mr. Cullen), is there—the honourable—

Is there leave for this matter to remain standing in the name of the honourable member for Spruce Woods?

Some Honourable Members: Leave.

Some Honourable Members: No.

Mr. Speaker: Leave has been denied.

The honourable member for Steinbach—and before allowing the member for Steinbach to start his remarks on Bill 18, I wish to advise the House that I've received notice that the Leader of the Official Opposition (Mr. Pallister) has provided his unlimited speaking time on second reading of Bill 18 to the honourable member for Steinbach.

Mr. Kelvin Goertzen (Steinbach): Well, thank you very much. I appreciate that gesture by the leader of our party, and we want to ensure that this bill is given the proper debate that it deserves, Mr. Speaker.

I know that there's been a great deal of public discourse already on Bill 18; some 12,000 emails have come to government and members of the government, members of the official opposition, I am sure to the member for River Heights (Mr. Gerrard) as well.

So Manitobans have engaged in this issue in a way that they often don't engage in other issues, Mr. Speaker. I know that this bill will go to committee at some point and as of last count, I don't remember the last time I looked but there was over a hundred presenters anyway. And those presenters and emails that we've received will represent both sides of this argument. And that is as it should be because we as legislators hear all Manitobans, and then we make a decision in a way that we think will be best for all Manitobans.

* (16:20)

Before I get into the pith and the substance of my remarks, Mr. Speaker, I want to read a letter because it focuses me in terms of why we're here for this debate. It's—was sent to me and I have permission to read it, from a young person, not in my constituency, but he asked if I would read the letter and then gave me subsequent permission to read it publicly, so I'll do that, or at least portions of it.

Hi, my name is Joshua Peters. I'm 15 years old and in grade 10. I'd like to address Bill 18, also known as the antibullying bill. But first I'd like to tell you my story. I was raised as a Christian by my wonderful parents, and I live in Grunthal, Manitoba.

I remember being bullied a lot in elementary and a little in high school, too, as a result—result of being born with a cleft lip and palate. I've gone through many surgeries; eight so far. I always felt different from my other classmates. I talk differently and I look different. My nose did not have the same structure as others. I was called flat faced and surgery nose. I also have a hard time moving my top lip, making words hard to pronounce. So my peers saw that as a weakness and mocked my speech to make me feel bad.

Last summer, I had major jaw surgery. After this, I hid out in my house, ashamed to go in public, in fear that I would get made fun of. During the Hanover fair days I went to hang out with my friends. Even in the safety I thought I had there, I was called the chipmunk, and people made their own cheeks look fat.

I know that—I know what it feels like to be bullied. This last September I joined a social justice group and my school—at—that my school formed. Ironically, we had just started our own antibullying campaign.

First, I believe a more specific definition on bullying would make people happy concerning this bill. When I first heard the definition, I felt that I could be charged for bullying by the definition in Bill 18 for something I didn't mean as a hurtful comment.

I searched the definition of bullying on Google and came up with this: use superior strength or influence to intimidate someone, typically to force him or her to do what one wants.

I found another definition from a site called stopbullying.gov, and it read: Bullying is unwanted, aggressive behaviour among school-aged children that involved a real or perceived power imbalance. The behaviour is repeated, or has a potential to be repeated over time.

Both kids who are bullied and who bully others may have serious, lasting problems. I've learnt that a pattern must contain at least three items, so I found one more definition that I thought was good. This is the definition of bullying by the government of North Dakota—this is the definition that young Joshua puts in his letter: So severe, pervasive or objectively offensive, that it substantially interferes with the student's educational opportunities or benefits and places a student in actual and reasonable fear of harm to the student's person or property.

I think that these are all reasonable definitions of bullying and believe that anyone could pick out a bully or tell whether they are bullying people themselves from the definitions. If we just define bullying as it is written in Bill 18, anyone can be charged with bullying with a single offhanded comment.

