

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

*Published under the
authority of
The Honourable Myrna Driedger
Speaker*

MANITOBA LEGISLATIVE ASSEMBLY
Forty-First Legislature

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, November 7, 2016

The House met at 1:30 p.m.

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

Please be seated.

ROUTINE PROCEEDINGS

Madam Speaker: Introduction of bills?

COMMITTEE REPORTS

Standing Committee on Private Bills

First Report

Mr. Jeff Wharton (Chairperson): Madam Speaker, I wish to present the First Report of the Standing Committee on Private Bills.

Clerk (Ms. Patricia Chaychuk): Your Standing Committee on Private Bills presents the following as its—

Some Honourable Members: Dispense.

Madam Speaker: Dispense.

Your Standing Committee on PRIVATE BILLS presents the following as its First Report.

Meetings

Your Committee met on November 3, 2016 at 6:00 p.m. in Room 254 of the Legislative Building.

Matters under Consideration

- **Bill (No. 208)** – *The Royal Canadian Mounted Police Day Act/Loi sur la Journée de la Gendarmerie royale du Canada*
- **Bill (No. 209)** – *The Childhood Cancer Awareness Month Act/Loi sur le Mois de la sensibilisation au cancer chez l'enfant*

Committee Membership

- Mr. CURRY
- Mr. EWASKO
- Ms. FONTAINE
- Hon. Mr. GERRARD
- Mr. GRAYDON
- Mr. LAGIMODIERE
- Hon. Mr. MICKLEFIELD
- Mr. MARCELINO (*Tyndall Park*)
- Mr. SARAN
- Mr. TEITSMA
- Mr. WHARTON

Your Committee elected Mr. WHARTON as the Chairperson.

Your Committee elected Mr. CURRY as the Vice-Chairperson.

Public Presentations

*Your Committee heard the following presentation on **Bill (No. 208)** – *The Royal Canadian Mounted Police Day Act/Loi sur la Journée de la Gendarmerie royale du Canada:**

Superintendent Joanne Keeping, RCMP

*Your Committee heard the following four presentations on **Bill (No. 209)** – *The Childhood Cancer Awareness Month Act/Loi sur le Mois de la sensibilisation au cancer chez l'enfant:**

Denis Foidart, Candlelighters Childhood Cancer Support Group

Jordan Birrell, Team Brody Foundation

Suzanne Suzio, Private Citizen

Abigail Stewart, Private Citizen

Bills Considered and Reported

- **Bill (No. 208)** – *The Royal Canadian Mounted Police Day Act/Loi sur la Journée de la Gendarmerie royale du Canada*

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 209)** – *The Childhood Cancer Awareness Month Act/Loi sur le Mois de la sensibilisation au cancer chez l'enfant*

Your Committee agreed to report this Bill without amendment.

Mr. Wharton: Madam Speaker, I move, seconded by the honourable member for Kildonan (Mr. Curry), that the report of the committee be received.

Motion agreed to.

**Standing Committee on Social and Economic
Development
Second Report**

Mr. Dennis Smook (Chairperson): Madam Speaker, I wish to present the Second Report of the Standing Committee on Social and Economic Development.

Clerk: Your Standing Committee on Social and Economic Development—

Some Honourable Members: Dispense.

Madam Speaker: Dispense.

Your Standing Committee on SOCIAL AND ECONOMIC DEVELOPMENT presents the following as its Second Report.

Meetings

Your Committee met on the following occasions in the Legislative Building:

- October 27, 2016
- November 1, 2016
- November 3, 2016

Matters under Consideration

- **Bill (No. 7) – The Labour Relations Amendment Act/Loi modifiant la Loi sur les relations du travail**

Committee Membership

Committee Membership for the October 27, 2016 meeting:

- Mr. ALLUM
- Hon. Mr. CULLEN
- Mr. LAGASSÉ
- Ms. LAMOUREUX
- Mr. LINDSEY
- Ms. MARCELINO (Logan)
- Mr. PIWNIUK
- Mr. REYES
- Mr. SMITH
- Mr. SMOOK (Chairperson)
- Mr. YAKIMOSKI

Your Committee elected Mr. SMITH as the Vice-Chairperson at the October 27, 2016 meeting

Committee Membership for the November 1, 2016 meeting:

- Mr. ALLUM
- Hon. Mr. CULLEN
- Mr. JOHNSTON
- Mr. LAGASSÉ
- Ms. LAMOUREUX
- Mr. LINDSEY
- Mr. MARCELINO (Tyndall Park)
- Mr. REYES
- Mr. SMITH (Vice-Chairperson)
- Mr. SMOOK (Chairperson)
- Mr. YAKIMOSKI

Substitutions received during committee proceedings at the November 1, 2016 meeting:

- Mr. HELWER for Mr. LAGASSÉ

Committee Membership for the November 3, 2016 meeting:

- Mr. ALLUM
- Hon. Mr. CULLEN
- Hon. Mr. EICHLER
- Mr. JOHNSTON
- Ms. KLASSEN
- Mr. LAGASSÉ
- Mr. LINDSEY
- Ms. MARCELINO (Logan)
- Mr. SMITH (Vice-Chairperson)
- Mr. SMOOK (Chairperson)
- Mr. YAKIMOSKI

Public Presentations

*Your Committee heard the following 45 presentations on **Bill (No. 7) – The Labour Relations Amendment Act/Loi modifiant la Loi sur les relations du travail:***

October 27, 2016 meeting

*Kevin Rebeck, Manitoba Federation of Labour
Michelle Gawronsky, MGEU—Manitoba Government and General Employees Union
Trevor Yuriy, Operating Engineers of Manitoba, Local 987
Sudhir Sandhu, Manitoba Building Trades
Darren Gibson, Private Citizen
Bernie Wood, Private Citizen
Beatrice Bruske, United Food and Commercial Workers
Kim Ferris, Private Citizen
Mike Howden, Private Citizen*

Lynne Fernandez, *The Canadian Centre for Policy Alternatives*
 Ken Stuart, *UNIFOR*
 Paul Lussier, *Private Citizen*
 Loren Remillard, *Winnipeg Chamber of Commerce*
 Charlotte Cameron, *Private Citizen*
 David Sauer, *Private Citizen*
 Jeff Traeger, *Private Citizen*
 Tim Cashion, *Private Citizen*
 John Godard, *Private Citizen*
 Rabia Syed, *Private Citizen*
 Mary Boudreau, *Private Citizen*

November 1, 2016 meeting

Drew Caldwell, *Private Citizen*
 Jeff Skinner, *IBEW Local 2085*
 Michael Barkman, *Canadian Federation of Students Manitoba*
 Geoff Bergen, *Private Citizen*
 J.P. Petit, *Private Citizen*
 Marianne Hladun, *Public Service Alliance of Canada*
 Christine Parag, *Workers United Canada Council*
 Breigh Kusmack, *Private Citizen*
 Greg McFarlane, *Private Citizen*
 Michelle McHale, *Private Citizen*
 William Gardner, *Manitoba Employers Council*
 Chris Rigaux, *Private Citizen*
 Marty Dolin, *Private Citizen*
 Jonathan Alward, *Canadian Federation of Independent Business*
 Serina Pottinger, *Private Citizen*

November 3, 2016 meeting

Wayne Chacun, *Private Citizen*
 Kelly Moist, *CUPE Manitoba*
 Paul Moist, *Private Citizen*
 Brianne Goertzen, *Private Citizen*
 Elizabeth Carlyle, *Private Citizen*
 Paul McKie, *Private Citizen*
 Lee McLeod, *Private Citizen*
 Gord Delbridge, *CUPE Local 500*
 Jerry Storie, *Private Citizen*
 Matt McLean, *Private Citizen*

Written Submissions

Your Committee received the following four written submissions on **Bill (No. 7) – The Labour Relations Amendment Act/Loi modifiant la Loi sur les relations du travail**:

Tony Sproule, *United Steelworkers (USW)*
 Zach Fleisher, *Private Citizen*
 Daryl Barnett, *American Income Life*

Cindy Murdoch, *Canadian Labour Congress*

Bill Considered and Reported

- **Bill (No. 7) – The Labour Relations Amendment Act/Loi modifiant la Loi sur les relations du travail**

Your Committee agreed to report this Bill without amendment.

Mr. Smook: Madam Speaker, I move, seconded by the honourable member for St. James (Mr. Johnston), that the report of the committee be received.

Motion agreed to.

Madam Speaker: Tabling of reports? Ministerial Statements?

MEMBERS' STATEMENTS

Thompson Royal Purple Elks Lodge

Mr. Kelly Bindle (Thompson): On September 24th, 2016, I had the pleasure of attending a Thompson Royal Purple Elks Lodge 276 meeting which included a visit from the grand exalted ruler of the Elks of Canada, Denis Ellingboe.

Thompson lodges 276 and 471 were instituted on March 24th, 1962, headquartered at the Elks Hall in Thompson.

Over the years, the lodges participated in many fundraisers and continue to donate to the Elks and Royal Purple Fund for Children.

Thompson Royal Purple Elks are pleased to support two-year-old Annabelle Shlachetka from Wabowden. This young lady was born with both legs underdeveloped and has since undergone several surgeries and been fitted with prostheses to enable her to walk. Having accomplished her crawling stage, she has now progressed to a running-around toddler.

The Elks of Canada also has a long and proud history of supporting programs related to hearing and speech because it is critical to a child's development.

A young mother, Vanessa Mosiondz, was once—was also in attendance at the September meeting to show her appreciation, along with her sons, 13-year-old Brody and his younger brother William. Brody had been born without fully developed ears and suffered severe hearing impairment.

Brody was five years old when the Royal Purple Elks became aware of his condition and provided financial assistance to arrange for Brody to receive

BAHA implants for bone conducting—conduction hearing and reconstructive surgery to provide him with ears. Now Brody can hear, and it is heart-warming to see how the Royal Purple Elks made it possible for Brody to live a normal life.

Over the years, the Royal Purple Elks had been—had seen significant decreases in membership. Thompson's lodge now has nine members, of which four members, Natalie—Nadia Portey, Jean Zebruck, Rita Werstroh and Vicki Fleming, a 50-year—58-year member, are still active.

Of these active members, Rita Werstroh is present in the gallery today. Please join me in recognizing Rita and the good work the Thompson Royal Purple Elks have done over the years and continue to do to help children.

In addition, Madam Speaker, I would like to request leave to have the names of all nine current members of the Thompson Royal Purple Elks included in Hansard.

Madam Speaker: Is there leave to include the names in Hansard? [*Agreed*]

Carrie Norquay; Nadia Portey; Vicki Fleming; Betty Bayne; Jean Zebruck; Shirley Miller; Iris Hohl, Rita Werstroh; Norma Halchyshak.

l'Union nationale métisse Saint-Joseph

Mr. Greg Selinger (St. Boniface): Madame la Présidente, fondée en 1887, l'Union nationale métisse Saint-Joseph est le plus ancien organisme du genre au Canada. Aujourd'hui, la vision de Louis Riel et de ses premiers fondateurs est plus forte que jamais : un pays fort dans ses valeurs d'inclusion, de diversité, de respect interculturel, et un pays bilingue. Leur message de fierté et d'unité métisse résonne encore aujourd'hui.

En Juillet 2017, l'Union fêtera son 130e anniversaire. Elle agit comme représentant, porte-parole des Métis canadiens-français. Elle est aussi la première championne des droits linguistiques au Manitoba et la grand-mère de tous les organismes francophones du Manitoba.

Cet organisme travaille sans relâche pour protéger les droits métis dans plusieurs secteurs: éducation, culture et patrimoine, tourisme, environnement et socio-économie. Je m'en voudrais aussi de ne pas souligner leur participation aux audiences et leur présence lors de l'adoption récente de la Loi 105.

Dans cette ère de vérité et de réconciliation, nous devons reconnaître sa grande résilience et détermination malgré les efforts de domination et de discrimination systémique, à continuer l'histoire vivante des Métis. Sans elle, nous ne serions pas qui nous sommes aujourd'hui comme Manitobains et Canadiens.

Madame la Présidente, permettez-moi de reconnaître encore la signification et la contribution indéniable de l'Union nationale métisse à la mosaïque manitobaine. Je les remercie pour leurs maints efforts comme porteurs d'histoire et de patrimoine métis du Manitoba.

Merci, Madame la Présidente.

Translation

Madam Speaker, the Union nationale métisse Saint-Joseph, which was established in 1887, is the oldest organization of its kind in Canada. Today, the vision of Louis Riel and the organization's founding members is stronger than ever: a bilingual country that has strong values of inclusion, diversity, and intercultural respect. The organization's message of Métis pride and unity still resonates today.

In July 2017, the Union will celebrate its 130th anniversary. It acts as the representative and voice of the French-Canadian Métis. It is also the first champion of language rights in Manitoba and the forerunner of all Francophone organizations in Manitoba.

The organization works tirelessly to protect Métis rights in many sectors including education, culture and heritage, tourism, the environment and the socio-economic sector. I would be remiss not to mention its participation in the hearing on Bill 105 and its presence when the bill was passed.

In this era of truth and reconciliation, we must acknowledge the organization's great resilience and determination in continuing the living history of the Métis, despite efforts to subject its members to systemic domination and discrimination. Without the Union nationale, we would not be who we are today as Manitobans and Canadians.

Madam Speaker, allow me to acknowledge once again the undeniable significance and contribution of the Union nationale métisse to the Manitoba mosaic. I thank the organization for its many efforts as the bearer of the Métis history and heritage in Manitoba.

