

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

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

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authority of  
The Honourable Daryl Reid  
Speaker*

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

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

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Friday, September 13, 2013**

*The House met at 10 a.m.*

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

Good morning, everyone. Please be seated.

**ROUTINE PROCEEDINGS**

**Mr. Speaker:** We'll move on to—

**PETITIONS**

**East Selkirk Sewage Lagoon Site—  
Environmental Licence**

**Mr. Ian Wishart (Portage la Prairie):** I wish to present the following petition to the Legislative Assembly of Manitoba.

And this is the background for the petition:

On August 12th, 2013, Manitoba Conservation and Water Stewardship granted a licence for the construction of a sewage lagoon on the former CIL explosives plant site in East Selkirk.

This site is located 1,100 feet from the banks of the Red River.

Local residents are concerned that hydraulic pressure from the lagoon in instances of heavy rainfall could cause contaminants left over from the manufacturing of explosives at the site to flow into the Red River.

Upon the review of the soil study conducted on the site, the Water Science and Management Branch of the Department of Conservation and Water Stewardship noted that effluent from the site could negatively affect aquatic life in the Red River and may result in increased risks of cancer in fish.

The chemical dinitrotoluene is present in the site at the former CIL explosives plant site and is a known carcinogen to fish and other aquatic species.

Soil testing done prior to the environmental licence being issued should have been done at a level consistent with standards used by the Environmental Protection Agency in the United States, where they have more experience with testing for contaminants at former explosives sites.

The Province of Manitoba has no available guidelines for the assessment of energetic compounds in the soil.

There are many other viable, non-polluted sites in the area which would be better suited for the construction of the sewage lagoon.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Conservation and Water Stewardship reconsider his decision to grant an environmental licence for the construction of the sewage lagoon at this site.

This petition is signed by A. Verheul, L. Verheul, B. Verheul and many, many more fine Manitobans.

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

**Mr. Wayne Ewasko (Lac du Bonnet):** Good morning, Mr. Speaker.

**Mr. Speaker:** Good morning.

**Mr. Ewasko:** I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

(1) On August 12th, 2013, Manitoba Conservation and Water Stewardship granted a licence for the construction of a sewage lagoon on the former CIL explosives plant site in East Selkirk.

(2) This site is located 1,100 feet from the banks of the Red River.

(3) Local residents are concerned that hydraulic pressure from the lagoon and instances of heavy rainfall could cause contaminants left over from the manufacturing of explosives at the site to flow into the Red River.

(4) Upon the review of a soil study conducted on the site, the Water Science and Management Branch of the Department of Conservation and Water Stewardship noted that effluent from the site could negatively affect aquatic life in the Red River and may result in increased risks of cancer in fish.

(5) The chemical dinitrotoluene is present in the soil at the former CIL explosives plant site and is a known carcinogen to fish and other aquatic species.

(6) Soil testing done prior to the environmental licence being issued should have been done at a level consistent with the standards used by the Environmental Protection Agency in the United States, where they have more experience with testing for contaminants at former explosives sites.

(7) The Province of Manitoba has no available guidelines for the assessment of energetic compounds in soil.

(8) There are many other viable, non-contaminated sites in the area which would be better suited for the construction of a sewage lagoon.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Conservation and Water Stewardship reconsider his decision to grant an environmental licence for the construction of a sewage lagoon at this site.

This petition is signed by Y. Maluish, B. Smallwood, B. Turenne and many, many more fine Manitobans.

**Mr. Speaker:** Any further petitions? Seeing none, we'll move on with committee reports. No committee reports, we'll move on with tabling of reports. No tabling reports, ministerial statements.

#### Introduction of Guests

**Mr. Speaker:** So prior to oral questions, I'd like to draw the attention of honourable members to the Speaker's Gallery where we have in attendance today Mr. Jake Harms, the—from the Legislative Counsel office. Jake has recently decided to retire from the Legislative Counsel office. He has been with the Legislative Counsel office for 16 years and has helped to provide excellent service to all members of the Legislative Assembly.

During his time with the Legislative Counsel office, Jake drafted a multitude of highly complex acts and regulations. He has worked closely with the Department of Finance in the preparation of

legislation to implement more than a dozen budgets. As Legislative Counsel for the past three years, Jake was responsible for overseeing the development and enactment of all legislation and regulations in Manitoba. In his spare time, Jake took it upon himself to design the Manitoba Laws website, which is widely recognized as the best laid-out and most user-friendly legislative website in all of Canada.

I understand that, if I have it correct, that Jake once, before coming to this place, had a construction firm, and it's my understanding that in his retirement years one of his projects will include building a cottage himself, using his experience, no doubt.

And so on behalf of the members of the Legislative Assembly, in fact, all of the folks that you have worked with over the years here, Jake, I want to thank you very much for your dedication to the—and service to the Assembly and to wish you the very best of health and happiness during your retirement years, and thank you for your service.

\* (10:10)

#### ORAL QUESTIONS

##### PST Increase Request to Rescind

**Mr. Brian Pallister (Leader of the Official Opposition):** Well, Mr. Speaker, it's been a long and, at times, tempestuous session, and I just wanted to begin by saying, Sir, that I think that you've done a commendable job and we all appreciate it here.

I'd also like to congratulate and thank the House officers, if you will, our whips as well as our House leaders. I think they've taken on a large load in this session, and we do appreciate it and we thank them very much as well for their service.

In respect of the Government House Leader (Ms. Howard), I understand that there's a big day coming up in her life, and I wanted to offer congratulations to her and best wishes for a wonderful celebration for her, her family, her friends, and I wanted to wish her a long and a very happy and successful marriage. I want to congratulate her.

One of the things that should have become clear to the government over this session, Mr. Speaker, is the damage that the PST hike will do to the people of Manitoba, and in particular the seniors of this province who will suffer very much as a consequence of the PST hike because it, of course, affects disproportionately those who need to purchase essential services and essential goods.

So I would ask the Premier (Mr. Selinger) today if he would rescind the PST hike on behalf of the people of Manitoba.

**Hon. Jennifer Howard (Acting Premier):** Mr. Speaker, I, too, want to start by thanking yourself and the table officers and the pages and the gallery attendants, the Legislative Counsel. We make a choice to stay here and do the work that we're elected to do, and you folks come along for the ride, and I want to thank you for that and your good humour and your good service to all of us during that time.

I also, while I'm on my feet, want to just briefly congratulate the member for St. Johns (Mr. Mackintosh), who is shortly going to be celebrating 20 years of elected life, and I want to very personally thank him because it's because of his good work that I'm able to get married, because he brought forward a bill, supported by all the people who sit around me, that enables that to happen, and I want to thank him very sincerely for that.

In response to the question by the Leader of the Opposition, we made a difficult choice, a difficult decision, and that decision we made means that we are going to be able to work with Manitobans to build the province that we all love, that we're going to invest in roads and schools and hospitals and the services that Manitobans count on. And that was a hard choice, Mr. Speaker, but we believe that it's a choice that will serve Manitobans well into the future as we continue to work together to build what I think is one of the best places in the world to live.

**Mr. Pallister:** And the decision, an easy one for the government, Mr. Speaker, for any government that misconstrues that the real builders of the province or an economy are themselves rather than the people they govern. The people of this province are the builders of this province, and they deserve to get rewarded for their work and their efforts.

I wanted to add my thanks, as well, to the staff here but also to our political staff in our constituency offices, our people in our offices here in this building as well, who have also put in the extra time that we have and who deserve to be congratulated and thanked as well.

There will be a more appropriate time, perhaps, Mr. Speaker, to do this, but I did want to acknowledge that when we return in November there'll be a major change here, and that change will be something quite remarkable for the member for River Heights (Mr. Gerrard), who has served as the

leader of his party for 14 years in this place and who, when he returns, will no longer be the leader of that party. But, nonetheless, he's a gentleman and a person of great qualities who has served the people of his riding very well for a long time and, I expect, will continue to do just that, and I thank him and congratulate him.

And, of course, we need a question, Mr. Speaker. There are small-business people who have come forward throughout our process here, of course, in hearings on the PST bill, and, as we've heard from them, as caucus members who have done our listening, who are telling us they're very concerned about the PST hike. They were concerned about the difference in our sales taxes with neighbouring jurisdictions before this government introduced the PST hike; they are very concerned now.

On behalf of those small-business people, their employees, their families, I ask the government if they would rescind the PST hike.

**Ms. Howard:** Well, I'm enjoying this kinder, gentler—and I'm ready to stay for another five months. This is—I'm overwhelmed with love and affection.

I do want to, seriously, also put on the record our congratulations to the member for River Heights, who's going to still be here championing the causes that he believes in, bringing forward tough questions and also doing something that is rare in elected life, and that is seeing through, sometimes, the partisan haze to vote his conscience. And I want to thank him for the times that he has, despite being in opposition, decided that things that we've brought forward are worthy of his support. And I want to thank him for the work he's done to hold us to account, and I look forward to many more exchanges with him in the future.

