

**Fifth Session - Thirty-Ninth Legislature**  
of the  
**Legislative Assembly of Manitoba**  
**DEBATES**  
and  
**PROCEEDINGS**  
**Official Report**  
**(Hansard)**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Ninth Legislature**

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<i>Vacant</i>	Inkster	

## LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, November 30, 2010

*The House met at 10 a.m.*

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

### ORDERS OF THE DAY

#### PRIVATE MEMBERS' BUSINESS

##### House Business

**Mr. Gerald Hawranik (Official Opposition House Leader):** I would seek leave to proceed directly to Bill 204.

**Mr. Speaker:** Is there agreement to go directly to second reading of Bill 204? [*Agreed*]

#### SECOND READINGS—PUBLIC BILLS

##### Bill 204—The Consumer Rights Day Act

**Ms. Erin Selby (Southdale):** Mr. Speaker, I move, seconded by the member for The Pas (Mr. Whitehead), that Bill 204, The Consumer Rights Day Act; Loi sur la journée des Droits du consommateur, be now read for a second time and be referred to a committee of this House.

*Motion presented.*

**Ms. Selby:** Mr. Speaker, this bill would see that March 15th of every year in Manitoba be marked as Consumer Rights Day.

And you might ask, well, why do we need to talk about Consumer Rights Day? Most of us are consumers pretty much every day of the week, but the problem is that so many people, or perhaps too many people, are consuming, buying, maybe selling different things in the marketplace without always knowing their rights. Consumer Rights Day is celebrated and recognized in hundreds of countries around the world, and it's a great opportunity for people to talk about what we do every day in the marketplace and the fact that we have rights.

I think this is an incredibly important day, not just for those of us who are going to be spending our money in the marketplace but also for people who are selling us things in the marketplace. Informed consumers have more confidence and comfort spending their money, and it levels the playing field for everyone.

March 15th was recognized as Consumer Rights Day out of celebration and recognizing a date in 1962 that President John F. Kennedy first defined consumer rights. Now let me just read a little bit of what he said on that day: Consumers by definition include us all, said Kennedy. They are the largest economic group affecting and affected by almost every public and private economic decision, and yet they're the only important group whose views are not often heard.

Now, in 1983, on March 15th, was the first day that World Consumer Rights Day was recognized at the anniversary of his speech. Now, when President Kennedy first talked about those rights, he only had four. Since then we've added a few more, and let me read what those internationally recognized rights are. They are: the right to satisfaction of basic needs; the right to safety; the right to be informed; the right to choose; the right to be heard; the right to redress; the right to consumer education; and the right to a healthy environment. And I think all of us would agree they're all important things and deserve at least one day to talk about why they are so important.

Many groups, as I said, around the world recognize Consumer Rights Day. My own passion for consumer rights began in the year 2002 when I was appointed the first consumer—the first television consumer reporter for CTV News in Winnipeg. At that time, I hadn't thought a lot about the rights that we have but very quickly realized that many of the problems that people come across are not because there aren't laws to protect them, but they weren't aware of their own rights and protection under the law in the first place.

Through the work that I did as a consumer reporter, I learned a lot more about consumer law and also learned that it can be some of the most devastating things that people come across. And, you know, perhaps if you make a small purchase and it doesn't go right and the purchase is under \$50, you'll

get past it. But, unfortunately, some of these purchases are really expensive things, whether it's a new furnace or whether it's a new car. Sometimes it can be rights in terms of your privacy when shopping. You might find—you've probably noticed when you go to a lot of stores they'll ask you for your email address or they'll ask you for your postal code or even your address sometimes, depending on where you're shopping. Well, you don't have to give that. It's your choice if you want to give your personal information when making a purchase. You can choose not to, and you would still have that item sold to you, and this becomes just knowing your rights and knowing how to protect your personal privacy, which is also something to think about in terms of consumer rights, as well.

There are a few different places that are celebrating Consumer Rights Day, as I said, hundreds of places around the world and some places in Canada that do mark the day. Ontario marks it with a consumer week in late March, and Alberta has a Consumer Champion Award, given to recognize the efforts of consumers that—and helping consumers make informed decisions. Québec also has an office of consumer protection, and in the United States the Federal Trade Commission marks annual National Consumer Protection Week.

But, here in Manitoba, although we have sometimes recognized the day, we haven't marked it as a yearly occasion, and that's what this bill would do; it would validate the work that we're doing in government by both protecting consumers and informing them.

We do have a very high degree of protection in Manitoba for things in the market, things such as legislation that we brought in that ensures Manitobans know the full cost in terms and conditions of their loans and mortgages, including rent to own. Sometimes these contracts can be a little bit confusing, and when you actually see how much you're going to pay in the end you might reconsider if that's going to be the best use for your money.

We are also the first in Canada to introduce legislation to strictly regulate the payday loan industry. Certainly sometimes people have an emergency need, but we don't want people in that vulnerable condition to be taken advantage of. Manitoba also makes sure that there's maximum rates to cashing government cheques, such as social assistance, child tax credits, employment insurance and workers compensation. And perhaps that doesn't

mean much to those of us in urban areas, where we have access to several different banks and credit unions but, depending on where you live in Manitoba, you may only have one place, and it may be your local store, to cash cheques. So it's good to know that folks, wherever they are in Manitoba, are protected.

\* (10:10)

We've also improved protection against identity theft through the introduction of highly secure birth certificates. Again, this comes in to being safer in the marketplace. And we've got provincial legislation coming into force that will ensure that products labelled as organic meet the standards determined by provincial and federal regulation. Again, it's something that may not seem that important—you know, if it says organic; it doesn't say organic—but the fact is that we don't want consumers being taken advantage and possibly paying more for a product that is labelled organic only to find out that it actually has no difference than the piece of—the product sitting right next to it. So that kind of legislation means not only are consumers getting their worth and getting what they pay for, but producers as well. It's not fair that someone would charge more for their product because they put a label on it, organic, when they haven't actually met any of the standards compared to the product sitting right next to it.

In Manitoba we also have the right to cancel Internet purchases if the seller has not complied with disclosure requirements or has not delivered the goods or services within the time set by law. We have reverse mortgage disclosure information and the right to participate in class action suits—lawsuits. I think that one is particularly important, Mr. Speaker, because when something happens—a consumer versus a large company—it can be pretty daunting to take on that company, but certainly consumers, when they unite, have a strong voice.

Another thing that's helping consumers have a strong voice is Province of Manitoba's five-year plan for stronger consumer protection, let's make a deal. I think we've done a great job educating people that there's a resource out there. You can't go anywhere in Winnipeg, as far as I can see, without seeing Monty Hall's face on buses everywhere you go, and who better to represent consumer protection than Monty Hall. I think we all think of Monty as the guy who's got a deal for us, but in Manitoba we want that to be a fair deal for both consumers and for the

marketplace as well. Whether we're buying, selling, repairing or leasing goods or services we all are taking part in our marketplace. So we need to know that it's a safe place and that it's a fair place, and that it's a level place for everybody in business as well.

I just want to take a few moments to talk about some of the recent announcement under the Let's Make a Better Deal strategy. In May 2010, we announced that condo buyers will get a new legislation protection. We know that more and more people are going into this, buying condos, when—at a time maybe 10, 20 years ago it wasn't quite as heard of. Now it's quite common. And proposed amendments to The Condominium Act will strengthen protection for people buying what is going to be probably one of the biggest purchases that they make in their lives. In November, we also announced that Manitobans will have stronger protection against identity theft, and in October we talked about negative option billing, which means someone can't sort of just make that wording a little bit more confusing for you to get out of a contract when it ends.

This is just some of the things and, unfortunately, I won't have enough time to talk about all the protections that we've done in Manitoba and those to come, but I would recommend that people take a look at our Consumer Protections office website for more information on that.

And I do hope that this bill will pass unanimously in the House because I think it's for the good of all Manitobans, whether you're buying or selling in the marketplace. It makes everything fairer. It makes our marketplace stronger and it makes our economy better for our consumers to be more aware of their rights in Manitoba. Thank you, Mr. Speaker.

**Mr. David Faurshou (Portage la Prairie):** Well, Mr. Speaker, it is, indeed, a pleasure to rise this morning and participate in debate on Bill 204, The Consumer Rights Day Act, as brought to this Assembly by the honourable member for Southdale.

Now, I will say that I listened very intently to the honourable member for Southdale and her remarks regarding this, and, indeed, she did make one remark there that was true, that the consumers' rights are very, very important. And we are all consumers, and so when we speak of this legislation it is all encompassing, all inclusive of every Manitoban.

Yet it is with dismay that one of the first acts of this current government was to strip the department

of a minister and to couple that responsibility of the consumers' affairs division of government into another portfolio because it wasn't a high priority of this government. It's really quite shameful to speak about the importance of consumers' rights, yet to say that it is not worthy of a single focus of an elected representative here in the Legislative Assembly of Manitoba, and that is, indeed, dismaying.

I don't tarnish any particular minister who's had this responsibility over the years with that statement because it is a collective decision on the part of government as to how the departments are structured, but it is obvious to consumers everywhere here in Manitoba that this government could do a lot more than it has done to date.