Thank you, Madam Speaker.

* (13:40)

Sir Paul Martin and Peter Martin

Mr. James Teitsma (Radisson): Madam Speaker, I'm honoured to rise in the House today at the beginning of this week of remembrance.

This past summer, Transcona and, indeed, Manitoba and Canada, lost a hero. On July 4th, highly decorated World War II veteran and former mayor of the City of Transcona, Sir Paul Martin, passed away at age 96.

For decades it was Sir Martin's desire to honour and remember the sacrifices made by our veterans and to ensure that their acts of bravery are never forgotten. He would do so by visiting school after school, telling his famous stories. As the years of his long life came to an end, it was his expressed desire that we would all continue to remember for generations to come.

I should mention at this time that Sir Martin's widow, Gayle, is with us in the gallery.

Perhaps no one took Sir Martin's charge more seriously than his own son, Peter Martin. A faithful and long-time volunteer in Transcona, Peter has served as the president of the Transcona Historical Museum, the president of the Transcona playground 'unewal' association and the carrier of the torch of remembrance for Transcona Legion Branch # 7. This year, he has kicked it up a notch by helping to organize the No Stone Left Alone initiative here in Winnipeg.

This morning, Peter Martin and members of the Transcona Legion, including the honourable member for Transcona and myself, welcomed over 400 grade six students to the Transcona Cemetery to participate in this engaging and memorable ceremony of remembrance. Each attendee placed a poppy on a soldiers' grave in the Field of Honour. Every single headstone was attended, some by more than one student, as together we paid tribute to their service and sacrifice.

Peter Martin is in the gallery today together with his wife, Audrey, and 10 of the students that participated in this morning's ceremony. I ask that this House honour his efforts and the students' efforts in reminding us all of the sacrifices made in the defence of the freedoms we enjoy.

Madam Speaker: The honourable member for Radisson.

Mr. Teitsma: Madam Speaker, I ask for leave to have the names of all the students in attendance in the gallery to be entered into the Hansard.

Madam Speaker: Is there leave for the member to have the students' names added to Hansard? *[Agreed]*

Timothy Beijes, Zachary deBoer, Jesse DeVries, Matthew DeVries, Cody Hofsink, Hannah Moesker, Damian Schriemer, Kaden vanLeeuwan, Seth van Delden, Jaxon Welch.

Northern Mental Health Initiatives

Ms. Amanda Lathlin (The Pas): The mental health of our indigenous and northern populations is critical, especially in light of the recent crisis in Attawa–Attawapiskat and northern Saskatchewan—apologize.

It's estimated that in Manitoba's northern communities, almost 25 per cent of residents over the age of 10 suffered from some sort of mental illness in 2015, and almost 10 per cent suffered from substance abuse, higher than the provincial rate of 5.1 per cent. We're losing our workers, our professionals and our young people to mental illness and substance abuse, and we need to continue to work in order to find solutions to these issues.

Our NDP team has done a lot to promote mental health and well-being in all Manitobans and prevent mental illness wherever possible. We tripled our investment in mental health services and agencies and we invested more than \$150 million in mental health supports across Manitoba.

The Winnipeg Aboriginal Sport Achievement Centre north has also played a huge role in the fight against mental illness. This program provides opportunities for physical activity, leadership and employment in six First Nation communities. This is one of the very important initiatives led by my late father, Oscar Lathlin. It helps combat isolation, increase confidence and gives our youth a safe place to grow and play.

Despite these important measures, more has to be done to highlight mental health initiatives and provide appropriate care for those suffering from mental illnesses in the North. We must reach out to our brothers and sisters up north and assure they, too, receive the support they need.

Thank you, Madam Speaker.

Dufferin Gang

Mr. Alan Lagimodiere (Selkirk): Collectively, the efforts of a few can strongly impact a community, a province, a country and, in this case, a world war.

I'd like to introduce to the House the Selkirk legend known as the Dufferin Gang. Dufferin is the name of the street in Selkirk where just one block supplied what is believed to be the highest concentration of men and women who fought or served during the Second World War. Information collected to date has identified a total of 35 from this one quiet block of 20 homes: Lawson Dillabough, Charles Griffiths, Jack Norquay, Charles Tetroe.

Their reasons to enlist were uncertain. Bravery and patriotism come to mind, but there were other factors at work. The last living survivor of the Dufferin Gang once explained that in most cases it was a family tradition as most of their fathers were in the First World War.

Another factor may have been the fact that in 1939 the military regiment called the Fort Garry Horse ran a summer camp that most of the soldiers attended as kids.

In the end, the fact remains that virtually every eligible individual from this block enlisted and were prepared to give their lives for their country and democracy.

In the spirit of the upcoming Remembrance Day, I request the House pay tribute to all veterans and the Dufferin Gang.

Madam Speaker, I ask for leave to have the names of the 35 Dufferin Gang members entered into Hansard to recognize and honour their contribution to Canada, freedom and democracy. And with your permission I would like to ask the House to rise today and welcome some of the descendants of the Dufferin Gang who are in the gallery today.

Madam Speaker: Does the member have leave to have the names included in Hansard? *[Agreed]*

The Selkirk Dufferin Gang: Gordon Coutts, Lawson Dillabough, Rod Fidler, Raymond Fidler, Charlie Griffiths, Dan Griffiths, Harold Henrikson, Paul Henrikson, Dick Johnstone, Jack Laye, Jim Laye, Harold Little, Bill Little, Dunc McLean, John McLean, Bill McLean, Eric McLean, Jack Norquay, Tom Norquay, Siggie Goodbrandson, Harry Scramstad, Bob Scramstad, Otto Scramstad, Allan Sinclair, Jack Sinclair, Harold Starr, Stefan Stephanson, Charles Tetroe, Frank Tetroe, Alma

Gunter, Beatrice Gunter, Wade Gunter, Blair Gunter, Gerry Gunter, Brandur Goodbrandson.

Introduction of Guests

Madam Speaker: Prior to oral questions, we have some guests in the gallery and I would ask you to hold your applause until we have—I have been able to introduce a number of them.

Today is the beginning of Veterans' Week across Canada and today we honour all veterans who have done so much for all of us. We are honoured to welcome some here to our gallery.

With us in the Speaker's gallery, and I understand there might be some in the public gallery as well, we are honoured to introduce to you: John Stoyko, World War II rifleman with the Royal Winnipeg Rifles; Chief Warrant Officer, retired, Gerry Woodman, Royal Winnipeg Rifles; Hugh MacKenzie, Korean War veteran; Master Corporal Walker Brown, Afghanistan veteran, Royal Winnipeg Rifles; George Peterson, Battle of Hong Kong veteran, Winnipeg Grenadiers; Armand Lavalee, navy and air force; Ray Sawchuk, peacekeepers, air force pilot; John Gillis, artillery, Korean War veteran; Commanding Officer, 1 Canadian Air Division Headquarters, Lieutenant Colonel M. Spiers; and Chief Warrant Officer Serge Laforge; Joe Meconse, World War II Aboriginal veteran; Pedro Correia, president, Portuguese war vets; Carlos Bliviera, Portuguese war vet; Carlos Sousa, Portuguese war vet; and Antonio Neves, Portuguese war vet.

These are all the guests of the honourable member for St. Norbert (Mr. Reyes), and on behalf of all honourable members, we all welcome you here today.

I should also add I was honoured to be escorted to the doors of the Chamber today by several of the special guests just mentioned.

Also in the gallery today we have, from Victoria, British Columbia, Mr. Neufeld and students from the Institute for Global Solutions from Claremont Secondary School in Victoria, BC, who are the guests of the honourable Government House Leader (Mr. Micklefield).

On behalf of all members, we welcome you today as well.

And also seated in the public gallery, from Milltown Academy, seven high school students under the direction of Ron Kleinsasser. This group is

located in the constituency of the honourable member for Morris (Mr. Martin), and we welcome you here today as well.

* (13:50)

ORAL QUESTIONS

Employment Loss Economic Plan

Ms. Flor Marcelino (Leader of the Official Opposition): Since May of this year, Manitoba has lost nearly 12,000 full-time jobs. That's bigger than the population of Winkler.

Manitobans deserve an active government that has a plan, a plan that builds for the future of Manitoba. Just this last month, another 800 full-time jobs were lost. This government needs a plan and needs to take action.

Will the Premier and his government commit today to convening an urgent action plan to deal with these job losses?

Hon. Brian Pallister (Premier): I want to thank my colleague for the preamble, and I wanted to also, if I might, Madam Speaker, add my thanks and congratulations and enduring respect to our veterans who are here with us today. And I would encourage the young people in the gallery, if they have the opportunity, to thank the ladies and gentlemen who served and to learn from them, and they will be wiser for the discussion.

We were, six months ago, honoured by the people of Manitoba with a mandate to—after a decade of debt, to fix the finances of our province; after a decade of decay, to repair the services; and after a decade of decline, where we actually finished second last, Madam Speaker, in the previous administration in economic growth, to work to rebuild the economy of our province. And we embrace the challenges that we've been honoured to have given to us by the people of Manitoba.

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

Ms. Marcelino: Just reminding the Premier, when he took power of the new government, Manitoba was—had the record of second lowest unemployment rate in the country.

Madam Speaker, nearly 12,000 full-time jobs lost since May: that's nearly the size of Portage la Prairie. Most worrisome is that more and

more Manitobans are having to take part-time employment. Much part-time work is precarious work without the guarantee of good pay or benefits.

Will the Premier commit to creating an economic plan to build for the future of Manitoba and address the rise of precarious work?

Mr. Pallister: Madam Speaker, I am impressed on a daily basis with the degree of commitment of my colleagues, on this side of the House, to fix, to repair and to rebuild Manitoba after a—the dismal performance of the previous government. We know that the previous government had a spending problem—acute spending problem which resulted in Manitobans enduring the highest—highest—tax increases in Canada, of all Canadian citizens.

We also know that the record rate of debt increase under the previous administration was a burden that was imposed on future generations and us, when we're older and more vulnerable, Madam Speaker, as well. And we know that their record was one which resulted in the worst poverty of any Canadian province. This was their record; it will not be ours.

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

Premier's Enterprise Team Labour Representation

Ms. Flor Marcelino (Leader of the Official Opposition): Reminding the Premier, when he took office in May, Manitoba, according to the Conference Board of Canada, was second best economy in the country.

Madam Speaker, nearly 12,000 full-time jobs lost since May: that's double the size of The Pas.

New Democrats have an inclusive vision for the future of Manitoba and we know that the economy cannot move forward unless it's in co-operation with business and workers, yet the Premier has shown he wants to pick a fight with the labour and interfere with the collective bargaining process.

Now, the Premier may think he's scoring political points, but it hurts us all.

Will the Premier bring Manitobans together to address this urgent issue? Will the Premier commit that his economic team will include representatives from all walks of life, including Manitoba workers?

Hon. Brian Pallister (Premier): Madam Speaker, there is a reason that the NDP has developed the

slogan Today's NDP, and that reason is because they want everyone to forget about their record in the past, and they have placed the future of our province in jeopardy with their lack of foresight. So Today's NDP is an apt description, but not a complimentary one.

I don't share, nor do members on this side of the House, the depression that would be natural for members opposite to feel following their dismal performance in the election of six months ago. I understand they are grieving. And I understand they would like to claim credit for imagined accomplishments. But their real record is a dismal one and they have left this province in a situation where we have increasingly led the country in the exports of people from our province but not of goods and services.

They refuse to enter into trading arrangements because they are opposed to trading arrangements, Madam Speaker, on that side of the House. We are not. And they made a habit of taking from the future at the expense of the future. We will not do that. We'll build a stronger future with Manitobans as partners.

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

Tolko Industries Long-Term Plans

Ms. Flor Marcelino (Leader of the Official Opposition): Under today's Conservatives, 12,000 full-time jobs were lost.

Madam Speaker, I want to thank the workers of The Pas for their leadership over the past few weeks. They have made tremendous sacrifice. The government owes it to the workers to find the long-term solution that keeps this mill open.

All summer we asked the government what actions it would take to ensure the mill stayed open for the long term, and all we got back was platitudes.

Will the Premier today show us his comprehensive plan for keeping the mill open now and for the future?

Hon. Brian Pallister (Premier): Well, Madam Speaker, as opposed to the previous administration, whose last visit to The Pas was, I believe, one allegedly—according to a former chief of OCN, it was done for the purpose of buying votes with promises of jobs.

We, on the other hand, have been working in partnership with the people in the community and with the potential purchaser—purchasers, potentially, and a vendor to get results, which the previous administration failed to get over the previous decade. Even though they dumped \$20 million in subsidies into that community, it didn't result in the protection or preservation of employment for the people there.

We're about getting the people there secure and work. And that's what we'll continue to focus on.

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

Ms. Marcelino: I also want to thank the town of The Pas for their tremendous sacrifice to keep the paper mill open. This is a terrible ordeal for any community to face, and their community has made significant concessions to keep working for now. However, the government has a responsibility to come to the table and find a long-term solution that keeps those jobs.

Is the Premier prepared to take any steps to ensure the mill stays open for the long term?

Mr. Pallister: Madam Speaker, over eight years prior to the circumstances that the folks at The Pas faced and that we worked with them to face effectively, the previous administration dumped \$20 million of subsidies towards the company and failed to achieve any sustainable security for the workers there.