I will say on the question to the member opposite that small businesses in this province do benefit from a zero per cent tax on their businesses, and that is important. They also benefit from having some of the best educated workforce anywhere in North America, and that's something we've committed to do, to continue to invest in our schools, in our post-secondary institutions.

Yesterday, we made an announcement about journey person training. We know that the thing that holds businesses back is not having skilled people to

work in those businesses, and we're committed to continuing those investments.

**Mr. Pallister:** Well, it always surprises me, but I guess it shouldn't, that when someone votes with the government, they're being non-partisan and wise, and when they vote against them, they're excessively partisan.

That being said, Mr. Speaker, I did want to offer congratulations to all the members of this Legislature for their sacrifices and their work this session and before and continuing thereafter, and I also want to offer congratulations more specifically to members of their families because we all know that we can't be here without that support, and those people who have made that possible deserve to be, I think, acknowledged here as well. There's a price to be paid by our children and our partners in life that they are willing to pay and have done, but without them, we wouldn't be able to be here.

This is, I'm told, the longest sitting period in some decades. We all hope that we've accomplished something here. I think that there is little doubt that there are cheaper systems where representation is not required; they're called dictatorships. This is not one of those, and in this province it costs money to run a Legislature and it—there's a price to be paid for democracy, as we referred to in our tributes to 9/11 and our comments by the Premier (Mr. Selinger) the other day, which were very appropriate.

The reality is that institutions don't function without the people within them, and we are the people within these institutions.

And so I want to compliment each of the members here today for the great efforts in making sure that democracy works and is real and that the people of this province are served. We may differ and we often do on the way in which people are best served, but the reality is they would not be served well in our absence. And so congratulations to all of us.

And speaking of being served, Mr. Speaker, in closing, I would just ask on behalf of the working families of this province, many of whom struggle to make ends meet because of the additional burdens, in part, that the NDP has imposed on them with tax and fee increases they promised not to impose, I would ask again if the government would rescind the PST hike, an ill-advised measure.

\* (10:20)

**Ms. Howard:** You know, the members opposite have many opportunities today to also show that they can vote for ideas that are going to protect Manitobans. They'll have many opportunities today to do that. It doesn't mean that you don't strongly believe in your party. It doesn't mean that you don't strongly hold a certain kind of ideology. If you can see through all of that and, for example, vote to make sure that every child in this province—every child—can go to school and feel safe and secure, that doesn't challenge your partisanship. That doesn't challenge your ideology. That's simply the right thing to do. And they'll have an opportunity today to do that and we'll see that.

We, Mr. Speaker, are firmly, and have always been firmly, on the side of working families. When we stand up to protect a publicly funded, universally accessible health-care system, that helps working families. You ask any working family that lives in the United States of America what their highest cost is, what their biggest fear is, and that's going bankrupt because of a two-tier health-care system, the kind of health-care system that the Leader of the Opposition used this session to promote.

We're firmly on the side of those families and we always will be.

#### **PST Increase Request to Reverse**

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, the NDP government made a promise to Manitobans to not raise taxes. Then this NDP government turned around and they broke that promise and raised the PST.

It has now become obvious what they are doing. They have created a slush fund that they are going forward with to buy votes for the next election. We can see that with all their 'ribbor'—ribbon cuttings.

So I'd like to ask the NDP today: Would they do the right thing today and stop their illegal PST hike?

**Hon. Stan Struthers (Minister of Finance):** What's very clear, Mr. Speaker, is that the money will be spent on the 'prithorities' of Manitoba families. Hospitals, schools, roads, bridges, these are what Manitoba families have asked us to invest in.

This has been our commitment to the people of Manitoba, and, Mr. Speaker, we're going to come through on that commitment.

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

### **Assiniboine Valley Flooding Compensation Claim Settlements**

**Mr. Larry Maguire (Arthur-Virden):** It's a novel opportunity, Mr. Speaker.

Well, I just heard the Minister of Finance say that his priority was that money would be spent on Manitoba families. And, Mr. Speaker, in '08, this government passed the—Bill 27, the Shellmouth Dam and other water compensation—other control works management compensation act, amended. In 2011, they proclaimed it.

Last fall, the minister in charge of disaster financial assistance announced that there was artificial flooding in 2011 and '12 in the Assiniboine valley, and, Mr. Speaker, today there has been no money spent for those farmers in this flooded Assiniboine valley that he just said he's going to help.

Mr. Speaker, when can these farmers expect—these young farmers, who haven't had a crop, in many cases, in three consecutive years—expect this compensation from these people? And why—why—have they broken their promise?

**Hon. Steve Ashton (Minister responsible for Emergency Measures):** I want to indicate that we've worked very diligently in terms of flood victims.

And I want to put on the record that we—it was this government that passed the legislation for the first time to provide statutory coverage when there is artificial flooding. The member will be aware that in 2011 we did have a very significant flood that delayed the implementation of that. I'm anticipating that that assistance will be flowing very shortly.

And while I'm at it, the member might want to put on the record some criticism of the fact that one of the reasons we're not having the upgrade to the Shellmouth Dam is that the federal government withdrew from that project a number of years ago. But, by the way, not only providing compensation, we're going to upgrade the Shellmouth Dam, even if it takes the Province of Manitoba to get it done.

### **Tax Increases Impact on Families**

**Mr. Dennis Smook (La Verendrye):** Families are now registering their kids for hockey and other sports and getting back into the routine from a long summer.

But this year, everything will cost more: 14 per cent more tax on their home insurance and car registration, 14 per cent more tax on sports equipment. Community centres will now be paying 14 per cent more tax on their insurances and other items, causing them to raise their fees to Manitoba families.

Mr. Speaker, the NDP government went door to door in the last election and lied to all the Manitoba families when they promised no tax increases.

When will this NDP government start caring about the families of this province and not just about themselves? Thank you.

**Hon. Stan Struthers (Minister of Finance):** It's quite rich coming from a member of the party who, when they had their chance to govern, extended the PST to include school supplies for those same families, those same kids.

Mr. Speaker, this side of the House support programs like KidSport, which helps underprivileged kids participate in sports and participate in their community clubs, community clubs which this side of the House has been proud to support budget after budget after budget for 14 years, all of which were voted against by the members opposite.

This side of the House will stand up for Manitoba families day in, day out, despite the advice of members opposite.

### **PST Increase Impact on Municipalities**

**Mr. Blaine Pedersen (Midland):** Families' budgets are being cut because of this government, Mr. Speaker.

Municipalities across the province are forced to pay PST on their purchases. With last year's expansion of the PST to insurance premiums affecting all municipalities and this year's illegal 14 per cent increase in the PST, municipalities are now forced to pay in excess of \$24 million annually to this government. Municipalities balance their budgets each and every year, something this government is not capable of doing.

So why is this government so desperate for cash they continue to burden the local ratepayers with their spending addiction?

**Hon. Stan Struthers (Minister of Finance):** Well, isn't that something, Mr. Speaker. That member talks about cuts. Well, let's talk about cuts. What did the

Leader of the Opposition say about cuts? He said he would cut schools, Sage Creek, Amber Trails, Waverley West. He talked about cutting health care. He talked about cutting child-care spaces. He talked about \$550 million worth of cuts indiscriminately applied across every department, including Health and Education, including very much needed flood proofing, flood mitigation.

What did we do, Mr. Speaker? We're investing in those entities. We're investing in what Manitoba families ask us to invest in.

The member for Midland talked about municipalities. We invested 8 and a half per cent increase to municipalities—

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

### **Tax Increases Impact on Small Business**

**Mrs. Leanne Rowat (Riding Mountain):** The only party that is actually looking at indiscriminate cuts is the NDP with their indiscriminate cuts to Manitoba families who are looking for support from this government, be it ABA services through autism services, small businesses who are seeing more and more people go to Yorkton, which is booming on the—because of the—of this new tax that this government is imposing.

And the Minister of Finance represents a lot of these constituents. Saskatchewan is not only delivering Manitoba babies who are being denied access to Manitoba hospitals on their highways, but they're also seeing these Manitobans buy goods and services within—in the Saskatchewan communities. More and more businesses are wondering where this Minister of Finance actually represents.

Does he represent an organization or a group that don't see the benefits of small business? I think so.

**Hon. Stan Struthers (Minister of Finance):** Well, to be accurate, Manitoba is a net provider of babies to Saskatchewan.

\* (10:30)

And, Mr. Speaker, Manitoba businesses enjoy zero per cent in terms of the small-business tax, something that Saskatchewan businesses just do not enjoy.

You know, last weekend there was a lot of Rider fans, a lot of Saskatchewan people, come over to

Manitoba for a couple of reasons: one was to see their team play in the Investors Group Field, two was to go to IKEA and shop, Mr. Speaker. The parking lot was full of green and white plates.

There's a lot of good things happening in Manitoba, Mr. Speaker. We have a stronger and stronger economy. This side of the House is absolutely intent on maintaining that advantage and growing our economy.