And it's very curious that almost 10 years have elapsed before this government finally got around to looking at consumer affairs issues, and, yes, this government is an absolute master of media relations and being able to spin a message, but even the most difficult task one has before us can recognize that this government has waited far too long to recognize Manitoba consumers and the issues before them, 10 years in the making, and, now, just before another election, it is now an important issue.

And there isn't a day that goes by that we aren't faced with a number of issues that this government has failed to address, and, as critic, I have brought to this House pieces of legislation each and every session, and last session it was five pieces of legislation, and not one dealing with consumer and corporate affairs issues was passed by this government. And yet the government itself had no legislation that addressed the issues that are brought before this government.

You know, they talk—the member from Southdale talks about that a condominium act is where most of us should be looking at. But, you know, one of the acts that this government has not looked at that all of us are ultimately headed for and that's The Cemeteries Act or the pre-arranged funeral act. Those two particular acts touch each and every person here in Manitoba. And yet, this government hasn't even looked at those outdated pieces of legislation over the course of the 10 years.

Now, the government did finally get around to looking at the funeral directors act, to which, after many years of pressure from the members opposite, indeed, the government finally took a look at that in—and in a co-operative, 'consultative' way, did bring forward some legislation that only needed minor

tweaking when it came to the committee stage of the legislative passage process.

But this is just an example that this government does not move on any issues until it's really, really pushed in the corner or perhaps if it is more politically palatable to go one direction to garner a greater favour of the public and ultimate votes in the ballot box.

So this government did look at bringing in legislation as was 'membered' by the honourable member from Southdale and that addressed the issue of the payday loans industry, and again, though, it was something that could've done—been done much better if there was a greater consultation with the industry, because there was an immediate backlash to—for not only the persons that were delivering the service but those that were receiving the service. And this government then asked the Public Utilities Board to mediate and provide for a set rate, which then, ultimately, was bound to be unacceptable to both parties, and so the government then went back to the drawing board. And this is the type of process that is so frustrating for all parties, and that's an example of how this government goes about its daily business.

\*(10:20)

And the honourable member for Southdale (Ms. Selby), bringing forward this legislation again, after the government itself, last session, did not see it as an important piece of legislation, is once again trying to muster enough support amongst her colleagues to see that this eventually gets passed.

And I do believe that the—ultimately, the spirit of the legislation is one that most people could support and it has quite a bit of worldwide acceptance. But, once again, I heard the member make a statement of what the rights are that this legislation is mentioning but I don't see it in the legislation.

She said the points were very, very important yet obviously not important enough to be enshrined in legislation. So that's what this government's all about. You had a lot of bluster, a lot of public relations, a lot of media spin, and yet, when it comes down to the fine detail, this government falls far—very, very short of it.

And I don't know why the honourable member for Southdale did not include in the legislation what she spoke in this House as being the fundamental rights of consumers. Should it not be in the legislation? But either the honourable member

obviously had to do something in order to perhaps water her thoughts down so that they'd be palatable to others in their caucus because the New Democratic Party, on its principle, does not support consumers' rights because all the—what is about in this government is tromping on consumers' rights, and—because more rules, more regulations ultimately take away one's right.

And I have a portfolio full of questions and concerns that one could address to this government, and have, yet they remain unresolved. And I admit there's a very splashy, let's make a deal, and it's very catchy and that's what this government is all about, is spinning a message, hopefully, that adds more ballots to the—in the ballot box come election day.

But I want to express my significant dismay that this government, after learning about a young girl who saved her gift cards from one year to the next and went to purchase an item and found that the charges that had been applied to that card made the card virtually worthless. I brought legislation to this House to address that very specific issue and not even the member for Southdale (Ms. Selby), did she stand up and support that legislation. She sat on her hands.

And so that's very, very indicative of this government and the way the honourable member for Southdale treats a little girl who saved her birthday gift card, and this government failed to stand up and defend her rights to that money. It's shameful. Thank you, Mr. Speaker.

**Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs):** Mr. Speaker, it's an honour to speak on this bill before the House. And I, first of all, just want to begin by commending the relentless efforts of the member for Southdale when it comes to consumer protection and her insights into the challenges that families face when they go out to buy things on an everyday basis.

A large part of the strategy is from the everyday experiences of people, of Manitobans—not just people on this side of the House and the member for Southdale, but indeed the experiences and the concerns of Manitobans that have been brought to the attention of the Consumers' Bureau over the years.

So we were certainly very pleased to work in partnership with many business sectors, in particular, and consumer organizations to usher in a new era of

consumer protection for Manitoba families under the ambit of the strategy Let's Make a Better Deal.

We also, of course, heartily thank the great Manitoban, Monty Hall, for helping us with the branding of this strategy and, of course, for asking that the—that all that be done as compensation is that we help a graduate of St. John's High School over the next few years by way of a scholarship, because that's what Monty Hall was able to benefit from and go on to great things. It's a great opportunity to attend post-secondary education.

So that started the movement in Manitoba with a five-year strategy, and, of course, it's based on a very—some very fundamental principles. First of all, there has to be greater fairness for families in the marketplace. Consumer protection is increasingly challenging in the modern world. There are some very complex contracts out there. If everyone—anyone has gone to get a cellphone with their teenager, you are going to hear some very interesting stories and always some surprises following the execution of those contracts. My family has not been immune from that, and I think many families in this House know what I'm talking about. But when you have fine print that goes on and on and on, for very busy families you have a challenge that has to be addressed, and sometimes the sectors are not able to address it as fully as we would like, and so we have to work with those sectors to strengthen consumer protection in so many areas.

The other fundamental principle is that stronger consumer protection is better not only for buyers, but better for business, and, in fact, at the announcement of Let's Make a Better Deal, we had in attendance several business sectors who were there to make the case, to remind Manitobans that when there's a level playing field for businesses, when there are protections to weed out the bad apples, the whole sector has greater confidence from the consuming public. And that is what we all search for—is a product or a sector that we have some faith in, that we know when we purchase the services or the products, we are getting a good bang for our buck. So that is why we've been able to work with so many business sectors, and I'm very proud of the involvement of those sectors as we now implement Let's Make a Better Deal.

So it's only been a—several months since we launched Let's Make a Better Deal, and in the short few months, there are 10 new initiatives that have

already been put into force in Manitoba to better protect families when they go shopping.

First of all, at the time of the launch of the strategy, we brought in legislation to ban negative option billing, when you have to buy things you never asked for. That is not appropriate and our legislation has now come into force.

We've also increased penalties under the legislation to send a strong deterrent message that we do mean business.

Third, we brought in a code of ethics for funeral homes. Amongst the most vulnerable of consumers are those who are grieving the loss of a loved one, and we were able to work with the funeral home directors across Manitoba to collegially bring in a code of ethics, that's second to none, in this province. We are also now, with the participation and leadership of the Public Utilities Board, looking at modernizing protections when it comes to cemetery plots and pre-arranged funeral services.

Fourth, we were able to bring in new legislation to protect condo owners as the first phase of condo owner protection, the first phase being a protection when condo developments are being phased in.

A fifth area, and one that Manitoba has really struck a new path for all Canadian provinces with, is payday loan protection, and my predecessor—former Finance Minister, now Premier (Mr. Selinger)—really paved the way for many provinces in Canada having strong provincial protections when it comes to payday loans.

We also brought in new protection for tenants in periods of low vacancy rates, longer notice periods for evictions. We brought in a new—and established a new tenant advisor's office which is now open. We brought in new user-friendly forms that set out the rights and responsibilities of tenants and landlords and, as well, have enhanced moving expenses that are required to be paid to tenants when they must move for renovations.

We very recently brought in legislation, and I believe this is only the second province in Canada, to require, in law, credit bureaus to put credit alerts on the files when requested by consumers when they're concerned about the risk of identify theft.

Manitoba Public Insurance brought in new procedures so that there is greater public awareness when there are administrative sanctions put in place for vehicle repair shops.

The Public Utilities Board has concluded its work on making sure that we have limits on cheque cashing fees, and the Consumers' Bureau has been rightly renamed the Consumer Protection office.

\* (10:30)

So those are 10 strategies that are already going to work for Manitobans.

And what's next, Mr. Speaker? We have been consulting, particularly with the home builders of Manitoba for a built-in new home warranty. We will be launching consultations to protect Manitobans when they purchase travel packages and when they get their vehicles repaired. We will be introducing and putting into law information that must be provided when Manitobans go to buy or lease vehicles. We will be introducing legislation to protect Manitobans from those very cryptic contracts when buying cellphones. As well, we'll be implementing the legislative scheme—or introducing the legislative scheme to protect condo owners as phase 2 of the condo protection strategy. And as well, we'll be bringing in very significant changes to The Insurance Act that are I believe long overdue that better protect consumers when they purchase those contracts, the often complex insurance contracts. We'll be enhancing tenant protections and, as well, bringing in new rules to guard against real estate fraud.

So this is our aggressive agenda and I want to just conclude by urging the House to recognize the importance of this legislation because regulations in fact are a cornerstone of how we can move ahead. Hopefully, they're done collaboratively with the sector and that usually is the case. Sometimes you can't get that meeting of the minds, and we had that challenge when it came to payday loans. We had to take a very tough position on that one that not all in the industry wanted us to pursue. But no stronger protection is out there than awareness on the part of consumers, knowing what to look for, and that's why a Consumer Rights Day will help to enhance the power of consumers, the protection for consumers when they go to the marketplace as we do almost each and every day.