In my story, I got bullied for the way that I looked or talked, which are both body-image issues. In my school, the remarks I heard around the hallway, classroom and gym are things like: you're so fat; or, hey, anorexia; or, whoa, you suck at—fill in the sport or game.

The Toronto School District Board website did a graph on leading causes of bullying. It suggests that the leading cause of bullying were related to body image. The second reason was grades or marks, and that was a good 15 per cent below body image. The

third was cultural background, then language. The fifth was a three-way tie between gender, religion and income.

I do not think ultimately that a bill will fix the problem of bullying in school. As Abraham Lincoln said, "a house divided against itself cannot stand." In the same way, I think that making all sorts of different groups form cliques, which in turn creates bullying and exclusion. Instead, I think groups should be implemented that all have this common goal, and the goal is to stop bullying.

What I've felt has been effective in Green Valley—the school that this young man goes to—have been group presentations such as Rachel's Challenge, an organization started by Rachel Scott's brother, and she was murdered in the Columbine High School shooting. Another took place just recently and that was by—that was when we had Robb Nash come to our school and give us a concert and talk to us. Those are just a few of the things, but I believe that the change starts with the student body as a whole, and not with a piece of legislation.

Mr. Speaker, I wanted to read the comments of Joshua Peters into the record for a number of different reasons. First, I commend the young man for writing a letter to elected representatives and for wanting to have his story told. But it takes a great deal of courage because he is bullied himself and has recently been bullied over the last number of years, and he wanted to have his voice heard here in the Legislature.

I have many more examples that I'll probably have time, over the next little while, to read into the record about individuals who are bullied but who are concerned about Bill 18, because they don't feel it gives them any hope, and, ultimately, that's a big part of what this is about. We want to ensure that any bill we pass in the Legislature will give hope to those kids who are being bullied, and we know that no child for any reason should be bullied for any reason at any time. And that is the expression of Joshua and others who have written me who are concerned that when they are dealing and being faced with bullying in school, that they aren't going to feel that this bill is going to do anything to make their situation better.

I had the experience of having a young mother come to my constituency office about a month ago, or maybe three weeks ago, very concerned about her son who was being bullied in one of the schools in our area. And she, in tears, was telling me how she might move her son out of the school, either into a

private school, which she acknowledged she can't afford, or perhaps another school in the division if that would be allowed. But she wept there in my office, Mr. Speaker, about how her son came home and was scared to go to school each and every day.

And, ultimately, when she finished telling her story, Mr. Speaker, on behalf of her son, she said to me, so what in Bill 18 would change why my son is being bullied, because she'd read it and she couldn't find anything in there that would correct the situation.

And I said, well, ultimately, I don't know if there's anything in the bill that would make your situation any better if it was happening a year from now after the bill is passed. And then she wept even more, Mr. Speaker, because she'd been given false hope.

She'd been given false hope by a government who is trying to tell people that their kids, who are being bullied for a multitude of different reasons, will find hope in this particular bill, when we know that in a year from now, if the bill passes as is—and we will bring forward amendments to strengthen the bill—but if the bill passes the way it's written, the children who are being bullied today could very well still be being bullied in a year from now. And they will learn at that stage that the antibullying bill, as the government has dubbed it, didn't do anything to change their scenario. And I'm not at—sure if there's anything more cruel that we could do is pass legislation that might give false hope to these kids who are dealing with very, very difficult circumstances within their schools.

And so I have great sympathy for the mother and for Joshua and others. And I've got many other letters, and I will endeavour to, with permission, read some of them into the record, about these young kids who have a real tough time going to school and who feel in many ways that they're being betrayed because they don't feel that a bill would—this particular bill will do anything to help them, Mr. Speaker.