### **Social Well-Being Indicators Broadbent Institute Ranking**

**Hon. Jon Gerrard (River Heights):** Yes, Mr. Speaker, just—first of all, on a short point of order, I would like to thank you as Speaker. I would like to thank the staff of the Legislature, including the Legislative Counsel and all the others who've played such an important part in making this Chamber work. And I would like to thank all the members of this Chamber for their collective contributions to the well-being of Manitoba.

Now, on my question, Mr. Speaker, during this session I've emphasized improving the well-being of children and families because these are important and because, quite frankly, this government has done such a poor job in this area.

My observations have been validated by a report released this week by the independent Broadbent Institute which provided a detailed analysis using many of the well-being markers that I have talked about. The report found that Manitoba, as a result of 14 years of NDP government, has now the lowest ranking of all the provinces in terms of social well-being.

Instead of the Premier (Mr. Selinger) lacking—listing all of his ineffective programs, can he tell us why he's failed to improve the social well-being of Manitobans?

**Hon. Jennifer Howard (Acting Premier):** I thank the member for that question.

One of the things that you come to know—I think all of us in elected life—is that we are confronted by some very serious problems in our province, in our society, and those problems have been with us sometimes for hundreds of years. Sometimes they have their root, their—in decisions that were made before any of us were elected.

And what we have tried to do as a government as take a hard look at those problems and put in place strategies and plans and policies that work with



people, that work with people in non-profit organizations, that work with people in communities, that work with people in Aboriginal communities, that work with people in all parts of our province to work together to have a province that's more just and more equal.

Part of that is better funding for things like education. We know that education is one of the great equalizers. That's why every year we've been in government, even when the economy was difficult, we have ensured that schools are funded at the rate of economic growth. And we will continue to do that despite the advice that we get from the Leader of the Official Opposition (Mr. Pallister).

#### **Nutritional Deficiencies Reduction Timeline**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, education is good, but it's not enough.

In the Broadbent Institute report, Manitoba fares poorly on infant mortality rates, on life expectancy, on high levels of violent behaviour. As I have pointed out this session, major nutritional deficiencies in our province, vitamin D and omega-3 fatty acids, contribute to these problems in Manitoba.

In 14 years of this NDP's long list of programs, this government, in the 21st century, has made no measurable progress on decreasing these nutritional deficiencies.

I ask the Deputy Premier: By what date will her government have eliminated the nutritional deficiencies in Manitobans, or does this government not really believe in setting measurable targets?

**Hon. Jim Rondeau (Minister of Healthy Living, Seniors and Consumer Affairs):** I'd like to let all the members of the legislation—Legislative Assembly know that we've been working on this for many years.

The whole idea about having appropriate nutrition in schools was tackled first in our first term, and we moved forward on a school nutrition policy. The whole idea about getting partnerships to make sure that people have appropriate nutrition has been and will remain a priority of this government, things like the healthy food clubs, 'hel'—things like Farm to School, Nourishing Potential.

We have made an investment when the—with The Winnipeg Foundation where there's millions of dollars that are now there that will last forever. And why that's important is that programs will be

funded, not just now but forever, because people, businesses, the government and other organizations are committed to making sure people have appropriate nutrition.

And on this side of the House we vote for those funds, we commit for those funds, and we believe we can work together to make nutrition, vitamin A, vitamin D—

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

#### **Diabetes Prevention Reduction Timeline**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, the government may have been working on this for many years, but they haven't achieved much in the way of results.

When it comes to the well-being of children and families, I've highlighted systemic gaps in child and family services, problems in our emergency rooms and the diabetes epidemic in our province.

Effective action starting in 1999 could have prevented up to 30,000 Manitobans from getting diabetes, but this problem is so ineffective and hopeless in addressing the epidemic that the number of Manitobans with diabetes has doubled to reach about a hundred thousand.

I ask the Deputy Premier: By what date will her government implement the effective changes to reverse the diabetes epidemic, the longest and the largest epidemic in the history of our province?

**Hon. Jim Rondeau (Minister of Healthy Living, Seniors and Consumer Affairs):** Mr. Speaker, when I was first appointed the first Healthy Living Minister in Canada and focused on prevention, one of the first things we did was we made a commitment to activity and exercise which involved investments to recreational facilities, which involved commitment to—for a K-to-12 physical fitness curriculum in schools, which involved the commitment to increase the physical activity level by 10 per cent in 10 years. As I mentioned to the Chamber yesterday, we've increased the physical activity level from 10 per cent in seven years and led the nation.

I'd also like to net—let the member know that some of the programs, like the Child Nutrition Council of Manitoba, actually reaches 170 schools and 160,000 students a year. That is true commitment and that's true expansion.

And what I'd like to let the member know is it's not in the medical system—

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

### **Global Aerospace Centre Aircraft Engine Facility (Thompson)**

**Mr. Clarence Pettersen (Flin Flon):** Mr. Speaker, our government is a strong supporter of northern communities as well as economic development opportunities for the North. Unlike the opposition, we, along with the Golden Boy, look north. Our government believes in making strategic investments that will benefit northerners and, indeed, all Manitobans.

Can the Minister of Innovation, Energy and Mines please inform the House regarding the significant announcement that was made yesterday in Thompson to help further cement our province's reputation as a global aerospace centre?

**Hon. Dave Chomiak (Minister of Innovation, Energy and Mines):** Mr. Speaker, I'm very honoured to be part of a government that expended a 2-and-a-half-million-dollar loan to extend the facility, the GLACIER testing facility, to be a 365 days a week—a year.

That now means that every single major jet manufacturer in the world, Rolls-Royce, Pratt & Whitney and GE, all test their engines in Manitoba. And it is the reason why the vice-president of Rolls-Royce said, and I quote, Manitoba is the best place in the world to do business.

And every minute of the day, 24 hours a day, three quarters of a million Rolls-Royce engines are flying people in the sky—every minute of the day—all tested in Manitoba.

### **PST Increase Impact on Families**

**Mr. Wayne Ewasko (Lac du Bonnet):** Mr. Speaker, now the minister's taking credit for our weather.

Mr. Speaker, due to the 14 per cent PST increase and the fact that this government is taking \$2,400 out of the Johnson family of six in Beausejour's back pockets, the Johnson family is going to have to make serious decisions about their family's everyday activities with less money.

Why is this NDP government making indiscriminate cuts to budgets of Manitoba families? Really, Mr. Speaker?

\* (10:40)

**Hon. Stan Struthers (Minister of Finance):** Really, Mr. Speaker, the—that family lives in one of the most affordable provinces in the whole nation. That same family enjoys a level of disposable income higher this year than any previous years. That same family can count on this side of the government to invest in health care and invest in education, invest in roads and bridges which they depend on, as does not just Manitoba families but Manitoba industry.

Our economy depends on that, and you know what? We are going to be there to invest in our economy while the members opposite will be there to advise us to cut and hack and slash.

### **Tax Increases Fixed-Income Earners**

**Mr. Ian Wishart (Portage la Prairie):** Mr. Speaker, those with limited and fixed incomes have been hard hit by this government's tax increases. Inflation, too, has been pushed along by this government's tax policy. This leaves Manitobans struggling to manage their own budgets, yet this government shows no signs of learning how to manage their budget.

Why is it this government feels that those on limited and fixed incomes, those most vulnerable Manitobans, should pay the price for this spendDP government's spending addiction?

**Hon. Stan Struthers (Minister of Finance):** Well, Mr. Speaker, I need to point the member for Portage to the statements made by one Paul Ferley of the Royal Bank of Canada, who pointed out very clearly that our economy is growing. When you look at other provinces and inflation rates and growth rates, Mr. Ferley and the Royal Bank of Canada have no problems with the direction this government was taking in terms of dealing with those kinds of indicators.

This side of the government, in Budget 2013, put some very tangible measures in place to help people who are struggling, Mr. Speaker. I wish members opposite had—would have had the foresight to vote in favour of that budget.

### **Manitoba Public Insurance Fee Increases**

**Mr. Reg Helwer (Brandon West):** Mr. Speaker, MPI ratepayers will be paying through the nose again, thanks to this government. They've seen a vehicle registration fee increase, broadening of the PST, raising of the PST by 14.3 per cent, all from a government that lied to Manitobans.

And now, you know, MPI lost money last year, lost money in the first quarter, so the minister flip-flopped on paving the roads. Now MPI applies for a rate increase and now they want to save the children because this government suddenly decided children might be at risk.

Mr. Speaker, it's like watching a bad magician, except Manitobans know where the quarter came from. It's coming out of Manitoban's pockets.

Indiscriminate, across-the-board cuts to family budgets, that's this government's goal.

**Hon. Andrew Swan (Minister charged with the administration of The Manitoba Public Insurance Corporation Act):** Mr. Speaker, this morning I saw one daughter off to school today on her bicycle, saw another child off to school getting on the bus. I want them to get there safely, like I would think every other parent in this province does, and that's why I'm very pleased that MPI announced yesterday a partnership with the Winnipeg Police Service, the Brandon Police Service and the RCMP for enhanced enforcement in school zones and do-not-pass laws for school buses.