So what they failed to do in eight years, we are working with the people in the community to accomplish in just a matter of eight weeks.

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

Ms. Marcelino: I wrote the Premier this summer about a number of issues facing the mill at The Pas, including accessibility of timber and transportation costs. These are issues on which the Premier can act. But just like in question period, we never received a satisfactory answer to these issues.

Now that the town and the workers have stepped up, will the Premier take any steps to ensure The Pas gets a good deal, not just for today, but for the long term?

Mr. Pallister: Madam Speaker, this would be the fundamental difference between the previous government and our own. They concern themselves

very, very much with getting credit whenever possible, nothing short of putting up billboards to claim that they were accomplishing things they were not or buying record amounts of advertising to promote what they were doing.

* (14:00)

But, Madam Speaker, our—the different approach that we're taking is one which involves giving credit, not taking it. And so we're working effectively with the people of that community, as we will work with all communities to secure gains.

But we care more about our landings than we do our takeoffs. The previous government seemed to care more about getting credit and placing blame than it did with getting results. We'll focus on results.

Labour Relations Act Withdrawal Request

Mr. Tom Lindsey (Flin Flon): Over the past two weeks, this government has heard the voice of working people. Their collective voice has clearly said that Bill 7 is a bad bill, one that should be withdrawn because it will hurt workers. Presenters spoke eloquently about the intimidation and harassment that they endured when trying to unionize, and now this government wants to make it harder.

Will this government listen to workers and withdraw Bill 7?

Hon. Cameron Friesen (Minister of Finance): This government is proud to restore the right to workers in this province to have secret ballot [*inaudible*]

In so doing, the new government of Manitoba of course joins the ranks of many other provinces, becoming the seventh province in Canada to afford workers with these protections. This is reasonable; it is certainly best practice; it is work that we take very seriously and we are proud to accomplish on behalf of all working Manitobans.

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

Mr. Lindsey: This government needs to protect Manitobans' rights to unionize, a constitutionally protected right. If they were serious, they would acknowledge the need to put protection against harassment, intimidation, as part of this, to the employer. They would recognize the real facts on the ground and would protect workers against unfair labour practices.

Will this government amend Bill 7 in order to really protect working people's rights?

Mr. Friesen: The member should understand, of course, that the path that we have chosen is a balanced path. It is a path that responds to real concerns that have been expressed to this government.

We have listened. We are restoring these rights that used to be in place. Understand, of course—these members should understand that the protections they see fit to provide to themselves in their own constitution are the same protections they would not give to Manitoba workers.

This is the right path for Manitoba at the right time. We're pleased to take this course.

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

Mr. Lindsey: This government tries to deflect and distract from its attack on labour, but it is transparent what they are trying to do. They're trying to undermine the rights of workers to unionize. Their arguments are based on spurious research and political posturing. Even some of their own presenters that showed up, their facts were somewhat questionable, to say the least.

Will this government actually listen to Manitobans who showed up and expressed their views, and to many more Manitobans, and will they withdraw Bill 7 today?

Mr. Friesen: I note the fact that today we have in the gallery visitors, a delegation from British Columbia, and I would remark to this Chamber that, in that province, the mothers and fathers of the young people we see in the gallery today have that provision in law to protect workers against any efforts of a group to persuade them. Those provisions to allow them to have that vote in secret are respected in places like Ontario, Saskatchewan, Alberta. We join the ranks of those provinces in bringing this good—this good—change on behalf of all workers.

Introduction of Guests

Madam Speaker: Prior to proceeding with oral questions, we have another guest that I would like to introduce you to. Gerry McAlpine, the former MLA for Sturgeon Creek is in the loge to my right, and we welcome him here today.

Freedom Road Construction Provincial Funding Commitment

Ms. Amanda Lathlin (The Pas): After a recent meeting with the minister of indigenous affairs, the federal Indigenous and Northern Affairs Minister is frustrated. This government has refused to say where they stand on one-third commitment to building an all-weather road to Shoal Lake 40 First Nation. Both the federal government and the City of Winnipeg have promised their fair share, and now we're just waiting on the Province, with no excuse for the delay. But the federal minister's frustration is nothing compared to the frustration and outrage of the residents.

Will the government stop procrastinating and commit to their one-third share and start building Freedom Road?

Hon. Blaine Pedersen (Minister of Infrastructure): I thank the member for asking that question because access to communities is very important and something that many of us take for granted.

But after a decade of debt and decay and decline, this government continues to work with our indigenous partners, the federal government, the City of Winnipeg. I recently met with Chief Redsky, and as we fix our finances, and repair our services and rebuild our economy, this government will get this road built, unlike the previous government.

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

Ms. Lathlin: The government's stubbornness means the—another summer has passed where the little work on Freedom Road that was done was led by the community's own initiative.

Now the residents are facing yet another winter where they are forced to use an ice road that puts their health and safety in danger every day. Their commitment made to—the commitment made to Shoal Lake meant that an environmental review for the road was under way until this government pulled out and put Shoal Lake 40 residents on the back burner.

Will the government stop with the delay, stop playing games with the Shoal Lake 40 and commit their fair share to build Freedom Road?

Mr. Pedersen: I thank the member for that question.

And as I stated, accessibility to communities is something that many of us just take for granted, and that's why this government continues to work with our indigenous partners. As I said, we just recently met with Chief Redsky, that we are working with our indigenous partners, the federal government, the City of Winnipeg; environmental studies are going on; the engineering work is proceeding.

Unlike the previous government, this government will get that road built.

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

Ms. Lathlin: Eight months have gone by since this government gained office and we've seen nothing but inaction from them, particularly in isolated communities like Shoal Lake and northern Manitoba.

Shoal Lake's patience is wearing thin and it's time this government start to walk the walk. People's lives and livelihoods are on the line.

Will the minister stand in this House and commit, right here, right now, to funding one third of Freedom Road?

Hon. Brian Pallister (Premier): Madam Speaker, to be fair, we will get it done where they didn't in 17 years, and I think that's an important thing to understand.

But it is also important to understand that the previous administration, while deeply divided and fighting amongst themselves, lost sight of the fact that they needed to build that road and didn't get anything done. The only investment that they really made in access in indigenous roads was about a half a billion dollars over seven years on the east side, and they only got 50 miles of road built.

So, Madam Speaker, at that rate it would take them a good half-century to get the job done, maybe longer, and the people of Shoal Lake are very grateful that a new administration is in place that will actually focus on building the road, not just talking about building the road.

Freedom Road Construction Provincial Funding Commitment

Ms. Nahanni Fontaine (St. Johns): I had the privilege of travelling to Shoal Lake 39 and Shoal Lake 40 just over a little—a week ago. And one of the first things guests are told by Stewart Redsky when visiting, is that Shoal Lake 40 remains isolated

without drinking water as if it was 50 years past—excuse me.

I met with Chief Redsky, where I was advised they've met with both the ministers for indigenous affairs and Infrastructure, and yet, despite this, they still remain unsure of the Province's commitment to Freedom Road.

* (14:10)

Do the ministers believe that under the tripartite agreement the Province has a legal commitment to building Freedom Road for economic development in Shoal Lake 40?

Hon. Blaine Pedersen (Minister of Infrastructure): I thank the member for bringing up this important issue, because the difference is, is that the previous government—and this member is continuing it—it's all about photo ops. It's not about photo ops. It's about building a road. This government will get the road built.

Madam Speaker: The honourable member for St. John's, on a supplementary question.

Ms. Fontaine: I can assure the minister that it's not about photo ops. It's actually about people's lives.

Both Canada and Winnipeg are on board in committing to build Shoal–Freedom Road. While in Shoal Lake I met with a residential school survivor who invested all of his residential school compensation dollars into equipment to build Freedom Road. This residential school survivor is a very concrete illustration that Freedom Road is an act of reconciliation. It's an opportunity for Shoal Lake 40 citizens to have a future, to have hope, to build for their families and to achieve their dreams.

Will the minister stop delaying Freedom Road and honour the previous commitment to fund one third of the total cost?

Mr. Pedersen: I thank the member for the question, because what this raises is trust or the lack of trust in the previous government.

We met with Chief Redsky. We had an excellent discussion with him and it was about building a relationship with Chief Redsky, about building trust in this government that we really are serious about getting this road built, unlike the previous government that was only interested in photo ops, announcements, lip service to that community.

This government is continuing to work to get the engineering consulting work done, including the in-

consultations with indigenous groups. We will get this road built where that government failed.

Madam Speaker: The honourable member for St. John's, on a final supplementary.

Shoal Lake 39 First Nation Economic Development Strategy

Ms. Nahanni Fontaine (St. Johns): While in Treaty 3 territory I met with chief-in-council of Shoal Lake 39 who shared territorial land with their Shoal Lake 40 relatives. Shoal Lake 39 have borne impacts from the development of Winnipeg's aqueduct, including being cut off from their collective territories and relatives.

To date, they haven't heard anything from this current government either.

Will the ministers tell us when they will be meeting with Shoal Lake 39 and advise how they plan to include their First Nation in economic development strategies?

Hon. Brian Pallister (Premier): Madam Speaker, we'll get it done where the previous administration didn't, but beyond that, if you consult—and I encourage members to read the Auditor General's examination of the previous administration's record when it came to building roads to give First Nations access.

If you want to read it, you'll find out that the previous administration blew a lot of money, but didn't get a lot done. If you go to the communities and you talk to the chiefs and councils or the residents you'll find out that they didn't get the mentoring they were promised. They didn't get the training they were promised. They didn't get the vehicle maintenance that they were promised. They didn't get the opportunities to build small businesses that they were promised. They didn't get the jobs they were promised.

Now, that's the record of the previous administration, according to the Auditor General of our province. If the member would like to read that report, she'd share our concerns as to the capabilities professed to by the members of the opposition in terms of building anything.

Senior Housing Development Government Intention

Ms. Cindy Lamoureux (Burrows): I think that we can all agree that a person should not be forced to

move away from an area that they are familiar and comfortable with.

Madam Speaker, imagine living in a community for 40, 50, or even more years, and you want to be able to move into a 55-plus type of complex in the same area.

What is the government doing to support and encourage development in our older communities to help facilitate this?

Hon. Kelvin Goertzen (Minister of Health, Seniors and Active Living): The member for Burrows raises a significant point and a good point. There are far too many of our seniors within Manitoba who sometimes find it difficult to find the living accommodations that they would like in the communities that they have helped to build. That has been a problem that has developed over the last many years, a challenge certainly for this government, but a challenge that we're willing to take head on in trying to ensure that those who have built Manitoba can find the best suitable place to live in the years that they're enjoying and hopefully enjoying their senior years.

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

Low-Income Manitobans Support for Housing Repairs

Ms. Cindy Lamoureux (Burrows): I'm happy that the minister recognizes this issue. I would just—I look forward to seeing some action being taken on it.

Madam Speaker, there are many homes in communities where there is a dire need for housing repairs. This need would generate jobs; it would improve quality of housing stocks. It would create home ownership and community pride. It would enable people to live in their homes longer and it would strengthen a person's safety and health.

Madam Speaker, if it is not an emergency repair, to what degree is this government prepared to assist people in fixing up their homes who have an annual household income of less than \$30,000?

Hon. Scott Fielding (Minister of Families): I very much appreciate the question.

I can tell you I was recently at federal ministers meetings in terms of housing, in terms of providing a long-term housing strategy. Our government right now is consulting with Manitobans about housing needs going forward. We've had close to five of

seven planned meetings for these areas. We take the housing solution's important; that's why we're going to have a comprehensive plan with the federal government going forward.

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

Derelict Housing Infill Home Policy

Ms. Cindy Lamoureux (Burrows): There are derelict homes in many communities throughout the province due to Manitobans not being able to keep up with the cost of living. If people want to remain in their homes, we should endeavour to assist them in any way that we can. In many cases, these derelict homes need to be demolished and it is often in the best interest of the community as a whole to have the house replaced.

Will the minister inform the House as to what this government's policy is with respect to promoting and encouraging infill homes?

Hon. Scott Fielding (Minister of Families): As mentioned, we—this government is very much in favour of affordable housing solutions for everyone, whether it be home ownership, whether it be Manitoba Housing stock. And what we've seen over the last 17 years with the previous government, there's over \$500 million of deferred maintenance in terms of housing that was a part of this.

This government is the one that supported the Rent Assist program that provides housing solutions for people. We're consulting. You're going to hear more with us. So with work with the federal government in terms of this, I encourage you to speak to your federal government cousins to help encourage that, as there's dollars that are in play.

Thank you.

Protecting Children Act Update on Legislation

Mr. Bob Lagassé (Dawson Trail): Madam Speaker, our government is committed to doing everything in our power to protect the most vulnerable members in our society: our children. This is why we have moved forward with Bill 8, The Protecting Children Act, which will be debated in this House this afternoon.

Can the Minister of Families please tell this House more about this important legislation?

Hon. Scott Fielding (Minister of Families): Well, thank you very much for this important question.

And we're very proud of The Protecting Children Act. This is something that was talked about, the important nature of sharing information, breaking down silos in the Aboriginal Justice Inquiry, in things like the Hughes inquiry. That was something that wasn't done under the previous administration. That is something that we're going to get done.

Madam Speaker, there's a number of benefits to The Protecting Children Act, including quicker responses in terms of addressing issues of need and things of better prevention and earlier intervention which is everything that this government should be focusing on in terms of protecting children.