I've said on the record in the past, and not on the record here in this House—we haven't sat very much, and it's unfortunate that a bill that the government seemed to deem as a priority, we've only—we came back into session in mid-April. But I have said on the record that I believe this is one of the weakest antibullying bills in North America, and I endeavour to prove that to you, Mr. Speaker, in the time that I have to speak. And I believe it is one of the weakest

antibullying bills in North America, and I'm extremely concerned that in the months ahead, after this bill passes—and I have no doubt it'll pass in some form—and if it doesn't pass with some significant changes, that we're going to, in a year from now, be bringing the situations to the Minister of Education, of kids being bullied, being forced to go to other schools, and we'll be forced to ask her, what happened to the bill? What happened to the protection that you said was going to be there, because I don't think it's going to change anything?

What it will change is that there'll be a false expectation, a false hope, and we'll find out shortly that because this bill is such a weak bill and doesn't truly address bullying in a serious way, that that hope is going to be unfounded and that's truly unfortunate because there's a lot of kids who really do need protection. All of us, I would say, have some connection to bullying, whether individuals have suffered it themselves in their lives or whether they've had family members who have gone through bullying in their lives.

So, it's unfortunate that we didn't get a stronger version, but there is still a chance for amendments to come, Mr. Speaker, and for a stronger bill that'll protect all kids, to pass as legislation so that all of us can say we did something important in terms of protecting kids. But it would take consultation, and that is something that the government, to date, hasn't shown a great willingness to engage in.

* (16:30)

I had a nice opportunity, along with the Minister of Education (Ms. Allan)—I'm glad that she was there—we had a nice evening I think both of us on Friday at the Manitoba Association of Parent Councils' dinner and annual general meeting, Mr. Speaker, and the minister spoke about how the council had endorsed the Bill 18 proposition. And then, when I left in the evening, before the entertainment started, to go home to pick up our son from the babysitter, a number of parents came to me after and they said, well, we don't understand; we heard the minister say that the MAPC, the Manitoba Association of Parent Councils, had endorsed Bill 18, and we don't understand because we didn't endorse it.

And I was trying to leave and we were having difficulty getting out of the hotel so I simply—I didn't have any great answer for the parents who were there, and I said, well, you'll have to speak to the

Minister of Education because I really don't know what the issue is.

And I understand the next day they had the opportunity to debate a resolution that wasn't passed, and I had a number of parents then talk to me who are concerned about a lack of consultation, Mr. Speaker.

So we have an opportunity here in the Legislature to have that consultation. If there's been a lack of consultation before, Mr. Speaker, we have a great opportunity now to have that consultation, and if parents feel that the minister has foisted a position on them, then they have the opportunity as well as they did at their convention to have that discussion.

And it's unfortunate though that this situation wasn't avoided because it certainly could've been avoided. There was great opportunity, I think, for members opposite to have discussion with us, as other political parties have discussions with other Manitobans to have discussions with kids who've been bullied, to have discussions with parents of kids who have been bullied, and yet that discussion didn't happen widely. It barely happened at all. How can you have a Manitoba Association of Parent Councils not know that the minister is saying that they've approved of something and then they're surprised by it? That certainly isn't consultation. So we hope that there'll be opportunity here to have those consultations, Mr. Speaker, and I know that there'll be others who have suggestions as well.

I wanted to, because I have been saying publicly that this is the weakest antibullying bill, I believe, in North America, to put some words on the record in a general context about that, Mr. Speaker. I've had the opportunity to do some research over the last number of months and I'll endeavour to provide some of that to the minister.

One of the things that we found in our research across North America is that a great deal of the research indicates that there is a repeated pattern of aggressive behaviour that is often discussed when it comes to bullying. So the definitions of bullying around North America often refer to a repeated pattern of aggressive behaviour, and there are specific examples that I'll give about that.

In fact, Mr. Speaker, there are many states that require specific investigation around an act of bullying. There are 32—and I'll go to the Canadian context once I'm finished the American context just so there's uniformity in the comments, not confusion.