The question is, Mr. Speaker, who could possibly be opposed to investments and programs to get children to and from school safely? The only ones would be Progressive Conservatives who also oppose keeping students safe in our schools.

### **PST Increase Impact on Seniors**

**Mr. Cliff Cullen (Spruce Woods):** Mr. Speaker, Manitoba seniors will be impacted by the NDP PST hike as much as any demographic across Manitoba. Many Manitoba seniors are on fixed incomes. The combination of the PST hike and the highest inflation rate in Canada has substantially eroded the purchasing power of Manitoba seniors. NDP policies, fees, surcharges and taxes have negatively impacted Manitoba seniors. Manitoba seniors now have to watch out for an NDP death tax as well.

Mr. Speaker, why has the NDP, the Broadway bullies, chosen to punish Manitoba seniors?

**Hon. Stan Struthers (Minister of Finance):** Well, this member is incorrect once again, Mr. Speaker.

You know, it wasn't so long ago when I was in this House and I watched the official Leader of the Opposition and his government under Gary Filmon move to privatize home care in this province. They tried, but we didn't let them.

If he wants to talk about support to seniors, why don't we talk about what would happen under an across-the-board cut to such things as personal-care homes, which, again, the Leader of the Official Opposition (Mr. Pallister) has put on the table.

Mr. Speaker, the one measure that would hurt seniors more than anything else is the commitment of members opposite through their leader to move to a two-tier system of health care. For-profit, private health care, that would hurt seniors.

### **PST Increase Request to Reverse**

**Mrs. Bonnie Mitchelson (River East):** But Manitoba families cannot believe a word that this government says. They have no credibility, and every Manitoba family has seen indiscriminate cuts across the board as a result of the 1 per cent PST hike.

Mr. Speaker, will the government today show some respect for hard-working Manitoba families, reduce the 1 per cent PST increase, and if they are planning on going ahead with it, hold a referendum and let Manitobans decide?

**Hon. Stan Struthers (Minister of Finance):** From this side of the House, Mr. Speaker, what Manitoba's families see across the board, investments, in health care, in education, in hospitals, schools, roads and bridges.

What Manitoba families see from members across the way are indiscriminate cuts, \$550 million worth of cuts right across the board, every single department.

That's what Manitoba families see.

### **PST Increase Request to Reverse**

**Mr. Cliff Graydon (Emerson):** Well, Mr. Speaker, Emerson Bigway, Domo Gas, Reimer Redi-Mix, they're all businesses located near the American

border and are reliant on their customer bases to shop at home. This government has made that next to impossible, as those customers are now shopping across the border thanks to this government's illegal 14 per cent PST increase.

Mr. Speaker, when will this government reverse their illegal PST increase so—and call a referendum so that Manitoban families don't have to make the indiscriminate cuts caused by this government?

**Hon. Peter Bjornson (Minister of Entrepreneurship, Training and Trade):** Well, Mr. Speaker, a few numbers for the members opposite: Zero per cent small-business tax, \$52,500 being saved this year by the small business that has \$425,000 taxable income, 5.2 per cent unemployment rate.

And the businesses that I meet talk about the need to have trained, quality employees, and we're the government that's investing in trained, quality employees. In fact, we've increased the number of apprentices by 130 per cent. What was their platform in the election, Mr. Speaker? They said nothing about training. They said nothing about investing in education. We've increased the number of high school apprentices by 488 per cent. What did they say about high school apprentices in the last couple of elections? Oh, they said nothing. In fact, they said they were going to cut funding to education, just as they say now.

We invest in Manitoba training. We invest in Manitoba as building our economy. We're going to build more infrastructure here, 10,000 jobs more a year. They want to cut half a billion.

I know it's a lot of numbers for the member opposite—

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

#### **PST Increase Request to Reverse**

**Mr. Stuart Briese (Agassiz):** Mr. Speaker, business owners in Roblin and many other biz-border communities are concerned about cross-border shopping caused by the illegal 14 per cent increase of PST. They say people are shopping in Saskatchewan for most of their needs and they're using local businesses as convenience stores.

Mr. Speaker, will the minister remove his illegal 14 per cent PST increase today and allow those business owners to be competitive with their Saskatchewan counterparts?

**Hon. Peter Bjornson (Minister of Entrepreneurship, Training and Trade):** Well, Mr. Speaker, we were more than competitive with our Saskatchewan counterparts last weekend. And, in fact, if you read the article in the Free Press, it talked about the people that came to Manitoba to watch their team get spanked in Investors Group stadium, and what did they say? They said what a big-city feel that we have here, what an incredible football stadium that we have here, which they opposed, which created a lot of employment for all those tradespeople I talked about in my previous answer. And what do they say? We're going to come back next year and we're going to come back and we're going to shop here in Manitoba. That's what the Saskatchewan fans said in the Free Press.

So I think they should start cheering for the right team.

#### **PST Increase Request to Reverse**

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, the right team to cheer for is Manitoba families.

You know, this session it's been all about the money for the NDP. When they increased the PST, it was all about the money. When they eliminated the referendum, the legal right to a referendum, it was all about the money. When they brought in the vote tax and \$5,000 went to each of these members, it was all about the money.

\* (10:50)

For us, it's been all about standing up for Manitoba families. We stood up. You know, we stood up for the single parent who's having a hard time making ends meet. We've stood up for the new Canadian who's trying to build a new life in Manitoba. We stood up for the family who just wants to go on vacation but, because of higher taxes and higher inflation, they can't.

Why won't they stand with us, stand with Manitoba families and take away the increase to the PST?

**Hon. Jennifer Howard (Minister of Family Services and Labour):** I wasn't aware he could ask such a succinct question.

I do want to assure the members opposite that we stand very proudly with Manitoba families. We stand with them when we build schools for their children to go in. We stand with them when we build personal-care homes for their seniors, for their elders

to be in. We stand with them when we build roads so that they can have a successful economy, Mr. Speaker. We stand with them when we make sure there's a nurse at their bedside and a teacher in their school.

And we will not take the advice of the Leader of the Opposition and cut half a billion dollars out of this Province's economy. We will not do that. We will invest in Manitobans.

And that, Mr. Speaker, is no Beauchesne.

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

Time for oral questions for expired.

### **Speaker's Ruling**

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

Following the daily prayer on Wednesday, September the 11th, 2013, the honourable member for River Heights (Mr. Gerrard) rose on a matter of privilege, taking issue with the presiding officer ruling a word used by the honourable member on the previous day as unparliamentary. At the conclusion of his remarks, the honourable member for River Heights moved, in quotations, "that this matter be referred to a committee of this House." End of quotations. The honourable Government House Leader (Ms. Howard) also offered advice to the Chair. I took the matter under advisement in order to consult with the procedural authorities. I thank both honourable members for their advice to the Chair.

There are two conditions that must be satisfied in order for the matter raised to be ruled in order as a prima facie case of privilege: first, was the issue raised at the earliest opportunity, and second, has it been demonstrated that the member's privileges have been breached in order to warrant putting the matter to the House.

In this ruling I am going to address the issue of whether privileges have been breached before I address the issue of timeliness.

The member indicated in raising this matter of privilege that the Speaker had ruled language used by the member on the previous day as unparliamentary. However, in looking at page 4915 of Hansard for September the 10th, it is very clear that as Speaker, in fact, I did not rule language unparliamentary and only offered a caution.

I will remind the House that I said, and I quote, in quotations, I must say that the word that was chosen by the honourable member for River Heights causes me some concern. Perhaps it is not an unparliamentary word, but I think we've all agreed that we're making significant progress here with respect to language, and the word that was chosen by the honourable member for River Heights was very close to the line. End of quotations. I then went on to offer a caution to all members, when rising on a question or in response to it or as part of speeches in the House, to pick or choose words carefully. So it is clear that the word was not ruled unparliamentary.

Also, I would like to inform the House that Beauchesne citation 485(1) advises that unparliamentary words may be brought to the attention of the House either by the Speaker or by a member. When the question is raised about unparliamentary language by a member, it must be done as a point of order and not as a question of privilege.

In addition, I would note for the House that O'Brien and Bosc advise, on page 100 of the second edition of the House of Commons Procedure and Practice, that a limitation on freedom of speech for members is provided by the authority of the Speaker under the standing orders to preserve order and decorum. This finding is supported by a ruling in—by a 1996 ruling by Speaker Dacquay which states in part, in quotations: Freedom of speech is the protection of members to say what they wish in the House without interference from outside bodies or agencies or fear of repercussions from outside agencies, but it does not guarantee members the right to say absolutely anything they want in the House. The Speaker—the House, through the Speaker, can impose limits or rules. A Speaker should not be absolutely interventionist, but in those rare cases where language impinges upon—the dignity or decorum or sensibilities of the House, the Speaker does have the authority to request the withdrawal of unparliamentary language. End of quotation.