So I urge the House to move this legislation along. It would be nice if this March 15th could be the first Consumer Rights Day in Manitoba, and at the same time we'll be moving along with the Let's Make a Better Deal strategy.

So, in conclusion, I thank the member for not only her hard work on consumer protection for Manitoba families but for her work on this legislation and so many other bills that are coming into this House. Thank you.

**Mr. Cliff Graydon (Emerson):** It gives me great pleasure to rise today to congratulate two newly elected members to the members of Parliament in yesterday's by-election. One of them was a familiar face in this particular Chamber, a very capable individual that handily won Winnipeg North and has had a history of serving his constituents very well. Also, Mr. Bob Sopuck in the Dauphin-Swan River-Marquette riding who, in his own right, is no stranger to politics and will serve his constituents well, and his riding.

Mr. Speaker, it gives me great pleasure also to speak to this particular bill of No. 204, The Consumer Rights Day Act. I believe it's the responsibility of this government and of any government to protect consumers' rights. We've had that responsibility for many, many years, and it's unfortunate—as my colleague from Portage la Prairie pointed out just a few minutes ago—that it was this particular government that removed a minister that was responsible for that particular portfolio and in 10 years have done nothing with this particular portfolio.

However, it was brought forward a year ago, and it was clear that the member from Southdale, although meaning very well and probably did a fairly good job of explaining it at the time, didn't have the confidence of her colleagues at all, and they let it die. They let the bill die and it didn't go forward. I give her credit for bringing it back. Unfortunately, she wasn't any better prepared this time than she was last time, and I would suggest that, although it is laudable that she does do—or does think this way, I don't think she still has enough support on her side of the House to carry this any further than it is.

We've seen the discussion before about the gift cards and the expiration dates on the gift cards, and it was tragic, the scenario that was pointed out by my colleague from Portage, who has put a lot of effort into protecting consumers in the years that he's been in this Chamber, Mr. Speaker. And, unfortunately, the member that put this bill forward didn't support him. She never rose from her seat to speak to this in a positive fashion when it was brought forward by the member from Portage. That member had done a lot of research and presented a reasonable bill to this

House to protect consumers and, unfortunately, there was no response, none whatsoever from the member of Southdale.

Southdale, Mr. Speaker, is growing. It's growing 'expidientially'. Many, many consumers in that particular riding, and they have no protection. They don't have a voice in this House. The voice comes once a year in a bill that's poorly crafted, that doesn't have the support of her fellow members. She's probably going to have trouble putting up more speakers for this.

But it is a laudable goal. It's a laudable goal, Mr. Speaker, that—but the government put together a five-year plan that says, Let's Make a Better Deal. We just heard someone speak to that. He suggested that the new home warranties—they were going to be protected with new home warranties. Well, I have news for that particular individual. New home warranties have always been there. There has been a warranty on every new home that was built. The person that's building that knows that warranties are there and they know how to use it.

So what we're putting forward is already there. It's just rhetoric. It's another photo op that really isn't going to do a lot of good.

A ban on real estate fraud, that the member just mentioned—there's always been a ban on real estate fraud. It's against the law. It should be prosecuted at any time. It isn't fit into this particular bill of consumer protection. That's a daily thing, not a consumer day—excuse me—consumer protection is important. A consumer day should be 365 days of the year, Mr. Speaker. We shouldn't be talking about a ban on real estate fraud. That shouldn't even rise today.

The travel plan protection. If we use our credit cards we all have travel plan protection. I can't speak to those that pay cash. I don't really know because I've never had enough cash to travel.

The cellphone contracts, they—cellphones have been around for 10 years and longer. The contracts haven't changed a whole lot but, all of a sudden, we're going to pay attention to them. They should have been paid attention to at the same time that my colleague from Portage brought forward a bill on the gift cards. They should have been paid attention to then by the member from Southdale if she was worried about the consumers.

If it was a top priority since 2002, when she was a television reporter—she's had plenty of opportunity

to be proactive. She hasn't been proactive. The residents of Southdale have not got a proactive representative. She might be a reactive representative, reactive because we know when the next election is. She's trying to raise a profile. This is not the way to do it. It's not the way to do that at the expense of consumers.

We don't need a special day. It should be 365 days of the year. A government has a responsibility to the people of this province—of this great province. They should be, without any doubt in my mind, should be represented every day of the year. There are no holidays in this.

\*(10:40)

When the government introduced legislation banning expiration dates and fees on a gifts card, it was a half-hearted measure. They didn't go to the extent that my colleague from Portage had put forward. It was properly researched, researched in depth, and brought to this House just to be rubber-stamped by the House; that's all it needed. It didn't need to be tweaked, and then it does it in a half fashion. The rights coming from this government, the proposal that consumer rights days, which is intended to promote awareness of consumer rights, as I pointed out, Mr. Speaker, it's a 365-day job, and, unfortunately, the member for Southdale (Ms. Selby) considers it a once-a-year job. Once a year I can bring this up in the House and it will show that I was attending daily, that I got up and I spoke to a bill that I—I didn't author it.

No, she didn't author it. It's just another photo op, Mr. Speaker, and because you're not on television today you need these photo ops to keep yourself up in front of the public. You shouldn't be doing it in this fashion. You should be doing it every day, working for the consumers, every day. We shouldn't talk about the 10-point program that we brought in today and what we're planning on doing. We've been planning on doing things for 10 years that haven't materialized from that side of the House, unfortunately.

And so, Mr. Speaker, I find it ironic. I find it ironic that it would be brought back to the House after her own government ditched it. Her own government ditched it in the last session. That was shameful, and I'm not sure who that House leader was at that time, but I don't think he was supporting his backbenchers. He wasn't supporting them at all. But I think that he's been removed, as well, and

probably rightfully so. It was capable that he wasn't being a team player.

So, with those few words, Mr. Speaker, that I've just put on the record, I'd like to thank you for the opportunity.

**Mr. Matt Wiebe (Concordia):** It gives me great pleasure to stand to speak to this particular bill, and I think this is a very important bill and a very timely bill for us. We have some important, new regulations and important, new programs that we're bringing in here in Manitoba with regards to consumer protection, and I think having this private member's bill, which seeks to highlight some of those achievements through an actual Consumer Rights Day is an important one and is something that is very relevant.

And I think here we are again, the members from this side of the House and our party and our government talking again about pocketbook issues and issues that are important to the little guy and the average Manitoban, and I think that's very telling. We're, you know, moving forward on these issues that are, you know, relevant to all Manitobans, and looking to even the playing field, so to speak, for all Manitobans, and make sure that the marketplace functions as it should. And we're—once again, we're moving Manitoba forward with this bill, Mr. Speaker. We're talking about bringing ourselves in line with other provinces and within—with other countries. This is something that exists throughout the world. This is an international movement, to have a World Consumer Rights Day and, you know, in fact, it's in over 100 countries around the world and in several provinces across Canada, including Ontario and Alberta. And even in the United States, the bastion of the free market, recognizes the need to have some protection and some recognition of those protections for consumers so as to level the playing field. So, once again, we're talking about something that's relevant to Manitobans, something that's timely and, again, we're forward-looking. Where some want to leave—want to keep us where we are, we're leaving them in the dust. We're moving forward, and that's the way it is.

We're talking about Let's Make a Better Deal here, Mr. Speaker, as well. This is all part of a larger picture of making sure that Manitobans are informed of these new policies and, you know, Let's Make a Better Deal. This is the kind of stuff that Manitobans have been asking for, negative option billing. This is something that for people of my generation and, of

course, even younger, more and more are seeking their first cellphone or looking to get involved in these long-term contracts, of course, and maybe these younger people aren't as informed as some of us, some of the older folks who have been around and know some of the tricks and know to read some of the fine print. So these are protections for those young consumers who are maybe not quite as informed, are not quite as up-to-speed on some of the long-term issues of signing these contracts.

Some of the other things: We're looking at new home warranty protections. This is—I mean, this is something that in my constituency, lots of new home starts and lots of new homes around, and of course people want to make sure that they're getting a good deal and that they're getting something that's going to last and that's going to be a good building place for their family.

And of course we're talking about payday loans, which is something that, of course, in the lowest rungs of our society and particularly in my constituency and in others where, you know, those people who have the least and who are the least able to see the issues and the problems with these payday loan companies, we're looking to protect them and to make sure that they are on the same playing field as the rest of society.

And these issues, as I said, Mr. Speaker, hit particularly close to home in my constituency. It's a working-class neighbourhood. We have significant consumer and manufacturing and all aspects of the market. And so we're not saying here that, you know, the market isn't a tool and isn't a good tool for, you know, in this case, for making sure that we move forward as a province. We want a strong economy, but part of that, I think, is making sure that everybody is—knows the rules and that those businesses and those consumers and everybody knows that when they're looking to make a deal and to make a transaction in the marketplace that they're protected.

So I just want to stand, Mr. Speaker, and highlight some of these issues. This Consumer Rights Day is a great way to keep Manitobans informed and to let them know that this government is looking out for them and that there's proper protections for them in the marketplace.

Thank you, Mr. Speaker.