But currently there are 32 states that require and three states that encourage the creation of school procedures—specific school procedures—for investigating incidents of bullying, and they're very specific in terms of how that investigation happens. Our bill is particularly silent on some of those issues, and that's disappointing because I know that parents who find out either that their kids have been bullied or sometimes that their kids have been involved in acts of bullying deserve to know what has happened, and the investigation is a big part of that and this bill simply doesn't address much of that.

There are a number of states, Mr. Speaker, that define bullying to encompass only behaviours that are either repetitive, systemic or continuous, or those that are severe, persistent or persuasive. I'll give you a couple of examples. In Colorado, for example, the definition of bullying means the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same school district. So there in Colorado they use the terminology about a repeated use, there again being more than one particular incidence.

In Florida, they used a definition of bullying being systemically or chronically inflicting physical hurt or psychological distress. So again there it is specific about a repeated instance.

I looked at the definition in Massachusetts; it indicates in their legislation that bullying is the repeated use by one or more students of written, verbal or electronic expressions—again, a repeated behaviour, not an instance—one time. In Nebraska—and I'll just—I only have a few examples, I could go on, Mr. Speaker—in Nebraska, it talks about, for the purposes of the section of bullying, that it means an ongoing pattern of physical, verbal or electronic abuse.

You can see the pattern itself within the different pieces of legislation across the United States. And every state in the US has antibullying legislation except for Montana, I believe. And some of them are developing new ones, including Minnesota, which is working its way through the state legislature now. I've had the opportunity to speak to some of my legislative colleagues in Minnesota about the debate that they're having on bullying, Mr. Speaker.

In Ohio, it refers to an intentional written, verbal or physical act that a student has exhibited toward another particular student more than once. So there's a different definition that used the phrase, more than

once. And, in Vermont, Mr. Speaker, they say bullying means an overt act or a combination of acts, including an act conducted by electronic means directed against a student which has been repeated over time.

So, Mr. Speaker, you see the different terminology that we see in legislation across North America, in the United States and in—also in Canada. But here, when we look at the different use of terminology for the repeated use of—to be bullying, for there—something to be chronic, for there to be an ongoing pattern, for there to be something that is not only intentional but that is a repeated behaviour in all of these different states.

Now, we can certainly have that discussion about how often something happens. I think the challenge and the concern that's been raised in the context of Bill 18 with many parents and administrators, in particular, Mr. Speaker, is that—not so much that it isn't simply a repeated behaviour, that it isn't a pattern, but that it goes so far as to include hurt feelings. And so some of the teachers that have spoken to me within the school system have said, we're not sure how we're going to enforce that where a student can be labelled a bully for hurting a feeling—a person's feelings, one time. Now, the teachers that I've been speaking to indicated that, yes, that is something that would be considered inappropriate behaviour in a classroom, that if a student has hurt the feelings of another student in the classroom that that is something that teachers would take action upon, that they would react to that and have some sort of a—some sort of intervention. Their concern is how it is that they label a child a bully for that type of scenario, Mr. Speaker, and if they are required to.

I talked to a teacher who teaches in the K-to-3 area, about a month ago, and she described it to me as this, Mr. Speaker—she said, the challenge that I will have as a teacher with very young kids, is that at that stage of their life, on one day the group that is—that I would have to label to be a—bullies, are the victims the next day, because there's a lot of changing, a lot of interaction with children at that age. And she said that it's simply too restrictive for me and I'm not sure how I'm going to enforce that from an administrative perspective.

So those are some of the comments that we've been getting from teachers who are those who are working within the education system, Mr. Speaker, and they feel concerned that they weren't consulted

in a broad-based way on this legislation. And I think it's important that we do that with teachers and assure that those who are actually in the classrooms will feel comfortable with the administration of this particular act.