I would also like to reference for the House that page 619 of O'Brien and Bosc advises that when dealing with language, the Speaker takes into account the tone, manner and intention of the member speaking; the person to whom the words at issue were directed; the degree of provocation and, most importantly, whether or not the remarks created disorder in the Chamber. Thus, language deemed unparliamentary one day may not necessarily be deemed unparliamentary the next day.

So, taking these reference and sources into account, it is clear that there is not a prima facie case of privilege in this situation.

To address the issue of timeliness, the honourable member for River Heights (Mr. Gerrard) indicated that he needed to see the words in Hansard before raising the issue. However, in this particular situation, the honourable member actually should have raised the issue on the day it happened, as he was raising an objection to a decision made by the Chair. If the honourable member was unhappy with the decision of the Chair, he should have challenged the decision of the Speaker at that time, not raised the issue on the following day.

In addition, it is worth noting that, although the decisions of the Speaker can be challenged, they are not to be debated, as this could be viewed by others as a reflection on the presiding officer. Beauchesne citation 71(1) states that the Speaker should be protected against reflections on his or her actions. O'Brien and Bosc advise on page 615 that, in quotations: Reflections must not be cast in debate on the conduct of the Speaker or other presiding officers and only by means of a substantive motion may the actions of the Chair be challenged, criticized or debated. End of quotations. The 24th edition of Erskine May states on page 61 that the actions of the Speaker cannot be criticized incidentally in debate or on any form of proceedings except for a substantive motion.

These findings are supported by numerous rulings from Manitoba Speakers, including Speakers Murray, Hanuschak, Walding, Phillips, Rocan, Dacquay and Hickey.

I would therefore encourage members to exercise caution when raising issues that be 'const'- that could be construed by others as reflecting on the Chair. Rulings and decisions made by the Speaker can be appealed, but to raise them as matters of discussion in the House is not appropriate. If a member wishes to discuss a ruling or a decision made by the Speaker, my door is always open, and I would encourage members to have a private discussion with me in my office.

\* (11:00)

On a final note, I can appreciate that the 'hist'- this has been a long, challenging session for a variety of reasons, and, at times, members may have experienced feelings of frustration. As your presiding officer, I take seriously my role as the custodian of

decorum. I try my best to allow a free flow of discussion and debate between members; however, when exchanges become too heated, it is my role to intervene and remind members about treating each other respectfully so that we may exhibit the decorum that 'mamit'-Manitobans expect from their elected representatives. I see this as partisanship—a partnership between the Chair and all members, and I will continue to work to the best of my capabilities to ensure that we have a respectful environment in which to share our debates and to express our thoughts.

We'll now move on with—

## MEMBERS' STATEMENTS

### If I Had A Million Dollars

**Mr. Cliff Graydon (Emerson):** Mr. Speaker, the NDP recently announced that they were going to take a million-dollar vote tax from Manitobans, so I decided to come up with a list of the NDP reasons to take the vote tax. So, with that, here is the NDP version, If I had a Million Dollars:

If I had a million dollars, I wouldn't have to knock on doors / If I had a million dollars, I wouldn't have to walk no more / If I had a million dollars, I'd buy a new splash pad or a park bench or something critical / If I had a million dollars, I'd buy your love, love, love.

If I had a million dollars, I could buy 16 more spinners to add to the 192 / If I had a million dollars, I could buy a new orange toque, but not a real orange toque, that's cruel / If I had a million dollars, I could buy a new birthing centre that's only open some of the time, and maybe a little fridge in the corner there somewhere / If I had a million dollars, I'd buy your love, love, love.

If I had a million dollars, I could campaign without leaving my house / If I had a million dollars, I wouldn't have to fundraise anymore / If I had a million dollars, I could eat dinner at home once in a while / If I had a million dollars, I'd buy your love, love, love.

If I had a million dollars, I'd raise the PST, but not more PST, that's cruel / If I had a million dollars, well, I'd join your municipalities, like in groups of three or four / If I had a million dollars, we'd take a limousine instead of a hybrid SUV / If I had a million dollars, I'd buy your love, love, love.

Thank you, Mr. Speaker, and by the way, I won't be taking a penny of that million dollars.

**Mr. Clarence Pettersen (Flin Flon):** Mr. Speaker—

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

#### Point of Order

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

**Hon. Jennifer Howard (Government House Leader):** Yes, Mr. Speaker, I can't recall, I know there's been rulings in this House before on singing in the Chamber. I—the member for Emerson—I—now, the member for Emerson may be in no danger of violating that rule depending on one's interpretation, and I don't require a ruling now. But perhaps you could take it under advisement if for no other reason than to spare us the cruel and unusual punishment that further musical interludes from the member for Emerson would cause all of us.

**Mr. Speaker:** On the same point of order, the Official Opposition House Leader.

**Mr. Kelvin Goertzen (Official Opposition House Leader):** I find myself in rare agreement with the—*[interjection]* Perhaps we can find it the will of the House to make it unanimous, Mr. Speaker.

**Mr. Speaker:** On the point of order raised by the honourable Government House Leader, I thank the honourable House leaders for their advice on this matter. I do know that the previous Speaker, Hickes, did say that there would be no singing permitted in the Chamber other than O Canada and God Save the Queen, but I find myself in agreement with the two House leaders and that since this may not be declared as singing, that there would be no point of order.

#### Point of Order

**Mr. Speaker:** Honourable member for Emerson, on a point of order.

**Mr. Graydon:** On a point or order. Would it be appropriate if I could see you in your chambers after the session today?

**Mr. Speaker:** As I have indicated a few moments ago to all members, my door is open to you any time. Please, you're more than welcome to come in. Perhaps we can invite others that might be able to sing to accompany us.

So I must rule that there is no point of order, but I look forward to seeing the honourable member in my office later.

\* \* \*

**Mr. Speaker:** Now, the honourable—I regret to have interrupted the honourable member for Flin Flon, but he has the floor now.

#### Relay for Life

**Mr. Pettersen:** Mr. Speaker, I rise to speak about an event that truly illustrates the support that members of the community can lend one another.

This past weekend, the Relay for Life brought members of the Flin Flon community and area, including myself, together to celebrate cancer survivors, remember loved ones lost to cancer and to work towards finding a cure. For 12 hours, from 6 p.m. until 6 a.m., 25 relay teams took turns walking laps around the Creighton ball diamond.

The night began with a first lap walked by roughly 50 cancer survivors. Later on in the evening, memorial candles were lit in honour of those currently fighting cancer and in memory of those who lost their battles. Several attendees spoke, and as a cancer survivor myself, I had the opportunity to share my own experience.

Many others who weren't walking supported the relay as well. Food booths, massages, coffee and entertainment helped keep relay participants going all night. Overall, the Flin Flon Relay for Life raised approximately \$150,000 in cash and in-kind donations in support of the Canadian Cancer Society.

Mr. Speaker, cancer touches many lives. I'm sure that everyone in this House knows or has known someone affected by cancer. Events like the Relay for Life help the Canadian Cancer Society fund cancer research, offer services and supports for cancer patients and provide information about the disease.

Of course, having access to cancer services close to home can help lessen the burden of this terrible disease. The chemotherapy program in Flin Flon sees over 400 patient visits per year, helping local families avoid over 620,000 kilometres of travel to and from Winnipeg. More enhancements are coming to the program over the next several months.

I would like to thank all members to join me in thanking the Relay for Life co-chairs, Brenda Russell and Connie Fleuty, the event's business sponsors and dozens of committed volunteers and, of course, the many friends, family and neighbours who came out this weekend to show their support in the fight against cancer.

### Veteran's Plaque—Sprague

**Mr. Dennis Smook (La Verendrye):** On Sunday, September the 8th, I had the special honour to attend the unveiling of a veterans' plaque in Sprague honouring all the veterans in the RM of Piney who served in World War I, World War II, foreign wars and peacekeeping missions. Veterans and over a hundred guests were in attendance to celebrate this special occasion at the Sprague and District Historical Museum.

On that day, we gave thanks and paid tribute to the courage of our brave veterans who served Canada in all conflicts. We also honoured the veterans in attendance, Mr. Ray Blixt, Mr. Edwin Eckert, Mr. John Owczar, Mr. Joe Nespor, Mr. Marcel Gobeil.

Veterans Affairs Canada estimates that more than one and a half million Canadians have served in dozens of countries around the world and more than 116,000 Canadians have lost their lives since the beginning of World War—since the beginning of the First World War.

The Sprague veterans' plaque represents the sacrifices our veterans made to defend not only our country but our rights and freedom. It reminds us that we must continue to keep this memory alive, to honour all veterans here with us today and those who lost their lives for Canada.

This veterans' plaque also symbolizes much of their services—what much of their services meant to us and what they have done for our country. I was at a function a couple weeks ago where the Honourable Peter MacKay was the guest speaker. He talked about our troops and how were they were not only doing peacekeeping but how they were helping in rebuild the country. Our troops have played an important role in not only keeping peace but also in promoting freedom.