Post-Secondary Capital Projects Federal Funding for Manitoba

Mr. Wab Kinew (Fort Rouge): Half of the federal strategic infrastructure funding for post-secondaries has been announced, but we still haven't heard anything about Manitoba receiving any of that. We know post-secondary institutions from Assiniboine Community College to the University of Manitoba, to the University of Winnipeg and others have plans for capital projects, but what's the provincial government doing to make sure that Manitoba gets its fair share of those investments?

Will the minister tell the House when we can expect to hear about a post-secondary construction project here in Manitoba?

Hon. Ian Wishart (Minister of Education and Training): I appreciate the question.

We have been working very long and hard with the post-secondary institutions and the federal government to take advantage of the federal funding available in a very limited window, and I can assure the member that it won't be very long until he starts hearing some announcements.

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

* (14:20)

Mr. Kinew: Well, there is a significant amount of money on the table here, Manitoba could see up to \$100 million in new investments for post-secondaries. But we need to know that the government is going to show up and fight for our province's fair share. We know the post-secondaries have plans. We know the federal government has the

funding being offered on the table. What we don't know is what the Province is doing to ensure that Manitoba will see some of those investments.

So can the minister of the House—can the minister tell the House today about what the timeline is, specifically for these announcements, and when Manitoba students can find out if we're going to be investing in their futures?

Mr. Wishart: I can assure the member opposite that we have worked with post-secondaries and with the federal government to make sure that we took as much advantage of the funding opportunities as was available.

We will certainly work with them, and there will be announcements coming, but I got to remind the member it's about the results, not about the announcements.

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

Mr. Kinew: We'd love to hear about results too, if the government would ever show us some.

These post-secondary investments will help ensure Manitoba students are ready for the knowledge economy and for the jobs of the future. These investments could mean more people ready to work in the health-care system in Brandon, could mean more people ready for green jobs in downtown Winnipeg, could mean more cutting-edge research at the University of Manitoba. But all that innovation is at risk if we don't take advantage of this window of opportunity and secure these investments for Manitoba.

So will the minister tell this House about the results: Specifically, which projects are highest priority and when can we expect to hear about them?

Mr. Wishart: I appreciate the member's question.

We have been working very closely with the post-secondary institutions regarding this opportunity. We believe that they should be the first ones informed, not using this as an opportunity to run to the media with a storyline for the benefit of politicians.

When you look back to see what this government did with education, their results speak for themselves: 10th out of 10.

Manitoba Hydro Consultant Report Costs

Mr. Ted Marcelino (Tyndall Park): This government is starting to believe its own spin. It ordered Manitoba Hydro to commission an untendered contract for a 40-page political report.

This report did not use any new information and came to a conclusion that was obvious from the very beginning. It visited no communities and reached out to zero groups. The cost: \$4.3 million.

How is this waste of millions of dollars value for money?

Hon. Brian Pallister (Premier): That was the best question from that member this session, Madam Speaker, and it deserves an answer; it does.

He says that the report reached conclusions that were obvious to all from the very beginning. What were those conclusions? Well, they were: Bipole III was the lowest cost option—that was one of the conclusions. That wasn't obvious to members opposite when they forced it over to the west side of the province, Madam Speaker.

They also said that the new generation capacity wouldn't be required for domestic demand for many years to come; that was obvious to all. They also said that, unlike Bipole III, our analysis determined the accelerated commencement of construction of Keeyask was an imprudent decision on the part of the previous NDP government.

So, if these were obvious conclusions to all concerned, Madam Speaker, the question I guess I have for the member and his colleagues is: Why did they go against all these pieces of information that were so obvious to everyone else?

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

PUB Review

Mr. Marcelino: During the election, the members opposite pretended that they would deliver an independent review of Bipole III by the Public Utilities Board.

The Premier displayed a baffling lack of trust in the mandate of the PUB, and it is understandable if Manitobans are worried this could undermine public confidence in the PUB.

Why did the Premier backtrack on his commitment to do an independent review by the Public Utilities Board?

Madam Speaker: Order.

Mr. Pallister: Madam Speaker, I encourage the member to do a little more research before delivering preambles like that.

The previous administration had so little respect for Manitobans and for the experts at Manitoba Hydro, they went against what—everything that the experts had recommended, was brought forward. They said, let's do the opposite of that, and they didn't even take this billion-dollar, billion-dollar, bipole waste line boondoggle, they didn't even take it to the Public Utilities Board.

So, Madam Speaker, while they were hiding from accountability, while they were ordering experts around, pretending they knew something about hydro, all they really knew was how to waste a billion dollars and get less for Manitobans in return.

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

Export Sales

Mr. Marcelino: I feel honoured it's the Premier who's answering at least two of my questions.

The previous government had a plan for the long-term development of Hydro and it was a good plan. Hydro expansion and exports will pay off in the long term.

The Premier—

Some Honourable Members: Oh, oh.

Madam Speaker: Order. Order. Order.

Mr. Marcelino: The Premier has undermined that vision by undermining the reputation of Manitoba Hydro, all in order to bring Hydro in line with his out-of-date views.

Will the Premier commit to selling hydro power for export?

Hon. Ron Schuler (Minister of Crown Services): I would encourage the member to actually read the report, because it makes it very clear in the report the magnitude of the overall level of debt that both Hydro and the Province of Manitoba would ultimately be exposed to would harm the province.

I think the question is, Madam Speaker, basically, why did the NDP, during their watch, bankrupt Manitoba Hydro?

**Home-Care Leadership Team
Report Findings and Recommendations**

Mr. Matt Wiebe (Concordia): Madam Speaker, home care was born in this province and Manitobans know that it's essential that it stay public, universal and accessible.

In 2015, a home-care leadership team was created to develop a strategy to strengthen Manitoba's home-care services and plan for the future. The team was expected to complete its implementation plan in late 2016 and it's now wrapping up its review.

Can the minister update the House on the status of this report and commit to publicly releasing the team's findings and recommendations?

Hon. Kelvin Goertzen (Minister of Health, Seniors and Active Living): Madam Speaker, it's a report that I expect to receive shortly. It's certainly true that home care is an important service in Manitoba. We have many who are working in our home-care field who do tremendous work each and every day. We appreciate the work that they do. They're making the lives and literally thousands—making the difference in literally thousands of Manitobans' lives and we thank them for the work that they do on our front line's services.

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

Mr. Wiebe: Indeed, Madam Speaker, the leadership team was established specifically to hear directly from clients, from families and from workers for their insight into this public system.

Manitobans want assurances that the public system they've come to rely on will be protected and invested in, not opened up to private partnerships.

Will the minister confirm that Manitoba families and workers were listened to, that their voices will be reflected in the report's recommendations and that all the data collected by the team will be made public?

* (14:30)

Mr. Goertzen: Well, Madam Speaker, in fact, we've been listening to Manitobans since the very first day that we took office, but long before that, as an opposition, we held many public hearings. We listened to Manitobans as they came and told us their

views. And, of course, during the election, the ultimate time when you get the chance to listen to Manitobans, hundreds and thousands of doors were knocked upon, and we heard from those Manitobans and they spoke loudly during the election.

This member should accept the results of the election. He's like Donald Trump: he doesn't want to accept the results of an election, Madam Speaker.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. Order. I would just urge some caution with all of our members, that we are responding to each other and asking questions and answering in a respectful manner. And I would just urge all members to try a little bit harder so that we can achieve some level of decorum in this Chamber related to that. So I would appreciate everybody's co-operation.

The honourable member for Concordia, on a final supplementary. *[interjection]* Order. The honourable member for Concordia was probably ahead of me.

The time for oral questions has expired.

Petitions? Grievances?

**ORDERS OF THE DAY
GOVERNMENT BUSINESS**

Hon. Andrew Micklefield (Government House Leader): Madam Speaker, we'd like to call for concurrence and third reading—if I can just get to my notes here—of Bill 8—sorry, stand corrected—report stage for Bill 8.

Madam Speaker: It has been announced by the honourable Government House Leader that we will be debating report stage amendments on Bill 8 this afternoon.

REPORT STAGE AMENDMENTS

**Bill 8—The Protecting Children
(Information Sharing) Act**

Madam Speaker: So, report stage amendments, Bill 8, The Protecting Children (Information Sharing) Act. *[interjection]* Order, please. Order, please.

Hon. Jon Gerrard (River Heights): Madam Speaker, on House business, I wonder if you could please canvass the House to see if there's leave for me to distribute in the House a report stage

amendment to Bill 8, and for the House to consider this amendment today, following the consideration of the other amendments to this bill listed on the Order Paper.

Madam Speaker: The member for River Heights (Mr. Gerrard) has asked for leave to bring forward an amendment, a report stage amendment. Is there leave for the member to bring forward a report stage amendment?

Mr. Micklefield: We're willing to grant leave with a time restriction of 10 minutes on this particular amendment.

Madam Speaker: Just on a point of information for the Government House Leader (Mr. Micklefield), there is either leave or not leave granted, and you cannot put—there can be no time conditions put on, because that's already determined. So it's either there is leave allowed or there is no leave allowed.

Mr. Micklefield: Leave is granted. We do have a verbal understanding, then, that in total it will be 10 minutes.

Madam Speaker: Leave has been granted.

Ms. Nahanni Fontaine (St. Johns): I move, seconded by the member for The Pas (Ms. Lathlin),

THAT Bill 8 be amended in Clause 1 in the definition of "supported child" by striking out clause (c).

Madam Speaker: It has been moved by the honourable member for St. Johns, seconded by the honourable member for The Pas,

THAT Bill 8 be amended in Clause 1 in the definition "supported child" by striking out clause (c).

The report stage amendment is in order. Debate can proceed.

Ms. Fontaine: I just wanted to put a couple of words on the record in respect of our proposed amendment.

As some of the discussion that occurred at committee, there's concern that including children who have—are in need of educational plans is too broad for this particular piece of legislation in respect of that these are children that are not in the care of CFS. These are kids—these are children that may need a little bit of extra help with reading or these are children that may need a little bit of extra tutoring. Excuse me.

And—but these—those children actually fall under this legislation so that personal and confidential information of these children can actually be

disseminated with we're not entirely sure who at this point. There was some discussion at committee that there's, at the discretion and under strictly necessary, those are the parameters of what information can be disseminated. But it is still too broad and not enough protection mechanisms within that—those pieces so that when we're talking about children that—and there are thousands of children in Manitoba that are going to need education plans.

And I've spoken with some parents who—a lot of Manitobans are not even aware that their children—if their children need individualized education plans are actually now subject to this piece of legislation in respect of their information on their child.

So our concern is that this particular piece of the legislation is too broad. They don't need care; they're not a part of CFS; and they certainly don't need their private information shared with—really, again, I think that it's really important to stress that we don't know who and in some respects maybe share even willy-nilly with we're not even sure.

So I think that for us on this side of the House we support this bill in principle, and what we're trying to do in the most respectful way is just to strengthen it a little bit and put in more privacy measures and security so that the privacy of children are protected and that their information and that information of their parents isn't unduly or unnecessarily disseminated with whoever.

So I think that I will leave it there for now, Madam Speaker.

Hon. Scott Fielding (Minister of Families): I very much appreciate this. I wanted to thank the members opposite as well as the Liberal caucus for their involvement within the bill. I truly think this bill is a fantastic bill. It's a—as mentioned earlier on, the Aboriginal Justice Inquiry, the Hughes inquiry spoke to these issues. We talked about the education component for them.

Members of our caucus, there's actually quite a few here. I know the House leader has a background in education and I believe the member from Lac du Bonnet has a background in education. There's a number of other people that have in—extensive backgrounds in education. And I can say of all the areas that I think the education—sometimes if you ask teachers they would find out that education truly is sometimes the first-service providers that recognizes at-risk children—addition to supports.

* (14:40)

So we truly think that, No. 1, this is one of the most important elements of the bill and areas that should be focused on it.

I mentioned during committee, but I'll mention again, that we truly think that there is a professional discretion that's involved in this. So what we're saying is that the legislation is enabling, so it allows—what it does, it gives permissions to service providers to share that information; it doesn't force them to do that.

And what we did in this legislation is we built three things in that we thought narrowed the scope to ensure right information is a part of it. Number 1 is that information is only shared that's in the best interest of the child. So that educator, if you're talking about the education system, through individual education plans, does not have to share the information if they don't think it's in the best interest.

Number 2, we built in the fact that a minimum amount of information should be shared. Different—quite different from the Alberta model, the Alberta legislation that was a part of it.

And No. 3, the fact that the education system, it can only be used for the long-term care of the plan. So, to be fair, we think that the education system is bar none one of the most important aspects of this, because they're the ones that see some of these at-risk children in the first part of it.

I do want to mention a few other things. Number 1, I did table a letter from the School Boards Association—school board board. But I am going to read from their letter. It has been tabled already in third reading, so I understand from our clerks' department that I am able to read into the record. But I will read this. This is written by Mr. Ken Cameron, who's president, once again, of the School Boards Association. It says, on behalf of the pool—public school board in Manitoba, our association would like to affirm our full support for this proposed legislation. For many years, staff and students within the public school sector in Manitoba have been encountered challenges in terms of sharing information between a relevant authorities and public schools in instances where vulnerable students may be subject to health-related treatment.

I paraphrase this, but our sector's ability to provide relevant support and services to such students has been challenged by statutory or regulatory—or regulated privacy restrictions. Regrettably, this restrictions can result in preventing

school staff from accessing more needed information in a timely manner to ensure that our schools are able to provide necessary support in the lives of affected children.