I looked, Mr. Speaker, at different pieces of legislation throughout North America that talked about the *mens rea* requirement, the intentional portion of bullying—whether or not bullying had to be intentional. In Arkansas, for example, they define—they say bullying means the intentional harassment or intimidation or humiliation of a student. In Colorado, they also say that the act has to be intended to coerce or intimidate someone. In Indiana, they say that, as used in this chapter, bullying means the overt, repeated act or gestures. In Kentucky, they talk about the intention to intimidate or harass. In Ohio, they talk about the section being harassment, intimidation or bullying, means you're the following: an intentional written, verbal or physical act.

* (16:40)

Well, in these cases, Mr. Speaker, they are talking about a *mens rea*, an intention to do something. A *mens rea* is often a term that we use in the criminal context, but in this particular context what the legislatures in the United States are saying is that bullying has to be something that is intended, that it was meant to be done.

I would also point out to the government that within a number of different states they use, within the context of bullying, a power imbalance, Mr. Speaker, where there's actually a difference in power between individuals. So, in New Hampshire, for example, the definition of bullying is that bullying shall include actions motivated by an imbalance of power based on a pupil's actual or perceived personal characteristics. Behaviours or beliefs are motivated by the pupil's association with another person and based on the other person's characteristic behaviours or beliefs, and that's in New Hampshire. And so, within their legislation, they talk about there having to be a power imbalance in a relationship.

I also had the opportunity to review legislation in the US related to specific kinds of bullying and specific actions. One of the things that I thought was—is interesting, Mr. Speaker, was the whole issue around investigation because as a parent, obviously one of my concerns is that I might not always get the information about when my child has been in an act of bullying on either side of the scale, I suppose. And fortunately there hasn't been a lot of concern at this

stage within our home, but certainly I would want that opportunity to know whether or not an investigation had happened if there was a case of bullying that involved my child. So I did some specific research on that, and there are states that require or encourage districts to adopt bullying investigation procedures, and I simply want to review a couple of those because I think it's particularly important for the discussion that we're going to have around this particular bill in the weeks ahead.

I looked at California, and I haven't used that state as a reference, Mr. Speaker, and I want to ensure that we're talking about a variety of different states, but in California, a quote from their statute, it says: The complainant process shall include, but not be limited to, all of the following: A timeline to investigate and resolve complaints of discrimination, harassment, intimidation, or bullying that shall be followed by all schools under the jurisdiction of the school district. So, in California they set out a specific timeline. They leave it to the school in terms of establishing that timeline but the legislation specifically says that there needs to be a timeline in place publicized so that parents can have the assurance that if their child is involved in a particular act of bullying or being bullied, that they will have some sort of a resolution in terms of the investigation. It sort of a—ensure the parents have those particular rights.

In Indiana, Mr. Speaker, it says that a discipline rule is adopted by the governing body of a school corporation. Under section 12, this chapter must include provisions concerning educational and parental involvement reporting investigation intervention. I think that's important because that in particular talks about parental involvement, and I think it's critical that, regardless of how one's child is involved in a bullying incident, that there will be parental involvement and that that be specified within the act. These are all pieces of legislation that exist already and I think which prove the point that Bill 18 is one of the weakest antibullying bills in North America, and that false hope that so many students and parents are going to take from this bill if it passes as it is, is going to be turned into disappointment in the years ahead when they continue to see their kids involved with bullying instances and they don't find any sort of resolution.

In Louisiana—or, sorry, Maryland, Mr. Speaker, it says that the model policy developed under paragraph 1 of the subsection shall include model

procedures for the prompt investigation of acts of bullying, harassment, and intimidation. So they, rather than set out a specific timeline in their legislation, simply address it as being quick, as being timely.

Others ensure that, for an example, Massachusetts, that clear procedures for prompt responding to an investigation, reports of bullying or retaliation from bullying, Mr. Speaker.