I am proud of the community of Sprague for paying tribute to our honoured veterans. This plaque is a small tribute to what they have done for our country, but I hope it will be a big reminder of the value of freedom. I would like to congratulate the board of directors, Doris Hovorka, Betty Baines-Culleton, Melissa O'Connor, Regina Emes, Elsa Laing, Allen Fostey, Norman Buzahora, Don Jernberg and Bill Eckert, for their hard work in making that day possible.

Thank you, Mr. Speaker.

\* (11:10)

### Valley Gardens Family Fun Days

**Ms. Erna Braun (Rossmere):** Mr. Speaker, nothing brings together a neighbourhood like a community club. At soccer games, pancake breakfasts and other neighbourhood events at community centres across the city, you can really see members of a community coming together, meeting old friends and getting to know new neighbours.

Over the Labour Day long weekend, the Valley Gardens Community Centre brought many friends and neighbours together through its Family Fun Days. The two-day event offered a variety of wonderful activities for all members of the family.

Family Fun Days was a huge success. An outdoor movie, a bike rally and parade and a marvellous pancake breakfast were some of the highlights, as was the magic show by Ronald McDonald himself. Craft kiosks, contests, a bouncy castle and a spaghetti dinner also provided lots of fun for area families. Of course, in true Winnipeg fashion, a fund-raising social brought this excellent community event to a close.

The weekend held something for everyone, Mr. Speaker. I even had a chance to join some of the amazing volunteers in serving pancakes.

Mr. Speaker, it is only fitting that Valley Gardens Community Centre would hold an event like Family Fun Days. From youth hockey to a gardening club and with much, much more in between, VG runs activities for all ages and all tastes.

With \$50,000 in provincial funding going towards the—a future outdoor basketball court, VG will soon have even more recreation opportunities to offer.

Mr. Speaker, the success of VG's Family Fun Days is the result of the hard work of the family gardens 'communi'—pardon me, the Valley Garden's Community Centre board of directors, headed by President Cindy Elliot and a group of dedicated volunteers.

I would like to thank all those who committed so much time and energy to putting together this wonderful event. I look forward to seeing other members of our neighbourhood again at future craft sales, fundraisers and sports events at Valley Gardens Community Centre.

Thank you, Mr. Speaker.



### Vision for Manitoba

**Mr. James Allum (Fort Garry-Riverview):** Mr. Speaker, over this past session, two visions of Manitoba have come into sharp relief.

One vision, the vision of the members on this side of the House, builds for the future. Our Manitoba Building and Renewal Plan will invest in roads, bridges, hospitals and schools, build the economy and create 100,000 jobs over the next 10 years.

And then there's a very different vision of Manitoba coming from the members opposite. Over this 86-day session we've heard countless calls from the other side of the House to turn back the clock. Members opposite still believe in the failed policies of cuts to services and privatization.

Every day, Mr. Speaker, for 86 days, we've articulated a vision for a growing province with a strong economy. We're investing in our children. Because of our growing population, we're building new schools in Sage Creek, Amber Trails and Waverley West. We've added over 150 teachers in the last two years and today we'll make our schools safer for every student in Manitoba.

We're investing in hospitals, we're building cancer hubs, personal care homes and adding more doctors and nurses than ever before. We're investing \$622 million in building and improving Manitoba roads.

This is how you invest in the future, Mr. Speaker—not with the indiscriminate across-the-board cuts that members opposite are demanding, and not by firing nurses, privatizing Hydro, privatizing health care and cancelling child-care spaces.

Mr. Speaker, through this session every member of this side of the House has reaffirmed our commitment to building Manitoba's future. And while we're building, members opposite spent every day reliving a past that Manitobans have rejected. Manitoba families rejected indiscriminate cuts and privatization but members opposite still think they're a good idea, and that's why their priorities are wrong for today's Manitoba.

Mr. Speaker, we, on this side of the House, are proud to work towards making our great province even better, to invest in the future, to fight for fairness, equality and social justice, and to govern on behalf of all the citizens of Manitoba, every single day.

**Mr. Speaker:** Order, please. I believe that concludes members' statements.

I want to remind honourable members, as the House will be adjourning today, I encourage all honourable members to remove the contents of their desks here in the Chamber. I also encourage members to recycle as much material as possible and I would like to advise that the blue bins here in the Chamber are available for members to recycle their Hansards only. Any other material that you would like to recycle may be placed in the larger recycling containers in the message room located just outside the Chamber.

Now, grievances. No grievances, we'll move on to—

### ORDERS OF THE DAY GOVERNMENT BUSINESS

**Mr. Andrew Swan (Acting Government House Leader):** Could you please call for concurrence and third reading of Bill 33?

**Mr. Speaker:** We'll now call for concurrence and third reading, Bill 33, the municipal modernization (municipal amalgamations)—modernization act (municipal amalgamations), and I believe we have amendments.

The honourable Minister of Justice—*[interjection]* This third reading? Okay, pardon me. Yes, so the honourable Minister of Justice, just on concurrence and third readings, my mistake.

### CONCURRENCE AND THIRD READINGS

#### Bill 33—The Municipal Modernization Act (Municipal Amalgamations)

**Hon. Andrew Swan (Acting Government House Leader):** I move, seconded by the Minister for Local Government, that Bill 33, The Municipal Modernization Act (Municipal Amalgamations); Loi sur la modernisation des municipalités (fusions), as amended and reported from the Standing Committee on Social and Economic Development and subsequently amended, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Hon. Ron Lemieux (Minister of Local Government):** Good morning, Mr. Speaker.

It's with great pleasure that I'm able to put a few words on the record prior to the passing of Bill 33 into law.

We are legislators that are in a privileged position being able to—sorry—being able, as we are, to pass laws on behalf of Manitobans, laws that we feel are in the best interest of Manitobans. Part of our job as legislators is to listen to Manitobans, to hear their input on the bills before they become law. That is what we, as a government, have done and, as a minister, we have done this week in committee. We appreciate the time Manitobans took to share their perspective on Bill 33. Some drove a long way and some waited many hours to participate in Manitoba's unique democratic system. But, Mr. Speaker, I've stated all along that mayors, reeves, councillors in municipalities have been consulted on this plan to modernize municipalities.

I, along with AMM, have met again—time and time again—I'm sorry—with municipalities on this government's plans to ensure that local decisions are made that will strengthen municipalities to meet the needs of being modern municipalities. We have heard from Manitobans about this bill. It will modernize municipalities overall and we have taken their concerns into account and addressed them in amendments which I think strengthen this bill—no, I'll say they do strengthen this bill. I appreciate those reasonable amendments put forward by members opposite and I appreciate that they, at this late hour, were able to provide some suggestions which will reflect in this new law.

Mr. Speaker, I and my colleagues on this side of the House are proud of this bill, are proud of how it positions rural Manitoba to thrive and grow into the future. It takes leadership to make tough decisions, decisions which have been contemplated but never delivered upon in—sorry—in the past by PC governments under Gary Filmon and Duff Roblin.

We heard that some municipalities have a history of working together, but they are duplicating services and administrative functions. We heard municipalities are open to sharing the construction and operation of major assets like water treatment facilities and recreation centres. We heard that municipalities want to be able to take full advantage of infrastructure programs such as the Building Canada Fund. We heard that some municipalities struggle to find professional services such as accountants and the expertise in areas such as emergency preparedness and response.

Mr. Speaker, I am proud that Manitoban municipalities and all municipalities in Manitoba

will be able to move forward in the future and be stronger and better prepared to take advantage of the economies of scale and to be able to provide even better services to their residents and, after all, that's what it's about.

\* (11:20)

I'm proud to stand with a government that takes leadership on difficult issues. We don't shy away from them. We meet them head on. We may not be perfect and we may not have all the solutions, Mr. Speaker. And with that, I look forward to this bill becoming the law. Thank you.

**Mr. Blaine Pedersen (Midland):** Thank you, Mr. Speaker, and on the third reading of Bill 33, it's—I would like to sort of wrap up what I've seen over the last 10 months. And it's ironic because when I look back at this bill and the last 10 months, if this government had used the last Throne Speech to announce that they would spend the next year consulting with municipalities about amalgamation, they could have probably used this fall session to introduce a bill that would have been much easier to take and perhaps could have even been supported by us if they had done the consultations first.

But the last 10 months have been like watching a television miniseries because there's been so many subplots in this bill. We know that this government used the Throne Speech to announce forced amalgamations to deflect criticism away at the AMM convention. It's—it certainly worked. It certainly worked because instead of talking about infrastructure funding and the concerns that municipalities have, all the talk was about the forced amalgamation and the questions that arose from there.

They could have used this past year for consultations, but, you know, I understand somewhat how this government operates. The order came down from the Premier's (Mr. Selinger) office to the minister and told him, you will amalgamate municipalities. You will start with the first round to drop it in half, and after that, then you will drop them in half again. We understand that. This government is looking at—between downloading costs and avoiding paying municipalities because we've already—it's already been shown, time and again, they'll be able to—with less municipalities they will have to pay out less grant money because there'll be less municipalities.