**Mr. Blaine Pedersen (Carman):** Speaking to Bill 204, The Consumer Rights Day Act, but first of

all, obviously, I would like to extend my congratulations to both Bob Sopuck, who I know very well, won Dauphin-Swan River-Marquette, the new MP for that area and I'm sure he'll do a terrific job there, and I also want to extend congratulations to Kevin Lamoureux, who won for Winnipeg North for the Liberals yesterday. And I know members opposite, the government, will truly miss him now that he won't be in here for—as an MLA, now that he's on his way to Winnipeg. And I know that from getting to know Kevin in the last few years, I know that he will do a sincere job for the people of Winnipeg North and speak up very passionately for them, so I wish him all the best.

The—this bill, Mr. Speaker, Consumer Rights Day act, it's a bill that we're—some of the comments made really make me wonder, because the Minister for Consumer Affairs stands up and thanks the member for bringing—for her relentless efforts. If it was that great a bill and it was introduced last year, the minister would've made it a priority and would've passed it last year, but apparently it got ditched last year, and we'll see where it goes this year. Obviously, if it was really that important, if consumer rights were really that important to this government, they would've made it a government bill and made it a priority bill, but apparently it's not that important to them.

And some of the comments made, too, that the member for Southdale (Ms. Selby)—the one comment I did catch there, that a purpose of this bill would be to validate the work that government is doing. And I didn't think this was supposed to be a praising of government work; I thought it was supposed to be about protecting consumer rights. So, goodness knows we don't need more photo ops and press releases from this government over a bill like this, but so be it.

\*(10:50)

But, you know, if you're talking about consumer rights and you're talking about standardizing consumer rights across the province, across the country, across the world, as what has been mentioned by various members, maybe a good place to start is to start with the New West Partnership and let's get in on the New West Partnership and let's become—standardizing regulations, standardizing consumer rights across western Canada. That would be a terrific place to start, but this government chooses not to do that. They're not interested in becoming part of the New West Partnership. In fact,

this government I'm not even sure would be welcome to join the New West Partnership by the governments out of western Canada.

So, you know, as you talk about standardizing consumer rights or standing up for consumer rights, it's not by what you say, it's by what you do. And it's—this government, obviously, has all the right talking points but they're not doing what they really—what really should be done out there in terms of protecting consumer rights.

And to go back and quote JFK and—from 1962—and this government likes to quote the '90s—man, now they're going back to the '60s here to find quotes. So it's—obviously, there's no original thoughts on there. And one of the other—[interjection] I'm sure the minister will get a chance to speak here, so it'll be all right, Mr. Speaker.

Under one of the other points under here, Let's Make a Better Deal—and I kind of found that to be a bit of an oxymoron in dealing with the NDP government is—you won't get a better deal dealing with the NDP here, because perhaps for consumers in Manitoba their biggest fear right now is dealing with government, not dealing with businesses. Businesses do a very good job of being upfront about their costs.

There's still a buyer beware aspect of it. Consumers are dealing online these days from around the world. You have to be careful of how you deal. Passing a Consumer Rights Day Act in Manitoba I don't think is going to protect you on online shopping when you deal around the world. So we're not really—I don't think the NDP's been managed yet to bring the rest of the world into line with their thinking on what is right and what is wrong, so it still goes back to the consumer. The consumer still has to look after themselves.

Yes, it's good to have consumer rights. Consumers do have rights. They need to be proactive in understanding what their rights are, but passing—bringing—introducing a bill like this is not going to do that because, as the member from Portage quite aptly stated, there was nothing in the bill that outlines what those rights would be. All this would be would be proclaiming the day of being Consumer Rights Day, and with that there was no substance to it.

So unfortunately it's another photo op for this government, a small bill that the member from Southdale has brought in, but yet really no substance

to the bill. So we would—you know it's—and obviously there's not government caucus support for this because it would've been made a government bill if it was that.

So the—this bill really is not—has no substance to it, as I said, and we would really like to see something. If the member is going to bring forward a bill like this, put some substance into it. Let us discuss it. Let's do it in committee where the public has actually a—we'll see what this government's really up to rather than just a fluffy bill.

And, so for that reason, Mr. Speaker, I would really ask that the next time the minister—or the next time the member brings back a bill like this, do some more homework on it, bring out some substance so we can have a real true debate on what the bill is all about.

So with that, thank you, Mr. Speaker.

**Mr. Ron Schuler (Springfield):** Mr. Speaker, and indeed a great day to be getting up and speaking to this particular bill, Bill 204.

Before I begin my remarks, I certainly would like to congratulate our two newest members of Parliament, Kevin Lamoureux from Winnipeg North, and Bob Sopuck from Dauphin-Swan River-Marquette. I'm sure they will both represent their communities well. They were hard-fought campaigns, and I guess, Mr. Speaker, the moniker, don't ever bet against Kevin Lamoureux, has come to be proven true.

As one of our colleagues in this Legislature, we know how tenacious and hard-working he is and certainly we do wish him well in the big House, in the Parliament of Canada.

I do also want to put a few comments on the record in regard to Bill 204. And it's interesting that there was a piece of legislation brought forward by members of the opposition from this side of the House, some years ago, that also talked about protection and about rights and somehow never saw the light of day because the government members saw fit to vote it down because they actually have something against true rights and workers' rights and the ability of workers to be able to have themselves protected.

And it had to do with the fact that there was an incident that happened on a farm. And many migrant workers were involved, and several of them were incarcerated at an RCMP detachment. And when,

you know, other workers went to find out what was going on, they were offered an option. And the option was that they could sign these little documents and get legal advice or they could choose not to sign them and get no legal representation. Unfortunately, all these documents were in English and not in the language that they were most proficient in. In fact, most of them had very little or no English language skills.

And it reminds me of a story that a professor of ours told us at university, when the African-Americans were trying to get their voting rights in the United States. And there was a law brought forward that if you could read a newspaper in the United States, you were entitled to vote. So one man decided to go and test this particular law and he went to the voting station and said, I would like to vote; I would like—I know how to read; I've taught myself and wanted to read the newspaper, and they promptly presented him with a newspaper in Chinese.

And we have to be very careful because the kind of thing that happened for these workers, that they signed documents that they couldn't read, that they had no idea what they were signing. And I guess, my question is to this House: Why have we allowed that legislation, that would've actually have protected workers' rights, that would have protected those that are most worthy of being protected? Why were they not protected? And the NDP government defeated it.

And so, it's no wonder that an individual like Kevin Lamoureux, who actually understands standing up for individual rights, an individual who is prepared to set aside partisanship—unlike members of the NDP—and is willing to stand up for rights of individuals who need their rights protected.

And I spent quite a bit of time travelling. At that time I was the caucus Labour critic; I went and I spoke with these individuals. I had the opportunity to visit various places where they were working and there was a lot of confusion. In fact, the government of the day was remiss and it was most unfortunate that—and the member from Kildonan rubs his face. I don't know if that's from the wake that he held last night because he couldn't even be in the House to vote on his own Throne Speech.

**Mr. Speaker:** Order. I have to deal with an issue first.

Order. I remind all honourable members, when referring to members' presence or absence, it's

disallowed and against our rules. And I ask the co-operation of the honourable member.

**An Honourable Member:** I thank you for that, Mr. Speaker—

**Mr. Speaker:** Order.

### Point of Order

**Mr. Speaker:** The honourable Government House Leader, on a point of order?

**Hon. Jennifer Howard (Government House Leader):** Yes, Mr. Speaker, on that point of order, I think that's a rule that's well understood in this House, even by the member for Springfield, that he knows better than to do that, and I thank you very much for calling him to order on that issue.

**Mr. Speaker:** Okay, the honourable member does not have a point of order. I have already dealt with the matter.

\* \* \*

**Mr. Speaker:** And the honourable member for Springfield to continue, please.

**Mr. Schuler:** Thank you very much, Mr. Speaker. And, of course, I would withdraw that.

I would like to point out that the member for Kildonan (Mr. Chomiak) had the opportunity to allow that piece of legislation to go forward that would've protected those individuals who actually don't have English as a second language. And instead, he wouldn't allow it to go forward and that is really most unfortunate, Mr. Speaker, that—

\* (11:00)

**Mr. Speaker:** Order. When this matter is again before the House, the honourable member for Springfield will have four minutes remaining. The hour now being—five minutes remaining? Five minutes remaining. Will have five minutes remaining, and the hour now being 11 a.m., we will now move on to resolutions.

### RESOLUTIONS

#### Res. 1—Federal Cap on Manitoba's Provincial Nominee Program

**Mr. Speaker:** We will deal with the resolution Federal Cap on Manitoba's Provincial Nominee Program, that will be brought forward by the honourable member for The Maples.