So, within all of these different pieces of legislation, we see a common theme emerging with an antibullying legislation across North America, and that is that the investigation is a critical part, Mr. Speaker, and that there needs to be something more specific about investigation. Obviously, we would assume that those within the school system responsible for investigation of bullying would always take it seriously, but it's important, I think, to speak more to it than that to ensure that there is a clear sense that any time an act of bullying happens within a school or with—on the school grounds or at a school activity, that there is in fact a clear procedure for investigation so the parents can rely on that, because they certainly deserve to rely on that.

I had the opportunity to review, as well, Mr. Speaker, a number of different states that require different reporting instances within their legislation. So, it breaks down in different ways. Some states require that both students and staff be required to report bullying. Others require only staff to report bullying incidences. And so I'd just like to reference those for a couple of minutes.

In Alaska, and I haven't had the chance to refer to the state of Alaska, it indicates that a school employee, a student or volunteer who has witnessed or has reliable information that a student has been subjected to harassment, intimidation or bullying, whether verbal or physical, shall report the incident to an appropriate school official. So that particular state legislature has decided to expand the duty to report to also include students, Mr. Speaker. Whether or not that is appropriate or not, it can certainly be something that can be discussed at committee, and I'm sure some people will raise that issue in terms of their presentation. But you do see in different state legislatures how they are expanding the duty to report.

Mr. Speaker, in South Carolina, it says that a school employee, student or volunteer who witnesses or has reliable information that a student has been subjected to harassment, intimidation or bullying

shall report the incident to the appropriate school official, and that's in their codes. So there again they've extended the duty to report to include not only people who work in the schools, but also volunteers and also students.

More common is the requirement for staff to report incidences of bullying. In California, for example, it says that the complainant process should—or shall include but not be limited to all of the following: (1) a requirement that if school personnel witness an act of discrimination, harassment, intimidation or bullying, he or she shall take immediate steps to intervene when it's safe to do so. So there's actually a requirement to intervene there, Mr. Speaker, on an act bullying, which is a greater requirement than we see in legislation here.

So, again, we see the variety of different places within North America and the different bills that they have that have much more specific and much more direct issues in terms of how you deal with bullying, whereas this particular bill doesn't deal with those issues at all.

Mr. Speaker, so in terms of definition, which I've discussed, we obviously have seen the concerns that the definition is simply too broad to be enforceable, and there's an old axiom in law that says that if something is so broad as to mean everything, then ultimately it means nothing because it becomes unenforceable. So that was the initial concern raised at the beginning of my comments, and it was raised by Joshua in his letter, about whether or not there would, in fact, be enforceability on the definition.

Then, secondarily, a move to the issue about investigation, and how is it that things are investigated, Mr. Speaker. How are—is it that cases of bullying are investigated, and is there assurance that that investigation is happening promptly and that there is a—allowance for parents to be involved in terms of the outcome of that investigation.

And then thirdly, Mr. Speaker, I have the opportunity to speak about the reporting requirements of bullying, and who is it that has particular issues of reporting. I was interested to note it doesn't appear within our bill, but within legislation across North America, there's a number of states that put in place a requirement or an allowance for anonymous reporting of bullying incidences, and they put that actually into their legislation.

So, for example, in Florida, it says that the school district policy must contain at minimum the

following components: a procedure for reporting an act of bullying or harassment, including provisions that permit a person to anonymously report such an act.

So it's interesting that that is the kind of enabling legislation that specifically lays out the sort of things that should appear within the legislation at the school level. So that is not only a more formal, but a more specific, requirement than anything we see within the legislation that the minister and the NDP government have tabled in terms of bullying, Mr. Speaker.

* (16:50)

In Massachusetts, it reads: each plan, each antibullying plan shall include but not be limited to a provision that reports bullying or retaliation may be made anonymously provided, however, that no disciplinary action shall be taken against the student solely on the basis of an anonymous report. So there, again, Mr. Speaker, they're contemplating the fact that there can be anonymous reports of bullying, and they've written that specifically into their legislation, which, I think, is instructive in terms of a discussion, and once again that is absent within our legislation.