So they go on to say—and I won't read the whole letter, but it goes on to state that they very much are supportive of this, they wrote a letter of endorsement of this. These are folks that are elected in our schools, that know our school system extremely well, and they're very supportive of it. They seem to think that the education system is something can very much be supported by this.

There was some talk in committee about examples in the education system, so what I will do is talk to you about an example in the education system where I truly think this legislation would benefit. The example is, a child's teacher discusses their concerns about a child related to a possible mental health challenges within a child's—with the child's parents. The teacher suggests the parents seek mental health services for the child. The parent follow up with a suggestion on the regional health authority's child and adolescent community mental health worker, complete an assessment and begin work with the child and family. During the course of the treatment, the child identifies key stressors, so key stressors that occur during the school day. The new legislation allows for the community mental health worker to discuss the concerns with the teacher and share treatment strategies that the teacher could use to support the child, as well as to gain the teacher's perspective on a classroom issues. This information that the community mental health worker was able to collect from the education system strengthens a co-ordinated approach to the treatment of a child in family services.

So that's one example. I will give you one more example here, Madam Speaker, why I think it's really important to maintain this clause within the current legislation through the education system.

A child with autism spectrum disorder is living in a foster family and has been enrolled in a new school. Diagnosis and treatment plans may be shared with and amongst educators, when necessary, including classroom teachers. This would better inform the IEP process and enhance implementation of the IEP in the classroom setting. Educators can share information and outcomes included in the child's IEP with daycare providers, other service providers to facilitate and integrate it in a consistent approach in supporting children across the settings.

So educators can refer a high-risk student directly to multi-agency programs along with more complete 'depictions' of the child's situation and needs in order for the child to access direct services in a timely manner. So educators may share potential or pertinent health and/or social information with medical professionals to better inform medical treatment plans, including mental health issues.

So, Madam Speaker, we very much support this. I do appreciate where this is coming from. But I think I have outlined why I think it is important that education is included within this legislation. It's endorsed by the school trustees. I've given you some examples of how I think it can work within the system, and we truly think that it's important and we will not be supporting the clause brought forward.

Mr. Gerrard: Madam Speaker, I thank the member for St. Johns (Ms. Fontaine) for bringing this amendment forward because I think it is important and timely, and I'll explain briefly why with a story.

I understand the minister's concern about being able to share educational information and there is a potential, if this was done well and wisely, that it could be very helpful. But the problem is that we're in a situation in Manitoba where we've had more than 10,000 kids taken into care and this has created situations where there's a bunch of kids who never should have been taken into care in the first place. And parents are very afraid that this information can be misused. And I will tell you a story, which is a true story, of what happened.

A—two parents who had a young child who had a learning disorder, and he was, as a result of his learning disorder, a little bit slow in school. The school, instead of helping get the resources that were needed for this child and instead of helping the parents with the child, decided that this wasn't a problem with the child, it was a problem with the family. And so they took this situation to Child and Family Services and reported the family as a family of great concern.

The—what happened over the next number of years was this child and his siblings were all taken into care, in my view, from what I know of the story, without the justification that there ever should have been. This is a family which should have been helped instead of the kids being taken into care.

After many years back and forth, after many years fighting in the courts to get his situation heard so that he could be treated fairly, after many years of

Child and Family Services—in his case I won't name the agency—delaying and delaying and delaying and delaying, and the sad thing was that in a parallel, but very different from Jordan, he eventually died of a broken heart before his case could ever be heard in court and before he could ever get his kids back. It is a very sad story and it is the sort of story that we never want to hear of happening as a result of this amendment.

So I urge the minister, if this amendment passes, that be a huge caution in how this information, this type of information be used so it doesn't end up being used to the detriment of the children and the family.

Ms. Amanda Lathlin (The Pas): Thank you, Madam Speaker, for the honour to put a few words on record on Bill 8, The Protecting Children (Information Sharing) Act.

Once again, it's very important to me to have the opportunity to voice my words as a foster parent as well, and currently happily raising three of my nieces.

What I wanted to share is that we want, on this side of the House, that we want our children to grow up in safe and loving homes with the supports they need to get a strong start, a good education and good jobs. That's why we focused on prevention when we were in government.

*(14:50)

We also know, however, information sharing is critical to helping children in care. We support this bill in principle, but we have concerns that it is too broad. Specifically, we're concerned that it's too broad for students with individual education plans. The legitimate privacy concerns of these students are not properly recognized.

And also, too, something I was extremely proud of, our previous NDP government was strengthening the child-welfare system by introducing the customary care bill. I had the honour to emcee the event at the Thunderbird House, surrounded by our indigenous leaders, and the customary care bill was the result of consultations with those indigenous leaders who communicated their desire to care for their children using their traditional methods of child rearing and in ways that best suit their community.

The legacy of colonization has resulted in a high number of indigenous children in care, and we need

to do more to keep them in their communities, such as my nieces, where healing processes and transmission of traditions is taking place.

Our NDP government responded by devolving the CFS system, and we worked to strengthen that devolution by introducing legislation that allows for customary care. In fact, customary care was a very important topic that was discussed in my community of Opaskwayak Cree Nation, with our CFS agencies and our elders.

With customary care, children would have been able to stay in their communities, if it was safe to do so, and keep their ties to the land, the language and traditions. Also, too, customary care opens up the option for indigenous communities to implement the system that worked best for them and their families.

Now, my concern is, as well, is this bill uses the term service provider, which we're talking about today, to describe those organizations and others who are authorized to share information, such as government departments that are included, such as CFS services, agencies, authorities, schools, police and others who receive government funding to provide services to supported children.

And with that, the—this amendment also allows a person who believes that his or her personal information has been illegally shared by an exempt provider—a service provider not subject to FIPPA or PHIA.

We believe that there must be a mechanism in this bill which allows families—so, with this amendment here, which brings to my attention here is within my own family regarding students. Currently, I have a niece who's receiving special services from our school division regarding a learning disability. So, to me, by—my concern about 'disclosure' of information, would that put myself as a foster parent and my niece at risk regarding potential prospects for investigation?

So, with that—to me, just by—as an Aboriginal person, growing up within the CFS, I was once, for a brief moment, in a foster home. My mother was a foster parent, and, just being an indigenous person within the system there's that stigma.

And, to me, when I see this service providers, I see, as an Aboriginal person, as someone who may be working against my family and I. So I just want to know what are the mechanisms going to be put in place to work with indigenous communities to ensure that The Protecting Children Act will benefit

all communities, especially with our indigenous communities.

So, with that, those are the few words I have to put down on this—Bill 8, Protecting Children (Information Sharing) Act.

Madam Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Speaker: The question before the House is the report stage amendment moved by the honourable member for St. Johns (Ms. Fontaine),

THAT Bill 8 be amended in Clause 1 in the definition "supported child" by striking out clause (c).

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

Some Honourable Members: Agreed.

Some Honourable Members: No.

Madam Speaker: No. I hear a no.

Voice Vote

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

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

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

Recorded Vote

Mr. Jim Maloway (Official Opposition House Leader): I request a recorded vote.

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

Order. The question before the House is the first report stage amendment moved by the honourable member for St. Johns.

Division

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

Yeas

Allum, Altemeyer, Chief, Fontaine, Gerrard, Kinew, Klassen, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino (Logan), Marcelino (Tyndall Park), Saran, Selinger, Swan, Wiebe.

Nays

Bindle, Cox, Curry, Fielding, Fletcher, Graydon, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Mayer, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pedersen, Pivniuk, Reyes, Schuler, Smith, Smook, Squires, Teitsma, Wharton, Wishart, Wowchuk, Yakimoski.

Clerk (Ms. Patricia Chaychuk): Yeas 17, Nays 30.

Madam Speaker: I declare the amendment lost.

* * *

Madam Speaker: We will now move to the second amendment put forward by the honourable member for St. Johns (Ms. Fontaine).

Ms. Fontaine: I move, seconded by the member for The Pas (Ms. Lathlin),

THAT Bill 8 be amended by adding the following after Clause 6 and before the centred heading that it follows it:

Meaning of "exempt provider"

6.1(1) In this section "exempt provider" means a service provider who is not subject to The Freedom of Information and the Protection of Privacy Act or *The Personal Health Information Act*.

Complaint re disclosure by exempt provider

6.1(2) A person who believes that his or her personal information or personal health information has been disclosed by an exempt provider contrary to this Act may make a complaint to the Ombudsman.

Receiving and dealing with complaints

6.1(3) The Ombudsman must receive and deal with a complaint made under subsection (2) in the same manner that he or she would receive and deal with a complaint made under subsection 59(3) of *The Freedom of Information and Protection of Privacy Act*.

Application

6.1(4) Part 5 of *The Freedom of Information and Protection of Privacy Act* applies in respect to the complaint under this section, and for that purpose,

(a) the person making the complaint is deemed to be the complainant, and has all the rights and is subject to all the obligations of a complainant;

(b) the exempt provider is deemed to be a public body within the meaning of that Act and has all

the rights and is subject to all the obligations of a public body; and

(c) the Ombudsman may designate in writing an individual as the head of the exempt provider, and a designated individual has all the rights and is subject to all the obligations of a head of a public body.

Rights exercised on behalf of a child

6.1(5) For certainty, the rights of a supported child under this act may be exercised by the child's parent or guardian.

Annual reporting on complaints received

6.2(1) In respect of the information disclosed or alleged to have been disclosed under this Act, the Ombudsman must make an annual report to the Legislative Assembly on the number and kinds of complaints received and investigations conducted under

(a) section 6.1, concerning exempt providers;

(b) *The Freedom of Information and Protection of Privacy Act*, concerning public bodies; and

(c) *The Public Health Information Act*, concerning trustees.

Report may be combined

6.2(2) A report required under this section may be combined with the Ombudsman's annual report under section 58 of the freedom of information and protection act.

Madam Speaker: Is there agreement of the House to deal with this as printed? [*Agreed*]

THAT Bill 8 be amended by adding the following after Clause 6 and before the centred heading that follows it:

COMPLAINTS

Meaning of "exempt provider"

6.1(1) In this section, "exempt provider" means a service provider who is not subject to *The Freedom of Information and Protection of Privacy Act* or *The Personal Health Information Act*.

Complaint re disclosure by exempt provider

6.1(2) A person who believes that his or her personal information or personal health information has been disclosed by an exempt provider contrary to this Act may make a complaint to the Ombudsman.

Receiving and dealing with complaints

6.1(3) The Ombudsman must receive and deal with a complaint made under subsection (2) in the same

manner that he or she would receive and deal with a complaint made under subsection 59(3) of The Freedom of Information and Protection of Privacy Act.

Application

6.1(4) *Part 5 of The Freedom of Information and Protection of Privacy Act applies in respect of the complaint under this section, and for that purpose,*

(a) the person making the complaint is deemed to be the complainant, and has all the rights and is subject to all the obligations of a complainant;

(b) the exempt provider is deemed to be a public body within the meaning of that Act, and has all the rights and is subject to all the obligations of a public body; and

(c) the Ombudsman may designate in writing an individual as the head of the exempt provider, and a designated individual has all the rights and is subject to all the obligations of a head of a public body.

Rights exercised on behalf of child

6.1(5) *For certainty, the rights of a supported child under this section may be exercised by the child's parent or guardian.*

Annual reporting on complaints received

6.2(1) *In respect of information disclosed or alleged to have been disclosed under this Act, the Ombudsman must make an annual report to the Legislative Assembly on the number and kinds of complaints received and investigations conducted under*

(a) section 6.1, concerning exempt providers;

(b) The Freedom of Information and Protection of Privacy Act, concerning public bodies; and

(c) The Personal Health Information Act, concerning trustees.

Report may be combined

6.2(2) *A report required under this section may be combined with the Ombudsman's annual report under section 58 of The Freedom of Information and Protection of Privacy Act.*

Madam Speaker: It has been moved by the honourable member for St. Johns (Ms. Fontaine), seconded by the honourable member for The Pas (Ms. Lathlin),

THAT Bill 8—The Protecting Children (Information Sharing) Act—be amended by—

* (15:20)

An Honourable Member: Dispense.

Madam Speaker: Dispense.

The report stage amendment is in order. Debate can proceed.

Ms. Fontaine: I just want to, again, just put a couple of words on the record in respect of our proposed amendment. And, again, I just want to, for the record and to ensure that everybody is absolutely clear, that, of course, we support Bill 8 in principle. And, again, these amendments are simply meant to make it stronger and, again, to ensure that children's and parents' and guardians' privacy is protected. And so, as we've discussed in committee, there's, you know, some great concern in respect of that service providers are able to share information as, you know, again, under the bill, that is deemed necessary.

And I think that it—we have to be very cognizant and we have to put it on the record here that, you know, we're dealing with a variety of different service providers. We're dealing with government; we're dealing with police; we're dealing with social service agencies; we're dealing with, you know, social-service organizations that, you know, don't necessarily have the same capacity as, let's say, government or policing. And so, you know, we know that there's going to—we're going to need training in respect of what information is deemed necessary in respect of protecting children. And I worry that we're going to have information that is disseminated and is perceived as being necessary by, you know, whoever it may be, but it—but actually isn't necessary. And I think that the bill leaves a lot of room for people's discretion. And my discretion on what is absolutely necessary to share may be different than yours, Madam Speaker, on what is necessary to share.