So—and the—this Bill 33 is so full of ironies because—ironic that we—as we debate Bill 18, an antibullying bill, this Bill 33 is a classic case of bullying because, when the municipalities pushed back at the minister and said, this is not reasonable, you're not listening to us, it soon became obvious—it's like the schoolyard bully. When you confront a bully, the bully can do two things. The bully can either learn from their mistake or else they can become more aggressive. And what we saw is more aggression from this government.

We saw the member from Interlake call municipalities dysfunctional. We saw this minister go to—and I was at those meetings, I saw the minister talk to municipalities, supposedly listening to their concerns, and then turn around—and I will rephrase it to make it more parliamentary—but he said, darn right, these amalgamations are going to happen in spite of everything. That's bullying. And it shows the character of a person when instead of listening, they become more aggressive.

The minister has shown his disrespect, and this government has shown their disrespect, for municipalities. The minister has called Manitobans howling coyotes. The minister has described municipalities as insolent children. I was at the meeting of the mayors and reeves this spring in Crystal City when three mayors were standing together to express their displeasure about this bill, and the minister belittled these three mayors. It was embarrassing. But yet when they pushed back, he pushed back harder. And just so that members know the history of these three mayors, this is three communities that have normally never got along very well, but in diversity they came together. They stood side by side only to have this minister belittle them in front of their peers. I saw that. It was shameful.

I was at the meeting in Miniota of the mayors and reeves, and a council member was at the microphone speaking. She was crying she was so upset. And that's where the minister came back and said, doesn't matter, amalgamations are going to happen. Get used to it. Suck it up.

That's not listening, that's bullying. And it's unfortunate that this government and this minister has taken such an aggressive stand. This government is no Gary Doer. Gary Doer would have seen the light. The true socialist mentality has come out from this government. It's their way or no way, that this government has now decided that they will run municipalities. They want total control over

municipalities, and this amalgamation bill is all about control. It's not about modernization. It's not about economies of scale, because they have failed over and over to prove their case about economies of scale. Every time the minister was at one of those meetings and offered up his bogus reasons, the municipal people would stand up and say, Mr. Minister, that's not right. You're wrong. There is not the economies of scale.

This government has decided to attack the very fabric of communities, particularly rural Manitoba. There's a long history here, and, yes, changes happen; and, yes, there are amalgamations; and, yes, there will be more amalgamations coming down the pipe in the future. But it should be at the municipality's wish, the ratepayer's wish, not at the decree of a government that's so far removed from local ratepayers that they choose not to listen to them. And the only ones they did listen to—and they were literally bombarded from the beach communities—the three beach communities: Victoria Beach, Dunnottar, Winnipeg Beach, and so they pulled them out of the bill. They exempted them from that. I'm sure it has a lot to do with a lot of those ratepayers who are in Winnipeg and were hitting up their local MLAs to stop this, so they pulled them out. Good for them, that they pulled out these beach communities.

But there are so many other municipalities around that have large seasonal residences, so we've created a two-tier system here. You only appeal—you only listen to those who you think will directly affect you. The same argument could have made for many communities around that they have significant cottage communities, but this government chose not to listen to them. They didn't see any advantage to them.

So it's unfortunate, Mr. Speaker, that this government has taken such a—an autocratic rule. The minister has given himself all powers over whether a municipality shall or shall not amalgamate. At the very least one of our amendments was to at least let it go to the municipal board and to ask ratepayers, but no, they were not interested in that. It probably relates back a lot—it can be compared to the referendum. They don't want to hear from Manitobans. This government is all about themselves. They've forgotten who they really are supposed to be representing.

So over the next 10 months it will be certainly interesting to watch the minister. I hope that he is

going to be a somewhat little more reflective and not quite as bullying as he has been over the last 10 months. I don't—I can only hope that that happens. I won't expect it, but I do hope he does. The stress and the workload that he has created on municipalities in the past 10 months is certainly not going to go away in the next 10 months.

\* (11:30)

There is—if he expects municipalities to be able to complete their amalgamation plans in spite of, as in his own words of significant complexities, this is going to put a lot of stress on local councils. Local ratepayers are going—want to know what is happening, how would it—will affect them and, again, his timelines are far too short. And I know he blames me for the—or blames me and blames our government for this, and that's fine because in the end, Mr. Speaker, in the end, all I have to do and all I have done and all I will continue to do is tell the truth, because you cannot go wrong. Bullying is never right and we just need to tell the truth and I will continue to do that. I will continue to stand up for municipalities against a government that continues to bully. Thank you.

**Mr. Stuart Briese (Agassiz):** I'm pleased to rise to speak to the third reading of Bill 33, the municipal amalgamation act.

You know, through this whole process, I actually believed the minister at some point, and I tried to convey my thoughts to him and I tried to indicate to him some of the difficulties with this bill. Through the whole process, I thought the minister would maybe actually hear what I was saying and would maybe actually change this bill and pull this bill, look at doing things over a longer period of time. Now, a lot of the rhetoric's been put out there. A lot of the things have been said. The committee hearings where outside of—I put it at about one and a half of the presenters out of the many presenters and letters that were there, there was about one and a half out of some 200 that actually had anything to say in favour of the bill.

For nine months or more, 10 months almost, the minister's been hearing from municipalities, and in most cases, in oppose—opposition to the bill. My own constituency has about 17 municipalities. I received letters from 15 of them opposed to the bill. I received emails, letters, all sorts of opposition to the bill. And we're at the eleventh hour of a Friday the 13th, which seems a little bit ironic, but we're at the eleventh hour on this bill. The minister's made every indication the

bill is going to pass, and I'm extremely saddened by that. I have, in my family and myself, a long history of municipal involvement, and I truly believe, and I will believe the—all my life that municipal governments is the best level of governments in this province.

The municipal councillors, mayors and reeves do their duties out of an act of love for their communities. They're very fiercely protective of their communities and they're committed to their communities, and they do it for very little remuneration and they do a good job of it. They do their job with integrity. They've offered their advice to the minister. The minister's chosen not to take that advice.

My late father, Lloyd Briese, served 20 years on municipal council in my municipality, 12 and a half of those years as reeve of that municipality, and he raised me with an attitude of giving back to your community. And I believe when he started on council, if I remember properly, his remuneration was something like \$20 or \$25 a month. He wasn't doing it for the money. He was doing it because he believed in that community. He believed in that municipality and he wanted to make things better for the people of that municipality. He would be appalled by this piece of legislation. He would have fought this piece of legislation every way he could. He believed in local governance and he believed in the structure of local governance that we had in this province.

Now, this is truly a sad day for Manitoba, for the Manitobans who live in rural and small-town Manitoba. Some of their—the fabric of that community is being ripped apart. It's being told—and we've had all the statements made and all the feedback—but it's being told, your community doesn't count anymore. It's being told that you, your community, in many cases the—under the name it's under right now, at least, is going to cease to exist. And that's not fair; it's a heavy-handed, bullying approach from this government toward, as I said earlier, the best level of governance in this province.

You know, I mentioned my father and his time on municipal council. Municipal council in rural municipalities, especially, but in—also in some of the urban municipalities in rural Manitoba and believe me, they're all part of this bill, but municipal councils—our municipality is a prime example, the RM of Langford, of municipal councils where family members—there's multi-generations of family

members. My father took over as reeve in the municipality of Langford from his uncle, Clare Montgomery, and my dad was—had retired from council before I started but certainly a lot of the—I was aware of municipal governance from a very early age because of my father's involvement. I served 20 years on municipal council, and I truly took that position because of the family tradition for getting involved in municipal politics and for the pride I had in—and still have—in the RM of Langford.

The minister seems to look at municipalities as almost—the attitude comes across as, that he almost feels there's somewhat of country bumpkins out there; they're insolent children, they're totally dysfunctional; they're howling coyotes. Those are—and talks about horse and buggy days—those are very derogatory terms and those, you know, won't be soon forgotten by the people in those municipalities, the residents, the councillors, the mayors, the Reeves.

You know, there was a study done by C.D. Howe Institute and that study stated that—and this is out of the AMM's presentation at the committee hearings—a study stated that amalgamations tend to eliminate the very characteristics of local government that are critical to successful low-cost operations. And that is a fairly true statement in my view. What we're going to see is a lot of people are not going to even put their name forward for council now because with larger municipalities, it's going to be more time-consuming.

But the other side of that coin is they're going to have to raise their indemnities and their payouts to councillors to get them there. We know already what the larger municipalities in this province—some of them are moving; in fact, one already has, to basically full-time councillors, full-time salaried councillors and that could become the rule, rather than the exception, and I think that is unfortunate. You start serving on council for a totally different set of reasons than what was intended originally.

I just want to touch on one other thing and that's the AMM Tools for Change, which I was involved with AMM when the Tools for Change document was drawn up. And we've seen—and I want to put this on the record one more time—we've seen a process here dependent totally on population of municipalities.