**Mr. Mohinder Saran (The Maples):** Mr. Speaker, I move, seconded by the honourable member for Concordia (Mr. Wiebe):

WHEREAS Manitoba has one of the most successful Provincial Nominee Program in Canada supported by a broad consensus of business, labour and community leaders; and

WHEREAS provincial nominee—nominees to Manitoba are helping to keep our province growing, filling our skilled labour shortage and enriching our social and cultural fabric; and

WHEREAS immigrants settling in Manitoba are more likely to earn more than federal economic class immigrants upon first arriving and are more likely to stay in the province long-term; and

WHEREAS the retention rate of provincial nominees in Manitoba between 2000 and 2006 was 80 per cent higher than the retention rate for both federal skilled workers and refugees; and

WHEREAS 31 per cent of 2009 provincial nominee arrivals benefited communities outside of Winnipeg and contributed to the vitality of our increasingly diverse regions; and

WHEREAS Manitoba is a leader in improving credentials recognition for immigrants as funding for settlement services and language training has increased six-fold since 2000; and

WHEREAS Manitoba has established a nationally recognized model for the ethical recruitment and retention of temporary foreign workers, TFWs, through the new Worker Recruitment and Protection Act, WRAPA, which protects foreign workers from unregulated recruiters, illegal recruitment fees and exploitive workplace situations and helps connect employers to potential workers; and

WHEREAS Manitoba's Provincial Nominee Program is recognized as a national leader and a model program by other provinces;

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the federal government to recognize the Provincial Nominee Program's excellence and consider allowing Manitoba to accept, in 2010, the 5,600 applicants our province is fully capable of absorbing; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba urge the federal government to consider lifting the cap on our

provincial program nominees, allowing Manitoba to reach its goal of settling 20,000 new immigrants annually, which is vital to our long-term economic growth.

**Mr. Speaker:** Is there agreement of the House to accept the resolution as printed? *[Agreed]*

*WHEREAS Manitoba has one of the most successful Provincial Nominee Programs in Canada supported by a broad consensus of business, labour and community leaders; and*

*WHEREAS provincial nominees to Manitoba are helping to keep our province growing, filling our skilled labour shortage and enriching our social and cultural fabric; and*

*WHEREAS immigrants settling in Manitoba are more likely to earn more money than federal economic class immigrants upon first arriving and are more likely to stay in the province long-term; and*

*WHEREAS the retention rate for provincial nominees in Manitoba between 2000 and 2006 was 80% higher than the retention rate for both federal skilled workers and refugees; and*

*WHEREAS 31% of 2009 provincial nominee arrivals benefited communities outside of Winnipeg and contributed to the vitality of our increasingly diverse regions; and*

*WHEREAS Manitoba is a leader in improving credential recognition for immigrants as funding for settlement services and language training has increased six-fold since 2000; and*

*WHEREAS Manitoba has established a nationally recognized model for the ethical recruitment and retention of Temporary Foreign Workers (TFWs) through the new Worker Recruitment and Protection Act (WRAPA), which protects foreign workers from unregulated recruiters, illegal recruitment fees and exploitive workplace situations and helps connect employers to potential workers; and*

*WHEREAS Manitoba's Provincial Nominee Program is recognized as a national leader and a model program by other provinces;*

*THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the Federal Government to recognize the Provincial Nominee Program's*

*excellence and consider allowing Manitoba to accept, in 2010, the 5,600 applicants our province is fully capable of absorbing; and*

*BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba urge the Federal Government to consider lifting the cap on our provincial program nominees, allowing Manitoba to reach its goal of settling 20,000 new immigrants annually, which is vital to our long-term economic growth.*

**Mr. Speaker:** It has been moved by the honourable member for The Maples, seconded by the honourable member for Concordia (Mr. Wiebe),

WHEREAS Manitoba has one of the—dispense?

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense.

**Mr. Saran:** Mr. Speaker, I came to Canada in 1970 as a visitor. I applied for immigrant status, got rejected, appealed the rejection, and I was granted immigration in 1974. By this time, I had a full-time job and bought a house. During that time, there were hardly 30 new immigrants from Indian origin who were ordinary workers, although there were some professors and doctors who were working in their profession from India.

Since then, I have a keen interest in the immigration process. Manitoba did a good job to attract new immigrants from all over the world. Manitoba is becoming a diverse community under the Provincial Nominee Program. That's why I urge the—that's why, under this proposal, I urge the federal government to recognize the Provincial Nominee Program's excellence and consider allowing Manitoba to accept in 2010 the 5,600 applicants our province is fully capable of absorbing, and urges the federal government to consider lifting the cap on our provincial program nominees, allowing Manitoba to reach its goal of settling 20,000 new immigrants annually, which is a—which is vital to our long-term economic growth.

This government has run one of the most successful provincial nominee programs in the country which helps fill our skilled labour shortage and enriches the social and cultural fabric of the province. This government aims to eventually bring in 20,000 immigrants annually to reach its full economic potential.

In 1998, Manitoba was the first province to develop a provincial nominee program to attract and retain a greater share of immigrants and increase their distribution across the province. Most provinces and territories now have PNPs. PNPs are run by provincial governments in conjunction with the Citizenship and Immigration Canada, CIC. CIC provides incomes for the initial resettlement of government-assisted refugees for one year. Funding for resettlement services is jointly provided by CIC and Manitoba's Immigrant Integration Program.

*Ms. Marilyn Brick, Deputy Speaker, in the Chair*

Manitoba has the most successful provincial nominee program in Canada and attracts more nominees than any other province. In fact, 75 per cent of our immigrants to Manitoba came to Manitoba through the Provincial Nominee Program. Manitoba welcomed 13,520 new immigrants in 2009, the highest level since the start of modern record keeping in 1946. The Provincial Nominee Program accounted for 75 per cent of all immigration to Manitoba. We have streamlined the PNP application process to ensure that applications in all streams are processed within six months and some priority streams, within three months.

As of September 2010, Manitoba had reached its 2010 cap of 5,000 nominations. The PNP will continue to process applications, but will only be sending out nomination certificates to successful applicants in January 2011. The PNP could nominate 5,600 candidates in 2010 without the federal cap. Manitoba's PNP is a nationally recognized model for ethical and effective recruitment and protection of foreign workers. We have made changes to the Provincial Nominee Program to make it faster and easier for international students to qualify for the program.

Manitoba's economy has posted above-average growth for much of the last decade. Manitoba immigrants had the highest employment rate, 82.6 per cent, as well as the lowest unemployment rate—that's 4.8 per cent—among immigrants in Canada in 2009, which was half the national average. In 2009 we had over 13,500 immigrants come to Manitoba, a more than 20 per cent increase over 2008 and the highest level record since 1946, with communities outside of Winnipeg receiving 27 per cent of our newcomers. We have streamlined the PNP application process to ensure that applications in all streams are processed within six

months, and some priority streams within three months.

We have made changes to the Provincial Nominee Program to make it faster and easier for international students to qualify for the program. According to a new study published by the Institute for Research on Public Policy, IRPP, 85 per cent of provincial nominees were working after three months, and 89 per cent had permanent jobs. Seventy-six per cent of nominees were homeowners after three to five years in Manitoba.

\* (11:10)

Manitoba's immigrants have come from over 140 countries and have settled in over 130 communities in Manitoba. Communities across Manitoba, from Winkler and Neepawa to Cartwright and Kola, have grown and prospered as a result of the program. Thirty-one per cent of the provincial nominee arrivals choose to—chose to settle in communities outside of Winnipeg in 2009, helping to meet the local need for more workers and families.

We have taken a leadership role in establishing a nationally recognized model for the ethical and effective recruitment and protection of foreign workers. Funding for settlement services and language training has increased more than sixfold since 2000. We have partnered with the federal government to provide almost \$30 million in immigration settlement support programs, which is an increase of 5.3 per cent over the previous year.

We have launched an expanded settlement strategy to improve services for immigrants and strengthen community involvement. It includes better orientation of immigrations before and immediately after their arrival, a Language Assessment Centre and several hundred additional seats for English language training across the province. Last year, we provided funding for 60 per cent settlement workers and funding for 98 teachers of English as an additional language. The number of immigrants receiving adult EAL classes has grown from 3,018 in 2002-03 to 16,000 in 2009-10, an increase of more than fivefold. We have implemented the memorandum of understanding between the government of Manitoba and the government of the Philippines, facilitating the recruitment of 122 registered nurses from the Philippines to work in three Manitoba regional health authorities.

Madam Deputy Speaker, this is a very important resolution for growth of Manitoba's economy, therefore I will ask the House to pass it unanimously. Thank you very much.

**Mr. Peter Dyck (Pembina):** Madam Deputy Speaker, and I want to thank the member for Maples for the private member's resolution that he has put forward, and I want to welcome him as well. From listening to him, I hear that he came to Canada in 1970 and became a citizen in 1974. Is that correct? I think that was—[*interjection*] Okay. So, well, anyway, I'm close.

So, anyway, I just want to continue on the resolution itself that immigrants are an integral part of our society and our economy and our great Canadian culture. In fact, the vast majority of us are either immigrants or descendants of immigrants. Immigrants throughout the decades helped shape the great province of Manitoba that we live in today. And in my area, Madam Deputy Speaker, the majority of the immigrants came—of course, they've come the last few years—but they came in 1874 and in 1920, and at that time, of course, they were talking about the East Reserve and the West Reserve. And I find it fascinating to read the—this story of these people who came from Russia, from Siberia, from England, and came to help settle this wonderful province of Manitoba.