So there's a huge spectrum on what is necessary and what is my discretion and what's my view and my lens in which I look at a piece of information and whether or not that should be disseminated to a whole variety of people, a whole variety of, let's say, stakeholders in respect of this child. So, again, I think I want to put on the record as well that, you know, we're not only talking about the children's information, we're also talking about parents' and guardians' information. And, you know, I know that—and we all know this in this room, and I know the member for River Heights (Mr. Gerrard) has, you know, very cautiously shared a story just previous and—so I know that all of us in this room, in some capacity, understand the levels of information that we're actually dealing with in only just one file.

And so, you know, I worry that, for instance, you know, we know that there are families that have a lot of interaction with different agencies and CFS and policing institutions. We know that because of, you know, intergenerational trauma and vicarious trauma. You know, there are whole families that their personal information and some really, really sensitive information could be just disseminated and, again, I say willy-nilly, because we don't really have—I don't believe in any great way these set parameters on what that information will look like.

And so, you know, we're—you know, I asked the Minister of Families (Mr. Fielding) to seriously consider amendment 2, in working together, in trying to make the bill more comprehensive and to be able to put those things that we need to put in place in respect of if there are any breaches of information, you know, if there are any breaches of information that was not necessary, so that we actually, in this House, have a greater sense of, well, were there breaches, how many breaches, what was the information that was disseminated.

I think it's incumbent on all of us to ensure that this bill, while doing what it's meant to do, also protects children's rights and parents' rights and guardians' rights.

So, you know, we believe in a comprehensive review and, you know—of this legislation. In—within five years, that could be undertaken by the Ombudsman, Child Advocate office.

And we also agree that, you know, when looking at this review, it would be incumbent to ensure that we have—there is a public consultation component to the review so that families have a voice in how their children's information is shared and handled by service providers and so that they can also share their concerns. Or maybe there is no concerns, and we also get, you know, positive feedback in respect of this bill, and that's good too. I mean, I think that we would have a broader environmental scan of the work that this bill is doing in the lives of protecting children.

And I think that what our amendment is also trying to do is that it's an opportunity to kind of measure results. It's an opportunity to measure, you know, how this actually plays out in the, you know, for stakeholders and service providers and police and government; how does this actually operate? What does this actually look like? And is it actually helping to protect children in a more comprehensive, strategic and methodical way?

So I just also want to just point out that—and, again, you know, in the spirit of supporting this bill, the principle of this bill, I know that, you know, the minister has repeated that this is one of Hughes's recommendations, and, absolutely, it is. I do want to point out that it wasn't his first recommendation, though. And one of his, you know, first recommendations was about keeping children in the communities. And so, you know, I had hoped, and I hope that we can work together in respect of bringing something similar to customary care back here in Manitoba, to this House, I mean. And I've shared this before, and I share it again, that at the end of the day, no matter how many families I've worked for and how many families I've advocated for and how many children I've worked with and how many children I've advocated for, at the end of the day, children want to be with their families. That is the bottom line. They want to be with their families. And I've shared here how when I was six I was apprehended by CFS, and I spent six months in foster care. And, at the end of the day, I just wanted to be with my mom, as incapable that my mom was not able to be a mother and be, you know—all of that stuff that went on, I still just wanted to be with my mother. And that is the bottom line.

And so, again, and I say, respectfully, to the Minister of Families that, you know, I hope that we can, you know, build on Bill 8 and get to a place in this House where we are working together for legislation that will actually keep children with their families, in their communities and supported to be able to keep their children.

So I respectfully ask the minister to seriously consider amendment 2. Miigwech.

Mr. Fielding: I do appreciate the comments by the member from St. Johns.

I will say, you know, part of this process, you know, I think we did—I think we had some pretty good discussions at the committee level in overall. I know, initially, we did work, spoke with Liberals who we identified in our pre-briefing, in which we briefed the NDP, as well, the Liberals. We first introduced the bill, the need to strengthen families when you are—can make some information—it's important not just to have the weakness of the family but also the strengths of the family. And so that was an amendment we very much supported.

You know, in our conversations, we also—the member from St. Johns raised the idea of kind of a five-year review, five-year review when talking with

complaints; that's something that we supported. Fact, we got amendment, I guess, it's the fourth one we're going to look at, that talks exactly that. In the spirit of co-operation, I literally walked on over to the NDP caucus myself and gave the amendment as part of it.

* (15:30)

So, you know, we definitely want to work with everyone—that's a part of it—because we think it is important. You're right: With the Hughes inquiry, the Aboriginal Justice Inquiry—the Hughes inquiry talked about the importance of information sharing. One thing that has been brought up and was brought up in question period as well as through committee is the importance of education and training. And I think that is critical to the bill, and this is something that was a major initiative for our government. We decided to introduce this in the first 100 days because we thought it was a priority in terms of protecting children. So we committed to ensuring that education and training is there. We think that it's critical to ensuring a success of this bill, because we've got so much faith in it, that making sure people are trained and effectively get the education, that's a part of it.

I do want to address small parts of it. In terms of—I mean, it is a fairly complex amendment to be bringing forward at the report stage, so, without some adequate time to review or consult under the implications of the bill, we will not be supporting it. With that being said, you know, I will outline some of the aspects to it.

We do think that when you do look at the roles of the independent officer versus government, it's—you want to make sure there's not a dangerous precedent set where there's kind of a crossing of those roles and responsibilities that's a part of it.

You know, part of this initiative, too, and the member does bring up some good points, we did consult with the Ombudsman. In the draft phase of this, we did consult with the Ombudsman who advised us in terms of the best practices that are there, because you're right, there is—the government bodies that are part of this, there's legislation through PHIA and FIPPA that allows, you know, there's parameters in terms of the sharing of information. But, with the service providers, the purchasing agreements that are there, the advice that we got from the Ombudsman was clear that you can build these things into the service purchasing agreement.

I know the member had talked about foster care and everything else that's a part of it. We truly think that, and taking the advice of the Ombudsman, that if you build these into the SPAs, that gives strength in terms of the approach, in terms of the service purchasing agreements. And, with that education and training, we think that will enhance the work. So that's why we want to make sure that's a part of it.

But, even to be clear, even though we didn't need to add this to the legislation, we did add an amendment at the committee stage that talked about, in clause 7, subsection (b.1), respecting the funding agreements between the government and/or a government agencies and service providers, including terms and conditions about the disclosure of information.

So we truly think, even though we didn't need to necessarily introduce it, we think we are able to control things under the SPAs, whether you're foster care, whether you're early learning child care, because you control the licences, it was important to put it in there.

There is, of course, the regulatory power that we built into the legislation. And, really, it ensures that the funding contracts and agreements reflect the expectations of government in terms of the regulatory disclosure information that's a part of it.

Again, this wasn't something that was recommended in terms of backing—to the wording of the amendment that the Ombudsman brought forward to us. There is, obviously, other areas, whether you're dealing with children's issues, you can go to the—rather, the Children's Advocate on these types of issues or the Ombudsman.

So we truly think that there is enough safeguards that's built into it. We want to be absolutely sure, though. And that's why we've built into the legislation education and training is going to be a cornerstone of this, and that's why we're committed to doing that.

So we won't be supporting the amendment, but we do take seriously the aspects of the sharing of information, how critical it is. We tried to also learn from experiences that you saw in Alberta, where we, like, say, we tighten the legislation to ensure that the information—only the critical amount of information—three things: No. 1, in terms of the best interests, that you can only share information that's in the best interest of the child or, you know, the person that's involved in it; also that a minimum amount of

information is there; and also in terms of the care plan of the individuals.

So we truly think that there's enough safeguards that's built into it. We're not in favour of the current wording that's a part of it, because of the complicated nature of making sure government is different from the independent officer, and, quite frank, you don't have enough time at the third reading stage to get that information that's a part of it.

We haven't heard from the Ombudsman or the Children's Advocate that this should be added, so we won't be supporting it. I do think it is coming from a good place. And our government's point of view, we do want to ensure that safety and the information is shared in an appropriate *[inaudible]* and we think that safeguards are built into this legislation.

So, with that, I will stand down.

Mr. Gerrard: Madam Speaker, just a few comments on this amendment. I think it is important to remember that there are big differences between Alberta and Manitoba. On a per capita basis, they only have a small fraction of the number of children in care that we do in Manitoba. And we have a historical background here and a culture in which far too many kids have been taken into care. And many parents are very nervous about, you know, sharing information which could end up in their kids being taken into care. That's really the bottom line.

And, you know, even though there are many within the system with good intentions, that all too often in Manitoba we've had kids ending up being taken into care, even with good intentions, by what I have seen and estimate is a mistake made by individuals who, generally speaking, make good judgments but in some instances are not making good judgments. And those poor judgments have ended up with kids going into care and more than that, have—in one case, a child was taken into care, after I looked at this very, very carefully, on what I believe was a mistake. The net result was not only was the child taken into care but the family broke up because it's not easy to deal with a situation where you're dealing with Child and Family Services and your child is taken away, and it causes a lot of stress within the families, a lot of heartache, a lot of difficulties. And parents staying together under this sort of stress is not always easy.

And the net result is that we have to be a little extra careful here in Manitoba. I'm pleased that the minister will take some of this discussion forward in

terms of what is included in the regulations and in the service purchase agreements, and I hope that these sorts of things will be incorporated, because I think it is reasonable to have safeguards. I think the Ombudsman is a reasonable individual with enough distance from this to do the assessing of the complaints and the reporting of the complaints. And so we will be supporting this amendment, and, you know, if the government, even if they don't support the amendment, if they can put this into practice, it would be a step forward.

Thank you.

Madam Speaker: Is the House ready for the question?

An Honourable Member: Question.

Madam Speaker: The question before the House is the second report stage amendment moved by the honourable member for St. Johns (Ms. Fontaine),

THAT Bill 8 be amended by adding the following after Clause 6 and before the centred heading that follows it:

COMPLAINTS

Meaning of "exempt—

An Honourable Member: Dispense.

Madam Speaker: Dispense.

The amendment is in order.

Debate can—*[interjection]* Oh.

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

Some Honourable Members: Agreed.

Some Honourable Members: No.

Madam Speaker: I hear a no.

Voice Vote

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

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

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

Recorded Vote

Mr. Maloway: Madam Speaker, I request a recorded vote.

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

Order. The question before the House is the second report stage amendment moved by the honourable member for St. Johns (Ms. Fontaine).

Division

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

Yeas

Allum, Altemeyer, Chief, Fontaine, Gerrard, Klassen, Lathlin, Lindsey, Maloway, Marcelino (Logan), Marcelino (Tyndall Park), Selinger, Swan, Wiebe.

Nays

Bindle, Clarke, Cox, Curry, Fielding, Graydon, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Mayer, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pedersen, Piwniuk, Reyes, Schuler, Smith, Smook, Squires, Teitsma, Wharton, Wishart, Wowchuk, Yakimoski.

Clerk: Yeas 14, Nays 30.

Madam Speaker: I declare the amendment lost.

* * *

Madam Speaker: We will now move to the third amendment brought forward by the honourable member for St. Johns.

* (15:50)

Ms. Fontaine: I move, seconded by the member from The Pas,

THAT Bill 8 be amended by adding the following after Clause 16 and before the centred heading that follows it:

REVIEW

Review of this Act

16.1(1) Within five years after this Act comes into force, the Children's Advocate and the Ombudsman, acting jointly, must undertake a comprehensive review of this Act that includes public representations—excuse me.

Report

16.1(2) Within six months after the review is undertaken or within any longer period that the Legislative Assembly allows, the Children's Advocate and the Ombudsman must submit a report on the review to the Assembly.

Miigwech.

Madam Speaker: It has been moved by the honourable member for St. Johns, seconded by the honourable member for The Pas (Ms. Lathlin),

THAT Bill 8 be amended by adding the following after Clause 16—

An Honourable Member: Dispense.

Madam Speaker: Dispense?

The amendment is in order. Debate can proceed.

Ms. Fontaine: I'm feeling lucky about this third one. I'm feeling super lucky and super optimistic.

So, Madam Speaker, again, I'm pleased to be able to put some words on the record in respect of our third amendment. So, as we had indicated with our second amendment, you know, we know that there is going to be a huge amount of information that will be disseminated—well, actually, collected, shared and disseminated from so many children here in Manitoba. And, actually, I really want to just acknowledge the member for River Heights (Mr. Gerrard), his comments, his last comments in respect of the number of children that we actually have in care and, actually, the differences to the Alberta model. I think that that was a really important point to put on the record, that the sheer number of children that we actually—children and families that we have in care in just the CFS system inevitably means that there will be breaches of information that should not have been disseminated.

It is—it seems highly unlikely that with the number of families that we're talking about, with the number of children that we're talking about, and then when you actually add children that are outside the CFS system, right, so we were saying the education plans, children with mental health issues. So, when we add those numbers as well, that's a huge amount of families and children that we're talking about.

It is almost inconceivable that there are not going to be breaches of information. It is unconceivable that that wouldn't happen. And so I really do want to say miigwech to the member from River Heights for also putting that on the record.

I think that, of course, our amendment 2, which talks about a review being undertaken by the Children's Advocate and the Ombudsman, of course, part and parcel with that is the ability to submit that report so that we are able to see and get a handle on what the review says about this overall legislation.