I also had the opportunity to look at legislation across North America, Mr. Speaker, in terms of reporting requirements to law enforcement agencies for acts of bullying. I appreciated Prime Minister Stephen Harper making a comment a few weeks ago regarding an act of bullying that happened in Canada, and to paraphrase the Prime Minister, he said something to the effect that sometimes we mislabel acts as bullying when, in fact, they are criminal acts, and it is important to remember that there are certainly many cases of things that we would consider bullying in school that, in fact, impinge upon the Criminal Code, whether that is physical in nature, physical abuse of another student, another person, or other sort of acts; that we shouldn't be too quick to call those sort of things bullying because they actually rise to a higher standard, and that should be considered more serious in terms of laws that already exist on books.

So I wanted to, as a result of the Prime Minister's comments, look at different pieces of legislation within North America that deal with the requirement to report incidences to law enforcement, and I was very interested in the results that I got. And I want to spend some time just talking about them, Mr. Speaker, because I think this is a key part that's missing in this legislation, which is one of the weakest in North America.

In Alaska, it says that the harassment, intimidation and bullying policy must also include provisions for an appropriate punishment schedule up to and including expulsion and reporting of criminal activity to local law enforcement authorities. So, Mr. Speaker, they actually go one step further, and they specifically lay out certain kinds of punishments within their act and then say that certain acts should be reported to local law enforcement, which, I think, is particularly interesting.

We had the opportunity through our party to allow for survey responses to come back on this particular bill, and we got many hundreds, Mr. Speaker, in terms of the response. Very pleased with the response that we received in terms of that outreach exercise, and, overwhelmingly, individuals indicated that there needed to be some sort of specific or direction in terms of how people who are bullying are going to be dealt with. What kind of consequences would be available?

This, in particular, talks about the need to report to law enforcement, and I'll go on to read a couple of more examples, Mr. Speaker. In Missouri—and I've not had the chance to talk about the state of Missouri—it indicates that the policy shall, at a minimum, require school administrators to report as soon as reasonably practical, to the appropriate law enforcement agency, any of those—any of the following crimes or any act which, if committed by an adult, would be one of the following crimes, and then it lists off a variety of statutes, which I won't get into. But there, again, in the state of Missouri, in their antibullying bill, they specifically indicate that certain acts should be reported to law enforcement, their local law enforcement agency.

I've not had the chance to talk about Nevada and their antibullying legislation. It says that the board of trustees of each school district, in conjunction with the school police officers of the school district, if any, and the local law enforcement agencies that have jurisdiction over the school district, shall establish a policy for the procedures which must be followed by an employee of the school district when reporting violation of their antibullying bill. So this particular legislation actually talks about working together with local law enforcement to ensure that there is a policy in place, Mr. Speaker, for having the reporting done to the police, and I think that that's interesting if for no other reason than it talks about consultation.

And earlier in my comments I talked about the lack of consultation that the minister had with the parent-teacher council and the shock that it brought to many of the parents who were involved within the council, Mr. Speaker, and they had to go and take action on their own because of the lack of that different—lack of the different consultation. So I wanted to raise that as a particular instance also because it's nearby to home, so often close to our hearts, in North Dakota.

And I have not had the chance to talk about North Dakota. It indicates that the policy required by this section must require the notification of law enforcement personnel if an investigation by school district personnel results in a reasonable suspicion that a crime may have occurred.

Actually, I like that definition, in particular, Mr. Speaker, because it certainly leaves discretion to the local school officials but it indicates that if there is a reasonable likelihood, and reasonable is a standard that we often see within the context of law, the reasonable person and how they react, but in that particular state they indicate that if there is a reasonable suspicion that a crime might have occurred that there is an obligation, a duty to report it to local law officials and so—that is missing from this act, as many things are. It's one of the reasons why this has clearly become one of the weakest antibullying bills in North America, because so many things are missing from it.