Now, the other interesting part of it is that a lot of those people who came and who—they came into Minnesota and a lot of them decided that they were going to go south. And so there's another great influx of immigrants in the United States. Now, the reason that they did this was that they looked at the climate in Canada and they thought that was somewhat cold, and they were prepared to go to the warmer climates. And I think—I'm glad that many came to Canada, to Manitoba because I'm a descendent of those, but on the other hand, I sometimes wonder whether I wouldn't have enjoyed going towards the warmer climates a little more. So I think that, as we move on in life, those are some things that we have to make up for lost time, to go to some of those warmer climates.

But, Madam Deputy Speaker, I digress. I want to talk about—and I wish that the member had mentioned this in his resolution and would have talked about the nominee program that was started in the 1990s by our member for River East (Mrs. Mitchelson). She did a wonderful job of starting the program, and it has worked extremely well. In fact,

other provinces have adopted some of the models that were put in place.

And I must say, in defence of the NDP, that actually this was something that worked and this was something that they didn't shelve. Now, they made all kinds of promises in the 1999 election, and I'm thinking, of course, that they don't like hearing these things, but the thing of—the part of ending hallway medicine and fixing health care for \$15 million, ending the hallway medicine in six months. They made promises that they could not keep. Now, Gary Doer at the time did say that if there were some things that worked they were quite prepared to accept those. He also did indicate at that time that they were quite prepared to continue to accept balanced budgets, and of course we've seen the extreme modifications that this government has made regarding that part of the promise that was made. So it's interesting to see how the resolution somehow just omits the fact that the member for River East started this nominee program in the '90s, and it has worked extremely well.

And, like I say, I'm glad that they have continued to accept the nominee program as it was and have it grow, because in my area, the area that I represent, we certainly have been the recipients of numerous immigrants coming to the Pembina constituency. And so again I say that we have benefited by this and we want to continue to support that part of it, because we believe that it is important, that in order to be able to have growth within our economy, within our—the sectors in our economy, we need this kind of growth in order to have people pay taxes, to fill the jobs that are left vacant.

And so just on that, I know that a part of the resolution, and I have some concerns about it, is the fact that—and we on this side of the House have been constantly encouraging the government to get certification in place for those who have immigrated, and I'll give an example. Just two weeks ago I was going to the airport, and so the gentleman who was my taxi driver indicated that he was actually a qualified engineer but he had been driving taxi here for the last three years, and he would really like to be able to exercise some of the qualifications that he had and his abilities in engineering, but he was not able to get on as an engineer within this province. And there are other examples of that, and so we have continued to encourage this government to make sure that there is opportunity for people who immigrate to this province to be able to get their credentials in place as quickly as possible.

Now, these people have a lot to offer. I think it's wonderful that they are here and that they are assisting us and that, as I say, I talk—I think of my own community. A lot of the employers have benefited by the immigration that was started back in the '90s—and, of course, it's continuing—but immigrated in the '90s to our region. And so what—the other thing I would like to say on that is that many of those immigrants have gone and started their own business. They're aggressive. They're entrepreneurs. I know and I could cite the cases of several of them who have started their own business because they saw there was a need, and so those are the kinds of people that we need in this province here.

Now, there are some things, though, that I find somewhat troubling when we talk about this resolution, and that is, according to Statistics Canada, the 2009 interprovincial migration balance was a -2,182, as 19,273 people left Manitoba for other provinces. Now, this is according to Statistics Canada. These are not my numbers; that's Statistics Canada. Now, this is the highest number of the past five years. Since the NDP took power, almost 175,000 people have left Manitoba. This amounts to a migration balance of -43,513, a minus of more than 4,300 per year on the average. These are people Manitoba could benefit from today had our economy been more vibrant and more competitive over the last 10 years.

And so, I take exception to some of the comments made in the resolution, in the fact that we have a government in place who has not done their job of providing a base, an atmosphere, a climate for our immigrants to want to stay in this province, and I see this back home. There are a number of houses that are up for sale of people who have, in fact, moved west, and I would say, good for them. If they can't find a place for—or the opportunities that they need out here, that's what this is all about, the freedom to move from one province to another.

\* (11:20)

On the other hand, I believe it's imperative for us to provide a climate within this province that people do want to stay. So, in 2009 and '10 alone, almost 3,000 Manitobans packed their bags for Saskatchewan. Almost 5,000 went to Alberta, another 2,800 went to BC, and over 5,300 went to Ontario. So it's obvious that there is room for improvement in terms of helping immigrants settle in Manitoba and creating the right conditions for

keeping them here, and, again, that is a responsibility that we have.

So, while the resolution is good, while I believe it's important that we continue to have open doors and allow immigrants to come to this province and to make sure that they have opportunities out here, it's also imperative for us as a government and for the government of the day to make sure that that base, that that climate is there for them so that they can succeed.

There is some concerns in regards to some of the details of this resolution. It would be, for example, a good idea to think that the long-term consequences of raising the cap on the Provincial Nominee Program—now, wouldn't it be a good idea to have a flexible cap rather than a fixed number? This would allow the cap to be adapted to current market conditions, and when I look at that part of it I would agree that it's important that we have a flexible cap because, again, this past year there have been conditions, and I, again, cite the concerns within my own area where some businesses have had to retract somewhat, and so people have been moving out. And so, consequently, we need to have flexibility in being able to allow people to immigrate to this province.

So, I believe, Madam Deputy Speaker, that it is important that we look at some of the aspects, and I've tried to bring some of these forward to the Chamber here just so that they know that there are some deficiencies with this resolution. But, in essence, it is a good resolution and we need to continue to attract and to encourage immigrants to come to this province. Thank you.

**Hon. Jennifer Howard (Minister of Labour and Immigration):** It's my pleasure to speak to this resolution and to thank the member for The Maples (Mr. Saran) and the member for Concordia (Mr. Wiebe) for bringing it forward.

I want to start by saying, you know, I think it's the mark of a successful program when every party in this House tries to take credit for it. But, you know, this summer and this fall I got to travel to many different communities, to many different settlement agencies, met with those people that work in those non-profit agencies that help to—help people to learn English and help people to settle here. And I also got to talk to a great number of people who've come through the Provincial Nominee Program who are building new lives in Manitoba, and, really, Madam Deputy Speaker, I think the credit for the success of this program also belongs to them, also

belongs to those people who come from countries far and wide to Manitoba to contribute to our province and to make a better life here.

I want to let the House know the progress that we've made on the nominee program and the issue of numbers. Last year, we issued over 4,700 certificates, and at the beginning of this year we were told by the federal government that they would cut us to 4,600, and we, along with partners in the business community, and employers, mayors of communities small and large, said to the federal government, no, you cannot cut the most successful provincial nominee program in the country, that we needed to continue to grow that program, and as a result we were able to get the number for this year up to 5,000. But the reality is that we could accept, we could process 5,600 applications this year, and we've been forbidden from moving forward to do that. And we've received news from the federal government that they intend to keep us frozen at 5,000 for next year.

The impact of this I cannot understate. What I have been told, and in my discussions with the employer community, with business leaders in this province, who are united on this issue, is that being able to continue to attract newcomers to Manitoba, being able to continue to grow the population is integral to our continued economic growth in Manitoba. I think there are few issues that are more important to our continued economic growth than being able to continue the progress that we've made on immigration.

My colleague, the MLA for The Maples, talked about the numbers for last year. This year we know we're up by about 16 per cent over last year's numbers, and we continue to attract people from all over the world.

I know many members in this House were pleased to see Manitoba receive such favourable coverage on the cover of *The New York Times* a few weeks ago. And I think, you know, the tone of that article was important to note that the person who came here from New York, who interviewed members in the business community, who interviewed newcomers, who interviewed people here, found Manitoba to be a welcoming place. He remarked to me that the slogan on our licence plates is indeed true. It is, indeed, "Friendly Manitoba" and that the newcomers that he spoke to found that Manitoba was a welcoming place and that that was a big part of why they had chosen to make Manitoba

home. And, you know, what also I think was part of that discussion—one of the reasons he was doing that article was to contrast the mood in Manitoba, the mood in Canada, with the mood south of the border when it came to immigration.

He remarked to us that when he had talked to people here, business leaders and politicians alike, about immigration, we had talked about the Provincial Nominee Program as an attempt to share the wealth of immigration equally among the provinces, whereas in the States when he encountered debates about immigration, the discussion was always framed as sharing the burden of immigration. And I think in that difference crystallizes the different ways that our countries view immigration and view newcomers.

Yesterday, Madam Deputy Speaker, the Premier participated in the launch of a new immigration program called Manitoba START. This program brings together several settlement agencies so that we can have a one-stop-shop for intake and assessment of newcomers as they come to Manitoba, so they can get the right kind of referral to the right kind of program that's going to help them integrate and settle as quickly as possible.

We know that some of the success of provincial nominees here was reflected in a study undertaken by Tom Carter that the MLA for Maples referred to. And what he found in his interview of over a hundred provincial nominee families, was that 95 per cent of them, 95 per cent, had no plan to leave Manitoba. And we see that reflected in the retention rate of provincial nominees, which continues to be among the highest in the country.

We also—one of the things that he also remarked to me, of those over a hundred families that he interviewed, that I think is a useful indicator of their success also, was that not one of them was relying on government assistance, that they were making their own way, that they were working, that they were doing what they needed to do to get a good start in Manitoba and contribute to the economy here.