So, again, you know, I just want to put it out there that I think that we're all on the same page in respect of that we would want to know whether or not the bill is actually doing what it's meant to do, which is to protect children. And I'm sure that we would all be, you know, really hurt or upset that if we knew that the bill was doing things it wasn't intended to do, which is, you know, disseminating and collecting children's and families' information and it wasn't deemed necessary to be able to—in disseminating that information, well, then I think that, you know, that's clearly a breach and I think that that's something that we would all want to know.

So I know that the minister had spoken about building this into service-provider agreements and that, you know, we—he hasn't had an opportunity to talk to the Child Advocate. But, if you talk to the Child Advocate, we know that the Child Advocate is very keen on actually expanding her own parameters of what she does. So I would imagine that in the best interests of children, right—and so I'm certain that if this was embedded to the legislation, that the Ombudsman and the Child Advocate office, who in my mind are actually the best people to undertake a review, whether or not there's been any breaches in respect of legislative providers but also those exempt providers—I think that they are the best to be able to undertake that review.

And I say respectfully to the minister, I know that the minister wants to do the review within his office. In—I would think that it's actually—it's better to actually separate yourself from that review. It's too political to be able to have a review on a bill that they brought forward in the minister's office. And so in many respects, this also gives a sense of independence and 'transparency'—transparency to the minister's office as well and to the minister himself.

So I don't know if it's necessarily the greatest of arguments to say that, you know, it's embedded in the service provider agreements and that he hasn't had an opportunity to talk to the Children's Advocate, because I really do believe that if we—you know, when you speak with her, you know that she's actually looking for us to extend her legislative mandate.

Finally, I just want to say—again, I'll close up my comments; like I said, I'm feeling lucky—I do just want to put it on the record, November 7th, at almost 4 o'clock, that there will inevitably be breaches of this legislation. And I want it put on the notes, I want it put on the record, that on this side of the House we

tried to embed things in this—in Bill 8 that would protect children and protect families' information, that that information that is not supposed to be disseminated and is clearly a breach of their information.

So I say miigwech, Madam Speaker.

Mr. Fielding: I'm not going to spend a lot of time on this. We have, through each of the amendments, kind of talked about the merits of this. I can tell you, you know, with everything else in terms of privacy, there's always a balancing act, right? It's a balancing act between protecting children and the privacy rights. And that's—I think that's an important—it's important debate to have. It's important discussion to have.

You know, again, we truly think that we did get it right with this—with the bill overall. We appreciate the debate. I can't say—and we'll go through, just for a few minutes, but, really, you know, we truly think that it's—this—the reviews should be done through the minister's purview, I guess, conducting the review. There is kind of a mandate, an obligation, or kind of as an independence, I guess, between the independent officers as well as the government as a whole. And so I think if you do combine the two, you are—there's a bit of a dangerous precedent you're setting if you do combine the two rules between it. And this is something—as mentioned, you know, we did talk extensively with both the Children's Advocate and also the Ombudsman prior to this. So this is something that wasn't brought up to them. I can tell you—their roles—they are able to do this anyways. I mean, that's currently within their roles in terms of reviewing actual parameters of each and every one of these cases. So that is incorporated within it.

I will also say—and I'm not going to go too much longer on this—but, you know, sharing information—it's—it really is the cornerstone. And if you even look at PHIA and FIPPA, there is an ability to share information. And I'm not going to go through the long laundry list here, but in subsection 41, 1 of the freedom of information act—privacy act—it also provides the public body the authority to disclose information without consent in a whole range of different circumstances. And that's in subsection 41(1), and it kind of outlines of the ability to share information.

So what I'm saying is a lot of this information, the ability to share information, is already in PHIA and also in FIPPA. If you look at subsection 22(2), it

also talks of the ability to share information, disclose personal information without consent of a whole variety—for a whole variety of reasons. So this is something that's brought in; it's in the legislation that's there.

We truly think that it's something—and it—quite frankly, it was an idea that was brought up by the members opposite. I appreciated that, and that's—so that's why we incorporated into the actual bill. We think it does make sense, and we actually have a motion right after this, I think we'll be debating, which I'm widely supporting, anyways, I'm assuming that other members of the government may be supporting as well.

But in regards to the motion brought forward, I know three times sometimes is a lucky charm, but unfortunately, today isn't with amendments, but I do appreciate the thought where it came from, and we do think we've incorporated that if the amendment after this does incorporate it to make sure there's a distinction between independent officers and the government in terms of things, because otherwise you have a dangerous precedent that's being set. Thank you.

* (16:00)

Mr. Gerrard: Madam Speaker, I thank the MLA for St. Johns for bringing this forward. It's an area where we need an abundance of caution given the history in our province of children being taken away from their parents, and the history before that of the '60s scoop, and the history before that of the residential schools.

I believe that the Children's Advocate and the Ombudsman are appropriate individuals to be involved in this review with the appropriate amount of independence. I'm pleased that the minister indicates that the Children's Advocate and the Ombudsman are people that the—anybody who has a concern with an individual case can go to, and that, I think, is important that we let people know about that. I think that the Children's Advocate has often been helpful to children who are in care.

But the Children's Advocate all too often in the past hasn't necessarily considered the family, and we've had, in my experience, families who've basically been told by the Children's Advocate that she can't help them, because she is concerned and has to speak up for the child as opposed to speaking up for the family. And I think that that is a problem and one that we need to remember when we're dealing with this, and maybe that's a reason why it's

important that the Ombudsman can also be a potential resource here.

I would hope that the minister, in moving this forward, makes sure that the families who are involved with children in care have—and have concerns to bring forward have the ability to take these, as the minister has said, to the Children's Advocate or to the Ombudsman. And, you know, hopefully, if there are major issues, that there will be enough people coming forward to the Children's Advocate and the Ombudsman that this will make it the way into their report.

So—but I think it's beholden upon us and beholden upon the minister to make sure that that possibility is widely known, so that we can make sure that if there are problems with the implementation of this act that they can be corrected as quickly as possible.

I—Madam Speaker, in continuing, I am just wanting to, you know, make sure that we continue in a spirit of trying to reduce the number of children in care, the spirit of trying to work with children and with families to work together to keep children with their families, wherever possible, and provide the supports that they need to allow that to happen. And, as a resolution that we passed together last week following, as an example, the model in Nelson House, which has been successful in supporting families so that there are many fewer kids coming into care.

So, with those few comments, Madam Speaker, I will sit down at this point. I—as I have indicated to the MLA for St. Johns, going to support this resolution—or this amendment.

Madam Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Speaker: The question before the House is the third report stage amendment, moved by the honourable member for St. Johns (Ms. Fontaine),

THAT Bill 8 be amended by adding the following after Clause 16 and before the—

An Honourable Member: Dispense.

Madam Speaker: Dispense.

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

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

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

Some Honourable Members: Yea.

Madam Speaker: All those opposed please say nay.

Some Honourable Members: Nay.

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

Recorded Vote

Mr. Maloway: I request a recorded vote.

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

* (16:10)

The question before the House is the third report stage amendment moved by the honourable member for St. Johns (Ms. Fontaine).

Division

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

Yeas

Allum, Chief, Fontaine, Gerrard, Kinew, Klassen, Lathlin, Lindsey, Maloway, Marcelino (Logan), Marcelino (Tyndall Park), Saran, Selinger, Swan, Wiebe.

Nays

Bindle, Clarke, Cox, Curry, Fielding, Fletcher, Graydon, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Mayer, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pedersen, Piwniuk, Reyes, Smith, Smook, Squires, Teitsma, Wharton, Wishart, Wowchuk, Yakimoski.

Deputy Clerk (Mr. Rick Yarish): Yeas 15, Nays 30.

Madam Speaker: I declare the amendment lost.

* * *

Madam Speaker: We will now move to the next amendment, this one brought forward by the Minister of Families (Mr. Fielding).

Mr. Fielding: I'd like to propose the following amendment

THAT Bill 8 be amended by adding the following— Clause 8—

I move, seconded by the Minister of Sport, Culture and Heritage (Ms. Squires),

THAT Bill 8 be amended by adding the following after Clause 8 and before the centred—you can be heard—a review within five years after the Act— [interjection] Okay, yes.

THAT the Bill 8 be amended by adding the following after Clause 8 and before the—headed—the following is: that within five years after the act comes into force, the 'miniss' responsible for the administration of the act must understand a comprehensive review of it and must within one year after the review be undertaken or within such further time as legislate Assembly may allow, submit a report on a review of the Assembly.

Madam Speaker: Is there agreement to accept the amendment as printed? *[Agreed]*

THAT Bill 8 be amended by adding the following after Clause 8 and before the centred heading that follows it:

REVIEW**Review**

8.1 *Within five years after this Act comes into force, the minister responsible for the administration of this Act must undertake a comprehensive review of it and must, within one year after the review is undertaken or within such further time as the Legislative Assembly may allow, submit a report on the review to the Assembly.*

Madam Speaker: It is been moved by the honourable Minister of Families, seconded by the honourable member of Sport, Culture and Heritage, that the act be amended by—dispense?

An Honourable Member: Dispense.

Mr. Fielding: And I'm not going to spend a lot of time on this very similar motion to the previous. We think this is more a fulsome amendment to it.

As mentioned, we truly think that it's appropriate to distinguish between the two offices and the two legislative bodies, I guess, if you will. Any changes in the previous amendment would legislatively mandate an obligation in—under independent officer of the Legislature. So that is why we proposed an amendment that would allow the minister to do that review in a timely fashion in five years, and that's consistent with other pieces of legislation that have similar reviews; that's a part of it.

I won't get into further details on it because we have talked extensively this afternoon very similar; I think people know the intent. Thank you.

Mr. Gerrard: I thank the minister for his comments.

I'm pleased that the minister is going to make sure there is a five-year review. I would've appreciated a little bit more detail from the minister in how he will, as minister, if he's still minister there, delegate this responsibility, because I suspect that he won't himself do it. And it would've been helpful to have that understanding on the record so that we would all know who he expects to actually do it and whether this will be, you know, what sort of background the individual or individuals will have. So, Madam Speaker, I hope that the minister will give us some information on more precisely how the review will be conducted at some not-too-distant point.

And, with those comments, I'm nevertheless going to support this amendment because I think it is important that we do have the five-year review.

Thank you, Madam Speaker.

Madam Speaker: Is the House ready for the question?

Some Honourable Members: Question.

* (16:20)

Madam Speaker: The question before the House is the report stage amendment moved by the honourable Minister of Families (Mr. Fielding),

THAT Bill 8 be amended by adding the following after Clause 8 and before the centred heading that follows it—

An Honourable Member: Dispense.

Madam Speaker: Dispense.

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

I declare the amendment carried.

We will now then move on to the next amendment, being brought forward by the honourable member for River Heights (Mr. Gerrard).

Mr. Gerrard: Madam Speaker, I move, seconded by the MLA for Kewatinook,

THAT Bill 8 be amended in Clause 3

(a) in subsection (3), by striking out "by the regulations" and substituting "by section—subsections (4) and (5) and the regulations"; and

(b) by adding the following after subsection (3):

Family entitled to copy of information

3(4) The parent or guardian and a child who is 12 years of age or older are entitled to examine and receive a copy of any recorded information disclosed under subsection (1).

Comments must be considered

3(5) A service provider or trustee

(a) must give the parent, guardian or child who has received information under subsection (4) an opportunity to provide their comments about that information to the service provider or trustee; and

(b) must consider these comments.

Madam Speaker: Is there agreement to accept the amendment as printed? *[Agreed]*

THAT Bill 8 be amended in Clause 3

(a) in subsection (3), by striking out "by the regulations" and substituting "by subsections (4) and (5) and the regulations"; and

(b) by adding the following after subsection (3):

Family entitled to copy of information

3(4) The parent or guardian and a child who is 12 years of age or older are entitled to examine and receive a copy of any recorded information disclosed under subsection (1).

Comments must be considered

3(5) A service provider or trustee

(a) must give the parent, guardian or child who has received information under subsection (4) an opportunity to provide their comments about that information to the service provider or trustee; and

(b) must consider those comments.

It has been moved by the honourable member for saint—or for River Heights, seconded by the honourable member for Kewatinook (Ms. Klassen),

THAT Bill 8 be amended in Clause 3

(a) in subsection (3), by striking out "by the—

An Honourable Member: Dispense.

Madam Speaker: Dispense.

The amendment is in order. Debate can proceed.

Mr. Gerrard: Madam Speaker, I brought forward this amendment because I believe that this is fairly straightforward protocol for information that is gathered on people and then may be used in whatever fashion. But, if—whether it is a—information which is gathered under a Child Abuse Registry, whether it is information which is gathered on a hospital record, we have the individual about whom this information is gathered, and, in this case, we're talking about the children and the family usually have information gathered about them, that where this information is (a) recorded and (b) shared, that it would be important that the family and the child, where that child is 12 years of age or older, have an opportunity to see the nature of that information that is both recorded and shared and have the ability to comment on it if they would like.

In hospital records, for example, we now have the ability, thanks to this Legislature getting together and passing an amendment a few years ago, we have an ability for an individual who is in hospital to see their personal record within 24 hours. And they have a right to see that record within 24 hours. And they are able, then, to communicate with staff if they feel that there is something in that record which doesn't accurately reflect their current situation.

And I believe this has been very helpful and very important within the health-care system, because it has meant that health-care professionals, whether it's doctors or nurses or others, are a little more careful about recording information, because they know that it's accessible to the patient and, in some cases, it applies to the family as well.