That's one of the reasons why people are getting false hope, Mr. Speaker, and why they're going to be disappointed if the bill doesn't have amendments to protect children. It's one of the reasons why in a year from now, if the bill passes the way it's written, we'll be going to the minister with all the different cases of bullying and all the parents are going to be wondering, what happened, we passed this bill in the Legislature, we heard about it and I still can't get any recourse. I still have to send my son or daughter to another school and that seems so unfair. And I think that that would be considered unfair, so I hope that the minister will adhere to much of the research and at least have that discussion, at least, have an open mind about bringing forward amendments so that we don't pass the weakest antibullying bill in North America.

Rhode Island, because I've not had the opportunity to reference Rhode Island, in their statute it says that the state wide policy shall apply to all schools that are approved for the purpose of this

particular section and shall contain the following: procedures for promptly notifying the parents or guardians of a victim and a perpetrator, provided further that the parents or the guardians of a victim shall also be notified of the action taken to prevent any further acts of bullying or retaliation, and provided further that the procedure shall provide for immediate notification of local law enforcement agency when criminal charges may be pursued.

It's interesting, Mr. Speaker, because that particular section ties in three different themes that I'd like to highlight and that I will in my comments in the time ahead. One is that it identifies a right for notifying parents. And I think that's particularly interesting that parents have a specific right to know when their children have been involved in acts of bullying. And I think it's critical that parents have that opportunity to know and to be notified.

It also talks about the issue of ensuring that law enforcement is notified, Mr. Speaker, and that—a that law enforcement be involved in the process, if, in fact, there's a belief that a criminal act has taken place.

It also talks about further prevention and how you prevent further acts happening. These are all things that are absent from Bill 18 and I—it's all reasons why it is one of the weakest, if not, the weakest, antibullying bill in North America.

I don't have a lot of time left today, Mr. Speaker. I know I'll have a great deal of time in the months ahead to speak about the bill, but I wanted to talk about— a bit about the issues of discipline, because one of the things we heard in our discussions with parents, one of the things we heard on—in the survey that we did, is that parents actually think that there should be some sort of discipline or outcome when their child is bullied. And I continually hear from parents now who feel that, in fact, after their child has been bullied that they are, in fact, looking for another school because there's no real discipline that's happening within that particular area. And so they were hoping that this legislation would address that.

And so, so many people have been disappointed when I've shown them the legislation, they say, well, where is the part about what the actual consequences are for bullying? And I have to say, well, it's not in there because it's the weakest antibullying bill in North America. And so they're surprised by that. But there are many, many, many different areas within the legislation in different parts of North America that deal with this and discuss this particular issue and certainly we can look, you know, at best practices and we can look at different ideas from our different states, from different provinces in Canada. And I'll have the opportunity when this bill is before the Legislature to speak about all the legislation in Canada that also references more directly the issue about ensuring that there is something that happens if somebody is repeatedly bullying somebody, Mr. Speaker, within the school system. Now I know that the issue of consequences may not mean much to—

Mr. Speaker: Order. Order. When this matter is again before the House, the honourable member for Steinbach will have unlimited amount of time.

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

CORRIGENDUM

On Thursday, May 2, 2013, page 969, first column, last paragraph, should have read:

But this is, you know, the kind of legislation we often talk about it here in the Legislature, that we often pass legislation hoping that it will never be used. Isn't that true, Mr. Deputy Speaker? When we talk about drinking and driving legislation. It's like buying insurance, in a way, you hope you never have to use it. But I know that with drinking and driving legislation, we introduce legislation and then we pass it and then we hope we never have to use it. We hope it's never actually going to have to be put into effect. I think I was Justice critic when we moved legislation here in the Legislature about not being able to benefit or to profit from a crime that you may have committed. I think it was dubbed the Son of Sam law and that's a longer judicial history than I'll have time to give.

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, May 6, 2013

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