The case for immigration, I think, has been well made not only by people on this side of the House but also people in the business community from whom really the Provincial Nominee Program did come. That was an idea born in that community saying, we need population growth, we need talented workers, we need skilled people here in Manitoba and this is a way to get them.

And so when we go forward, I hope we can go forward unified to the federal government, to make the case for why Manitoba's Provincial Nominee Program should continue to be one of the most celebrated and most successful in the country. And that case, I think, has three main points.

First of all, as I've mentioned, for us, immigration is fundamental to our continued economic growth. It isn't viewed that way in every province in this country. When you meet with other immigration ministers, it becomes very clear that those of us in the west of this country have a different view, that for us attracting new people is important to fill that skilled labour shortage. When I meet with employers, every one of them tells me that the most fundamental challenge that they're facing is getting skilled, talented people to work, and all of them talk about immigration and continued growth in immigration as an answer to that problem.

Another argument, as we go forward to the federal government that we are making, is that in Manitoba, because of the long success of this program, we have evidence of successful settlement. Our provincial nominees come in, they get work, they buy homes, they settle in Manitoba, they stay in Manitoba and they make a tremendous contribution to the province. It is doing exactly what immigration is designed to in Canada.

And the other argument that we make is that immigration in Canada should be about nation building. It should be about building the entire nation, not just building those regions that have tended to be draws for newcomers and immigrants to Canada. And we have tried to exercise that view of nation building by making sure that in Manitoba immigration is shared among all the regions of the province.

\* (11:30)

People don't just come to Winnipeg; they come to communities in the south, and in the north, and in the rural areas. In fact, there are communities in this province that have seen their population grow dramatically because of immigration, and those mayors are champions of continued growth in the Provincial Nominee Program.

So, Madam Deputy Speaker, I think for all of those reasons this resolution is very important. It's important that we go forward with a unified voice to the federal government, and I would urge my colleagues to support it. Thank you.

**Mr. Ron Schuler (Springfield):** It's always a great time when you can get up and talk about Manitoba's Provincial Nominee Program. I would term the program in the saying that says: success has many parents; failure is an orphan. And in this case, the Provincial Nominee Program has an awful lot of individuals that wish to claim it as being their concept, as being their idea, and I would like to point out to members that this was one of those visionary ideas that came from the Filmon government—in fact, it was Premier Filmon himself.

In fact, at some point in time, I wish that the member for River East (Mrs. Mitchelson) would get up and sort of lay out the chronology of how this all took place. But it was Premier Filmon who took the Department of Culture, Heritage and Recreation and changed its name to Culture, Heritage and Citizenship and started the bilateral negotiations with the Mulroney government. And it was the member for River East—the current member for River East—who was tasked with the job of these bilateral negotiations.

And just an amazing opportunity for us, as a province, to talk about, perhaps, having a vehicle or a means by which we could bring individuals into the province of Manitoba. And at that time, of course, the Filmon government had inherited many years of financial mismanagement and decline. It was a terrible time, and then, you know, of course we had the glorious sunshine days of the 1990s, where we had a lot of vision, great concepts and ideas that came forward.

And, again, the Provincial Nominee Program was just one of those that brought forward for Manitoba an opportunity to not just target growth—and the province of Manitoba needs growth. In fact, if we look at this glorious building where we are speaking right now, the individuals who were instrumental in building this structure felt that this building would be servicing approximately three million people in the province of Manitoba by the year 2000, and, unfortunately, the province of Manitoba toyed with a socialist NDP government and the growth stalled.

So it was up to the Filmon government to restart that vision, to get it going one more time, and that was the Provincial Nominee Program. And it wasn't just about getting individuals into the province. It was also targeting, economically, where you wanted to grow certain areas in the province. And certainly, as a child of parents who immigrated after World

War II—they came here, they were economic refugees. The nominee program is another venue—it's another vehicle by which individuals can come to the province of Manitoba and be able to be part of the dream in the great province that we all share the wealth in.

So the nominee program started out as a test program; that's the way it was negotiated with the federal government. And I give a lot of credit to Becky Barrett, the first minister of Labour under the New Democratic government. She made it very clear that she would take the great ideas of the Conservative government, the Filmon government, and work with them. And I was her Labour critic and on numerous occasions, we had the opportunity to talk that this was a program that had to continue to grow to be a—successful and be able to help the economy in Manitoba.

And as we know, there were a lot of different areas that weren't necessarily—a lot of different needs that weren't necessarily being met by federal programs, because, again, it's sort of a one size fits all, and the federal programs have to fit a monolithic Toronto, which has a, you know, completely different set of needs, and it's supposed to somehow fit with the Yukon, and we know that those kinds of programs don't exactly match with what's needed there.

So, the nominee program, which has been copied now in other jurisdictions, was the right way to go in having individuals come to our province that then would be targeted by the Province, that there were needs in the local economy that they could then fit into.

And it's been a very good program. We know that there is more work that needs to be done and that we've had 10 years of lip service from a very tired government, where they've talked about credentials and the acceptance of credentials, and we know that that has not been done in the way that they've been spinning it over the years.

That's one area that we have to deal with in that we know individuals have gotten their training in their—in the particular trades, and they come here and they do find insurmountable barriers at times, where they can't get accreditation, something that has to be worked on. Certainly we would like to see that happen.

But, insofar as the nominee program and the kinds of individuals, I know that we've all had the

opportunity, whether we've had trades come into our homes or services or small-business people who came in through the nominee program, and they will tell you their success story and how pleased they are that they were allowed to come in and be part of the Canadian—the Manitoba dream.

What's nice about the Provincial Nominee Program, it's not just a Winnipeg-based program. It also targets areas across the province. In fact, we've seen the southeast quadrant of the province—we've seen tremendous growth, whether it's in Winkler, Morden, whether it's in Steinbach, Lorette. Certainly we have seen quite a bit of growth in the Oak Bank and Cooks Creek area. We've seen quite a few individuals moving in. And that's a healthy thing. I mean, not just are these individuals moving into big urban centres but they're also moving into smaller communities, helping to grow communities.

I love to tell the story about the Oak Bank Elementary School was at the point where they were—with the rolling—declining enrolment, they were going to lose their vice-principal. And it didn't take long and there was a cluster of immigrants that came in through the nominee program, and the school saw a rise of 30 students in the Oak Bank Elementary School. And I happened to be talking to many parents and school officials, and I said, isn't that wonderful, we have that many families move in that the increase was 30 students. And they said, well, it wasn't that there were that many families; it was actually three families that moved in and there were our 30 extra students.

So they bring a lot to this province. They bring a lot of youth, a lot of dynamic enthusiasm, and we are very pleased with the program and I'd have to say a program that started with the visionary leadership of Premier Gary Filmon in the glorious sunshine days of the 1990s, and it was the honourable member for River East (Mrs. Mitchelson) who was tasked to negotiate this in a bilateral way. And we have—

**An Honourable Member:** And proud of it.

**Mr. Schuler:** Yes, the member—my seatmate says that he's proud of it, and, yes, we are proud of it. It is another one of those achievements that we should all be very proud of. Not just was it under the Filmon government that this was negotiated, but we also know that the government across the way, the Gary Doer government, took on the project and saw that it was a good program and continued to run with it.

So, to all of those who've come to Manitoba under this program, we welcome them with open arms and want to see this program continue to grow and flourish. Thank you very much, Madam Deputy Speaker.

**Mr. Matt Wiebe (Concordia):** Thank you for the opportunity to once again rise this morning and speak to this very important resolution.

I'd like to thank the member for The Maples (Mr. Saran) for bringing this resolution to this House for debate and for discussion. I think it's significant that the member who brought this resolution is a successful immigrant, a recent immigrant himself, and, of course, we have several diverse members on our side of the House and I definitely appreciate that, and we can bring important resolutions like this forward.

\* (11:40)

And I just wanted to start, Madam Deputy Speaker, by mentioning that the member for Pembina (Mr. Dyck) mentioned that we are all—most Manitobans here are products of immigration, and, of course, my family is certainly no exception and we continue to support immigration agencies and programs ourselves.

But this is something that, for myself, is—hits particularly close to home and that—the reason being is that, prior to my time here as the member for Concordia, I had the privilege of working as an assistant to a Member of Parliament and working very closely with individuals in the community on immigration issues in a close one-on-one basis. And, of course, what I found while I was working with the individuals working—coming through the immigration system to Canada and to Manitoba, was that there's a lot of very difficult stories and a lot of difficult situations that people have found themselves in when dealing with the federal immigration system. And so I think it was significant as I, you know, continued my time there with the Member of Parliament. I would see more and more Provincial Nominee Program cases coming forward, and that when those cases would come forward, I would be particularly happy because we knew that those cases were prioritized and that those were moving forward, and that usually we had an easier time of getting those people here to Manitoba quickly, and that, of course, is the most important thing.

And so I've had that experience working in my community as—on immigration issues and now as the

member of Concordia I've continued that work. And I've been very pleased to work with individuals on a case-by-case basis who've come to my office and who've sought some help, you know, dealing with either immigration in general or immigration when it—as it relates to the Provincial Nominee Program.