And so that, as well, because they know that this information is accessible, not only are they a little bit more careful about making sure it's reasonably stated and accurate, but there is a double check, and that double check is that the individual whose information it is can then be able to make a comment. And, in some cases, there can be change to what's put or an addendum put in the chart of an individual in their medical record to reflect what the individual, who's the patient or a family member of the patient, believes to be, you know, more accurate. It doesn't mean that the information that was there is necessarily crossed out and replaced, but at least there is some balance and there is an ability to have some assurance that the patient's view of the situation can be better recorded.

And, in my experience, that this has been very helpful within the health-care system, to get better

records kept. And it helps the patient and the family better participate in the process. And I believe, by adding this sort of an amendment here, we would have one of those important checks and balances that we have in a variety of other circumstances where information is stored and shared. And we would have a better ability for the child and the family to participate in the process. And I believe in that we would get better outcomes in the long run.

And so that is the objective here, is to get better results for children and family. And I would hope that the minister can have a careful read of this and decide to support it.

Thank you.

Mr. Fielding: I very much appreciate the opportunity. I'm going to be fairly brief in my comments on this.

You know, first of all, I wanted to say that I do very much appreciate where this amendment is coming from. You know, throughout this whole process, I think we really tried to strike a balance and have, you know, some openness to introducing some amendments as part of it. We do believe that the regulatory power that is there can address some of these items which we think is important.

You know, my concern, I guess, with supporting this—and by the way, I respectfully will not be supporting this here, although I do agree with the principles of ensuring right information is a part of it—and I do think the regulatory piece can address this.

Really, the essence of this bill is to provide information to be shared, which we think is important. Right now there are silos that are up, and you're not able to provide a proper care plan, in our opinions, with all these privacy regiments that are in place. So the essence is it's enabling legislation that really essentially gives a lot of these agencies, service providers, really, the permission to share the information. And that is the focus of this legislation.

The information sharing—or, rather, the piece that the member is talking about, we think, can be incorporated in some elements of the regulatory power that's a part of it. And my concern a bit is if you're relaying this, it kind of goes a little bit away from what the actual legislation really is intended to do. It's really intended to allow agencies and organizations to share information that's in the best practice of the children. And we think that we are able to build in some things that talks about strengths

and weaknesses, not just the weaknesses of the family, but the strengths of the family, as well, which was something in an amendment brought forward by the Liberal caucus.

So I do appreciate this. I'm committed to working with the Liberal member after the fact in terms of the regulatory piece, in terms of the information. But at this point, I won't be sharing—I won't be supportive of putting this in the actual legislation because we truly think it can be worked out through the regulatory piece. You want to have a consistent sharing of information, kind of a—consistent practice guidelines that's a part of it. And so we think that can be handled best through regulation.

Ms. Fontaine: I just want to put, very, very briefly, just a couple of words on the record in support of the member from River Heights' amendment here.

* (16:30)

I think it is actually quite important for children and parents to be able to access and be given a copy of the information that's disseminated by—about them and collected of them for this bill to be fully transparent. And I fully support the member's analysis in respect of children and parents being 'participatory' in this bill and having a sense of ownership and agency in their own lives and in their child's life as well.

I shared—ever so briefly, I—in committee, I shared a story of a young boy who from very, very early on had different systems as a part of his life. And each of those different systems produced notes and records and reports and documents on this little boy. And what ends up happening is that there's so much power in our language. There's so much power in what we record that it becomes truth. It socially constructs a child or an individual. And so here was this child who, from very, very early on—the systems didn't understand, first off, his family, didn't understand the particular context in which indigenous people find ourselves here in Canada. And so you had kind of these ethnocentric kind of analysis on this family and this little boy, which then so negatively socially constructed this little boy.

And they—this followed him around everywhere. It followed him around in a myriad of different systems, including school, so that when he went to particular schools, reading previous reports, right away, teachers are not able to develop their own analysis or perception of this young boy. He comes

with all of this other analysis, from how many people we're not even sure.

And so we know that that's a real issue in all of our systems, and I think that this is a good amendment to be—to look at. And I don't know—I'm—would hope that the minister would support this in respect of if there's something recorded, a parent or a guardian or a child can say, well, no, that's not actually what I was thinking. That's not actually what I was saying. This is what I was thinking. This is what I was saying. So that there is some agency on the part of family and children to construct their narrative as well and not have their narrative always constructed from outside parties. And that is the reality for a lot of people.

So I do also want to just say and put it on the record that I do believe it is the right of children and parents to be able to have access to this information that is being shared with all kinds of people. So, in many respects, it's the antithesis to—we disseminate this information to all these different people but not even to the people that we're talking about. So there's something a little bit just not right there.

So I do want to honour and acknowledge the member for River Heights' (Mr. Gerrard) amendment, and I fully support it as well. Miigwech.

Ms. Judy Klassen (Kewatinook): I'd like to speak to this as well. Minister of Families (Mr. Fielding), like with any organization or workplace, there are always going to be a couple of bad apples within the organization. We know that lateral violence is real. We know that exists. It exists in indigenous country as well. There's always going to be somebody who's going to say something negative about another family because they don't like that family. And giving the parents the option to say, hey, wait, no, you know what, this happened in our history, our families were at war with one another at one time, and that's why this person is saying negative things about my family.

You know, these kids are removed sometimes on that basis where a CFS agency, one worker, doesn't like a specific family. And so, for the family—for the child to be able to say, this is incorrect, you know, or give an explanation after seeing their file, it would really help in curbing a lot of the needless apprehensions.

So I appeal to the Minister of Families to take that into consideration.

Thank you, Madam Speaker.

Madam Speaker: Is the House ready for the question?

An Honourable Member: Question.

Madam Speaker: The question before the House is the amendment—the report stage amendment moved by the honourable member for River Heights (Mr. Gerrard),

THAT Bill 8 be amended in Clause 3

(a) in subsection—

An Honourable Member: Dispense.

Madam Speaker: Dispense.

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

Some Honourable Members: Agreed.

An Honourable Member: No.

Voice Vote

Madam Speaker: Hearing a no, all those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

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

Recorded Vote

Mr. Maloway: Madam Speaker, request a recorded vote.

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

The question before the House is the report stage amendment moved by the honourable member for River Heights.

* (16:40)

Division

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

Yeas

Allum, Altemeyer, Chief, Fontaine, Gerrard, Kinew, Klassen, Lathlin, Lindsey, Maloway, Marcelino (Logan), Marcelino (Tyndall Park), Saran, Selinger, Swan, Wiebe.

Nays

Bindle, Clarke, Cox, Curry, Fielding, Fletcher, Graydon, Guillemard, Helwer, Isleifson, Johnson, Johnston, Lagassé, Lagimodiere, Mayer, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pedersen, Piwniuk, Reyes, Smith, Smook, Squires, Teitsma, Wharton, Wishart, Wowchuk, Yakimoski.

Deputy Clerk: Yeas 16, Nays 30.

Madam Speaker: I declare the amendment lost.

Hon. Andrew Micklefield (Government House Leader): Madam Speaker, I'd like to call Bill 8 for concurrence and third reading.

CONCURRENCE AND THIRD READINGS

Bill 8—The Protecting Children (Information Sharing) Act

Madam Speaker: We will now move to concurrence and third reading of Bill 8.

Hon. Scott Fielding (Minister of Families): I move, seconded by the Minister of Education, that Bill 8, The Protecting Children (Information Sharing) Act, Loi sur la protection enfants, as amended and reported from the Standing Committee on Legislative Affairs and subsequently amended, be concurred in and now read for a third, final time.

Madam Speaker: It has been moved by the honourable Minister of Families (Mr. Fielding), seconded by the honourable Minister of Education, that Bill 8, The Protecting Children (Information Sharing) Act, as amended and reported from the Standing Committee on Legislative Affairs and subsequently amended, by concurred in and be now read for a third time and passed.

The honourable member—the honourable Minister of Families.

Mr. Fielding: Madam Speaker, it truly is a pleasure to stand here before you and talk about what's a really important bill for our government. This is a bill that we prioritized. We truly think that protecting children, as I'm sure everyone in this House thinks, protecting children in a more important way is really one of the essence of what we're doing here in the Legislative Assembly. This is something that is long in the making. The Aboriginal Justice Inquiry talked about the importance of sharing information.

Mr. Doyle Piwniuk, Deputy Speaker, in the Chair

Things like the Hughes inquiry, obviously, spoke of the importance of sharing information, and other areas where the Children's Advocate—all these areas are talking about the importance of sharing these things.

We have a system right now that you have a number of organizations, agencies, government departments that can't share that information going forward. We truly think that if you are able to share that information, you're able to develop a plan that makes sense for our children to make them safer. There's a whole bunch of benefits involved in this.

We truly think that The Protecting Children Act is something that's going to provide quicker responses; it's going to provide better prevention and enable earlier intervention. That's a part of it. The cornerstone of this is ensuring that education and training is a part of it to ensure, whether they're service providers, whether people that fall under FIPPA or 'PHIMA,' through government agencies and organizations, are able to get the information.

Really, what this does, it's enabling legislation. It enables people—it gives them permission to share information that's in the best interest of our child. We're very supportive of this. I'm very proud of the fact that we're able to introduce this in a way—I think there was a lot of consensus at committee. There were some differences in terms of the approach, but, overall, we truly think that we got it right.

When you look at any legislation that's in terms of privacy, there's a balancing act, Mr. Deputy Speaker, in terms of getting it right. We truly think that we got the balancing act right in terms of protecting children while providing the information. We also truly think that we got enough safeguards in here to ensure that information is shared appropriately when best, and that's the cornerstone of this through education and training.

So I very much support all your considerations during the committee process, and we're able—we're happy that we're able to take some amendments that were brought forth by both the Liberal caucus and as well as the NDP caucus and make this an even stronger bill.

So thank you, Mr. Deputy Speaker, and we very much stand and look forward to casting a ballot on this important piece of legislation.

Mr. Deputy Speaker: Question?

Some Honourable Members: Question.

Mr. Deputy Speaker: The question before the House: concurrence and third reading of Bill 8.

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

Recorded Vote

Hon. Andrew Micklefield (Government House Leader): I'd like to request a recorded vote, please.

Mr. Deputy Speaker: A requested vote has—asked. Send in the members.

* (17:50)

The question before the House is concurrence of third readings of Bill 8, The Protecting Children (Information Sharing) Act.

Division

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

Yeas

Allum, Altemeyer, Bindle, Chief, Clarke, Cox, Curry, Eichler, Ewasko, Fielding, Fontaine, Friesen, Gerrard, Goertzen, Graydon, Guillemard, Helwer, Isleifson, Johnson, Johnston, Kinew, Klassen, Lagassé, Lagimodiere, Lamoureux, Lathlin, Lindsey, Maloway, Marcelino (Tyndall Park), Martin, Mayer, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Reyes, Saran, Schuler, Selinger, Smith, Smook, Squires, Stefanson, Swan, Teitsma, Wharton, Wiebe, Wishart, Wowchuk, Yakimoski.

Nays

Deputy Clerk (Mr. Rick Yarish): Yeas 52, Nays 0.

Mr. Deputy Speaker: I declare the motion carried.

The hour being past 5 o'clock p.m., the House is now adjourned and stands adjourned until 10 a.m. tomorrow.

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, November 7, 2016

CONTENTS

ROUTINE PROCEEDINGS			
Committee Reports		Shoal Lake 39 First Nation	
		Fontaine	2685
		Pallister	2685
Standing Committee on Private Bills		Senior Housing Development	
First Report		Lamoureux	2685
Wharton	2675	Goertzen	2686
Standing Committee on Social and Economic Development		Low-Income Manitobans	
		Lamoureux	2686
Second Report		Fielding	2686
Smook	2676	Derelict Housing	
Members' Statements		Lamoureux	2686
		Fielding	2686
Thompson Royal Purple Elks Lodge		Protecting Children Act	
Bindle	2677	Lagassé	2686
l'Union nationale métisse Saint-Joseph		Fielding	2687
Selinger	2678	Post-Secondary Capital Projects	
Sir Paul Martin and Peter Martin		Kinew	2687
Teitsma	2679	Wishart	2687
Northern Mental Health Initiatives		Manitoba Hydro	
Lathlin	2679	T. Marcelino	2688
Dufferin Gang		Pallister	2688
Lagimodiere	2680	Schuler	2688
Oral Questions		Home-Care Leadership Team	
Employment Loss		Wiebe	2689
F. Marcelino	2681	Goertzen	2689
Pallister	2681		
Premier's Enterprise Team			
F. Marcelino	2681		
Pallister	2681		
Tolko Industries			
F. Marcelino	2682		
Pallister	2682		
Labour Relations Act			
Lindsey	2683		
Friesen	2683		
Freedom Road Construction			
Lathlin	2684		
Pedersen	2684		
Pallister	2684		
Freedom Road Construction			
Fontaine	2684		
Pedersen	2685		

ORDERS OF THE DAY

GOVERNMENT BUSINESS

Report Stage Amendments

Bill 8—The Protecting Children (Information Sharing) Act	
Gerrard	2689
Fontaine	2690
Fielding	2690
Lathlin	2692
Klassen	2705

Concurrence and Third Readings

Bill 8—The Protecting Children (Information Sharing) Act	
Fielding	2706

The Legislative Assembly of Manitoba Debates and Proceedings
are also available on the Internet at the following address:

<http://www.gov.mb.ca/legislature/hansard/hansard.html>