And I think that as the member for Concordia in particular, it—my community is a very diverse place and this is one of the strengths that I find in my community, both culturally and for the fabric of the community, but also for the economy and for, you know, the well-being of all people in my neighbourhood. I think that individuals recognize the value of people who have come and who contribute and build Manitoba, and it's certainly one of the more positive aspects of my community, as it is, I know, in many other places in Manitoba.

So we want to encourage more diversity, of course, and we know that this is just, as I said, not just a cultural issue and it's not just something that we, as Canadians, see as something that makes us stronger and we, as Manitobans, see as something that makes us stronger, but it is something that makes our economy stronger and makes our economy run better. We know that we don't want to stall when it comes to immigration.

So we, you know, we fully acknowledge that the—as the members opposite have mentioned a few times now here—that this is a program that was started under the previous government. But I think it's important to note that this is a program that has been embraced and has been strengthened by this government, and we continue to move forward. We don't want to stall. We want to move forward. So this is a great opportunity now to talk about this.

You know, this Provincial Nominee Program that we have is something that has been recognized throughout the world, and has been acknowledged as being a very positive program and something that is, you know, very forward thinking and something that other jurisdictions maybe even want to copy. It's widely recognized as being the most successful program in Canada, and, in fact, *The New York Times* recently mentioned that the—it was a front-page story, Madam Deputy Speaker, that Manitoba's successful program is something that other jurisdictions could look at, particularly in the United States where, you know, they're having immigration issues and they're moving—maybe moving forward to a system where they're

encouraging more immigration, which is something that we've been working on for years here.

So we want to continue to grow and improve this program, as I said, Madam Deputy Speaker, and we're asking—with this private member's resolution we're asking the federal government to increase our quota and increase to 5,600 the number of applicants that we can accept in the province. And this is an important thing to continue to grow the program and have more individuals who are—you know, we're talking about immigrants here and new Canadians, but, really, these are new members of our economy and new members of our society, and these people are willing to work. And we've seen the statistics that shows that these individuals do work and they do contribute to our economy, they want to stay in Manitoba, they see the value of this place. So we want to increase that and we want to continue to increase that to our overall goal, which would be 20,000 individuals annually.

So I just want to encourage all members here, while we've made significant progress, we don't want to stall, we want to continue to grow this province, and it's a positive thing, so I encourage all members to support this resolution. Thank you.

**Mrs. Mavis Taillieu (Morris):** I'm pleased to put a few words on the record in regard to this private member's resolution brought forward by the member from The Maples.

Madam Deputy Speaker, I think it's really important to realize that, when you look around this Chamber even, I think almost all of us are the result of our families immigrating here to Manitoba and to Canada and to Manitoba or maybe first of all to Canada and then finding their home here in Manitoba. I think—when I think about my own family, my mother's side of the family came here in the mid to late 1800s, so have been in Manitoba a long, long time, and my father's family immigrated from Scotland in the early 1900s. So, I think all of us will have roots in some other area of the world, and our forefathers, grandmothers and grandfathers, great-grandparents, came here at a time when the country was opening up and we were able to come here and settle Canada and Manitoba.

Think about in the early 1900s the size of the city of Winnipeg, how it just grew immensely during that time because of immigration. And that would be immigration, I think, mostly from European countries, but certainly that was the foundation and

the basis of building our great province. And we know we have a lot of cultural diversity throughout the province, throughout Winnipeg, throughout all of the province. You look at Dauphin, you look at Steinbach, you just—a wide variety of different cultures that have come to this country and to this province and have what shaped what we are today, Madam Deputy Speaker.

Of course, that is very important. As members before me have said, it's very important not only for our cultural diversity of our province, which makes us a very interesting province, but it is very important for our economy, because when people come into this country and this province, it does build on our economy because the people that come here are very hard-working people.

As we've seen over the last hundred years, the people that have come here have built the foundation to this province, and, in fact, that is what has grown our economy: the people that have come here, put roots down, started businesses, taken up jobs where necessary, built their families here and made a success of their livelihood and has built and strengthened our economy here in Manitoba. And I think that's important to continue that.

So at that—because of that, I do need to give credit to the beginning of the Provincial Nominee Program, which began the process of attracting more immigrants here to Manitoba in the late 1990s. In 1998, specifically, it was the member for River East (Mrs. Mitchelson) and the premier at the time, Gary Filmon, who recognized the importance of bringing more families into the province and expedited that process and put together a very good plan called the Provincial Nominee Program, which we're still seeing the benefits of today. So I just want to stress that the member from River East was the person that started this program. It was a very successful program, and it continues to be a successful program.

\* (11:50)

And, you know, I sort of want to just go back to 1999 when the NDP formed government, and they did say that some of the things they were going to keep were the things that the Tories got right. And this was one of those things that the Conservatives started and was the right thing to do, and they kept that program, and fortunately the member for River East was very successful in instituting that program, and they kept a program that the Conservatives got right. Unfortunately, there were some things they

didn't keep that they said they would, like balanced budget legislation. They said they would keep that because it's something the Tories got right, too, but they decided not to keep that. So, you know, they've cherry-picked a little bit, Madam Deputy Speaker.

Having said what a good program this is, there—it's not without some challenges. I know that—just—there's a few weaknesses there within the PNP program. I know that there were, several years ago, some allegations still within the department of how applications were being accepted and whether applications were being accepted and then rejected, and whether they were actually having new immigrants—hopeful new immigrants were having to actually pay people to get their applications accepted.

The government really never did sort of come clean on that, so—I know they were only allegations, but certainly it does put a—it does sort of hang a bit of a black cloud over that department in some of the areas, Madam Deputy Speaker.

I know that in my own area, in the constituency of Morris, I can say that over the last seven years that I've represented Morris, I have seen new immigrants come into my area, as well. So I know that when new immigrants are coming here, they're going out to different areas in the province, and I have seen new faces in my community which I think is a wonderful thing, to have new faces come into the areas outside of Winnipeg, as well as within Winnipeg.

But there are challenges there, as well. There needs to be settlement support services throughout the province, not just in Winnipeg, and I know that some of these settlement services haven't been upheld to the extent that they were promised. And so these services need to be there for the people that are coming into the province, not only for learning English as a second language—that is very important—but just the—knowing the culture of how we live here in, you know—I'll use the example of how it is—it's difficult if you come from a warmer climate to accept and get acclimatized to our colder climate here and some of the things that we have in our homes like fireplaces, where I—I'll tell the story, I guess, of one I heard from a real estate agent where people moving into a home that had a fireplace did not understand that this fireplace was for heating. It was a wood-burning fireplace, and there were certain things you had to do in terms of when you open up the flue and put the logs in and burn them. They really didn't understand the concept of that, having

not come from a climate that needed to have heating, and had a little bit of an incident, not too bad, nothing—there was no—the house didn't burn down or anything like that, but they did have a bit of an incident because they really weren't familiar with what they needed to do.

Other things in terms of shopping and going to the grocery store, there's a lot of things that are different in our culture that new immigrants have to get used to when they come here. And I know that in one of my communities, there are a number of people that actually are bused into the community on a daily basis to work and then are bused back to Winnipeg. And that's—there's a few reasons behind that, and one of them is that they like to live near their community, Madam Deputy Speaker.

But, as I said, there are a few problems with the immigration, as we do see numbers of people going to other provinces. We need do a better of keeping those people within the province, Madam Deputy Speaker, but, overall, I would say that the idea of this resolution is a good one.

*Mr. Speaker in the Chair*

We'd like to see some of the issues that remain, in terms of settlement services, be resolved, but since that was a Progressive Conservative government who put in place the Provincial Nominee Program, I think that we would support this resolution. Thank you very much.

**Mr. Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is the resolution brought forward by the honourable member for The Maples (Mr. Saran).

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

We'll move on to the next resolution.

**Mr. Gerald Hawranik (Official Opposition House Leader):** Mr. Speaker, now that the resolution has been debated, is there leave to call it 12 o'clock?

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

Okay, the hour now being 12 noon, we will recess and reconvene at 1:30 p.m.

**CORRIGENDA**

Vol. LXIII No. 6 – 1:30 p.m., Tuesday, November 23, 2010, page 192 the second column, third and fourth paragraphs should read:

In regards to the hydro line on the west side as opposed to the east side, we made it very clear our position on this in regards to the line going on the east side. There's a road being built on the east side; it's not too complicated to put a hydro line right down beside it. And I can tell you that the money that would be saved would be a lot of money that could go to some of these other initiatives that we've been talking about in the previous messages.

I know that the numbers aren't in and we have been asking—our leader's been asking—what those true numbers are. We ask from last year, this year, and I know that the original numbers were

\$2.2 million–billion; now it's \$4 billion. We really don't know what those numbers are, but we do need to get those nailed down so that, in fact, the public and the people of Manitoba will, in fact, have the opportunity to make a decision based on the true numbers, not the artificial numbers.

Vol. LXIII No. 9 – 10 a.m., Friday, November 26, 2010, page 278, the first column, second last paragraph should read:

**Mr. Borotsik:** Whoa, whoa, whoa, whoa—and rescue health care, beginning by hiring more nurses, reopening hospital beds and reducing wait times. That's what he said, Mr. Speaker. Well, let's go to our health care of 2010. There is nothing in the Throne Speech to address the wait times and diagnostic tests, appointments with specialists and surgeries.

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Tuesday, November 30, 2010**

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