\* (11:40)

The AMM Tools for Change was an exceptionally good document. It probably wasn't

used as much as it should have been, and I think there was room for enhancing and expanding that process, but the indicators under it were population was one of them. The question being, is population stable or growing? These are the indicators that they suggested in Tools for Change should be used.

Tax base: despite size, is the tax base stable? Is it sustainable? Is it diverse? Finances: despite the size, does the municipality maintain competitive tax rates required for economic growth? Partnerships: does the municipality have opportunities to share services with other municipalities? And finally, civic support: does the municipality showcase strong support and involvement of volunteers and residents? And those criteria, if they were used in developing an amalgamation procedure would be definitely the best indicators that you could use to speak to municipalities about amalgamations.

You know, the mayor of Killarney, Rick Pauls, in committee mentioned that they spent 10 years talking before amalgamation and then six years on implementation, and the timelines on this bill are simply unachievable.

I know there's others that want to speak on this bill, and I think I just got the nod. So I—*[interjection]*—and it wasn't all that subtle, and I just want to put on the record that I am truly saddened. It's a sad day for Manitoba when this bill goes through, and I will continue to speak against this bill wherever I am.

Thank you very much.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise to speak on this amalgamation bill, and while I support amalgamations where rural municipalities, towns would like to amalgamate and have the time to bring in the plan and to build those relationships so that things go smoothly, I am opposed to the approach that this government has taken and the view of this government that bigger is always better, because in saying that you want mandatory amalgamation, that's very clearly what their view of the world is, that bigger is always better. There's no issue, no other issue on the table. You must amalgamate and be bigger.

Now, I want to begin by thanking the Minister for Local Government for making an exception for Victoria Beach and Dunnottar. I think that, rightfully, this recognized that these communities are very economically viable, that they are quite distinct, that they have local communities of interest which warrant that they remain as unique municipalities

rather than being forced to amalgamate. So I thank the minister for that.

But, in my earlier talk on this bill at second reading and in my comments in reference to this bill publicly, I have stood for broader exemptions than this minister is providing. One of the major reasons for—the minister has argued for having mandatory amalgamations was that municipalities need to be large enough to participate easily in joint federal-provincial and municipal infrastructure programs where each level of government is putting in a third of the dollars. And I am aware of examples where municipalities have not been able to participate in the past because they didn't have the economic ability to do that, and that is a reasonable argument. And there are other arguments for amalgamation including being able to have the full-time capacity to address some of the critical issues in water management or other areas

But that being said, that when we look at municipalities and the many presentations that we had, that I believe that there should have been a clear exemption for rapidly growing municipalities which are economically well-positioned to participate in this three-way infrastructure program. And we heard from a number of such rapidly-growing 'progra'-municipalities, which are in the near future, are going to be well over a thousand and are positioned to grow and continue to grow rapidly.

We heard about Plum Coulee as a good example, where there's development which—even the development which is on the table could have been very close to bringing the community over a thousand. A small amalgamation of an area which is immediately adjacent to Plum Coulee could have put it over a thousand. Clearly, there should have been more flexibility, as a number of people argued for municipalities to change in other ways than just simply amalgamating, that annexing local areas where there's a community of interest would have been a sensible process to go about this, and those options should have been included.

Shellmouth-Boulton is another area which is rapidly growing, particularly the number of seasonal residences; it's gone from virtually zero to something like 2,500 currently—amazing growth. Miniota is been growing and there are others which have put forward as examples of municipalities which are growing.

The rationale for having these amalgamations was in part that populations of municipalities in

many areas were rapidly declining or have 'beclining' after years of not having the kind of opportunities, infrastructure, report-support, potential. But what should—was not recognized was that—in fact, that there quite a number of municipalities which are rapidly growing, and there was no need to capture these municipalities in this amalgamation process.

Mr. Speaker, there should have been a general recognition of seasonal residents, not just for Victoria Beach and for Dunnottar. Communities like Shellmouth-Boulton, a variety of other communities around the province—people should not be ghosts, they should not be totally neglected. These people are a people who have made major commitments on seasonal basis, many of them they are there six months of year and it's not fair to totally write them off, exclude them.

There was an interesting suggestion from Florence Eastwood—okay, if they're there six months a year, give them—count them half the numbers when you're adding them up, at least count them in in some fashion instead of just writing them off. I think was a shameful thing to have done, to write off seasonal residents in this fashion.

I—we heard of the importance of taking a view of certain particular municipalities where there is a local community interest, where they have been run very effectively and efficiently, where they have the capability, even though they are relatively small and have a relatively small assessment base, to participate to the extent that they need in infrastructure projects.

We heard a very passionate statement, for example, from Phyllis Thordarson, and we heard from others in Lakeview. And they made a clear case that there is—there should have been the option for communities to make the case that they have a local community of interest, a very strong management approach and good strengths in the municipality and don't need—there should have been the opportunity for communities to make that case.

The timeline, Mr. Speaker—the timeline is too short. And I think rightfully so, given what Rick Pauls has said.

I am concerned about the language of disrespect, there should always have been a respectful approach to municipalities. Doug Dobrowolski talked as president of the AMM about the fracture that this government has created between itself and many of the municipalities in an unprecedented division,

which is most unfortunate in the way that this government has proceeded.

\* (11:50)

You know, I personally have tremendous respect for the 'reer'-reeves and mayors and the councillors throughout the province for the work that they have done in building this province, in supporting their local communities. There may be a few exceptions, but there's incredible numbers of very hard-working, honest, forthright, stalwart people who are doing a fantastic job, and that should have been recognized. It should be recognized now. I am recognizing it now. I hope one day the government will too.

**Mr. Cliff Graydon (Emerson):** This Bill 33 has been very, very troubling. The minister responsible for the bill—for Bill 33 has stood up in the House many times and says, I've consulted. I'm listening. We're here for you. We will make all kinds of different amendments to accommodate. We will be accommodating in every way.

The fact is, Mr. Speaker, he had no consultation prior to the bill, none whatsoever, and then he came with a proclamation: this is what you're going to do. And when people started to oppose the forced amalgamation, the minister called them insolent children. That's not working co-operatively; that's confrontation. He called them howling coyotes. Those are not terms that should be used when you're negotiating, when you would like to do something. But he says, we will listen to everyone.

And so they made or brought forward some amendments, and they used the RM of Eriksdale as an example. And so the RM of Eriksdale did make a presentation, and I'll quote from that presentation. It said Eriksdale is very much a thriving community and is not in financial difficulty. The RM of Eriksdale is not totally opposed to amalgamations or exploring the options of amalgamating with its neighbours, however, with the tight deadlines and the complexity of having to consult with five municipalities, an extension will be needed. They were clear what was needed in order to move forward, Mr. Speaker, but at the same time the minister wasn't listening. No, no, he wasn't listening to what the municipality of Eriksdale had to say.

There were—the RM of Strathclair, for example, the government had cited many numerous regions—reasons such as PSAB requirements, budgets not balancing, audits not being completed, accessibility to grants as some of the reasons for amalgamation.

The blame for these problems should be that—at that of the Province, and not that of our small municipalities. Numerous large municipalities have uncompleted audits. The Province did not do their part in addressing the PSAB changes and training required to provide CAOs, financial officers and auditors better training to complete the audit.

Those are comments that were made by these municipalities: the potential loss of identity; the loss of community spirit; the loss of volunteerism; the small-town feeling will be gone. They go on to say that their residents choose to live in a small community. They want the personalization. With amalgamation they will feel they will lose this representation, and their next comments was this is not a democratic way to run a province.

The RM of Shellmouth-Boulton, this is a municipality that had already amalgamated. Two municipalities into one, both Shellmouth and Boulton. And, Mr. Speaker, they made excellent, excellent presentations. Their assessment had grown by 45 per cent in 2005, 20 per cent in 2014. Shellmouth-Boulton is a perfect example of what the minister used as the criteria for excluding Dunnottar and Victoria Beach. This is the perfect example. The only difference between Shellmouth and the other two municipalities is they're seasonal both summer and winter. So their population is fairly stable at 2,500, not as what they did on the fences. They have a lot of money in their municipality; they're financially well-off. But their presentations fell on deaf ears. The same as the one I'm doing right now is falling on deaf ears of the minister.

Another part of a presentation by an individual from Shellmouth said that they had continued to grow and that they fell into the criteria that the minister had outlined for two other municipalities, two other resort municipalities. They read it in the newspaper. The minister didn't come out and consult with them, didn't come out and tell them that, and in the end, he didn't listen to their presentation, Mr. Speaker.

Another presentation from Shellmouth-Boulton and this was from a councillor, a Mr. Herechuk, and he was clear that he had been involved in municipal governments for 18 years, always considered the relationship with the Province of Manitoba respectful and amicable. The taxpayers were always treated fairly, and both levels of government worked hand in hand to allow municipalities and, therefore, in their turn, the Province to grow and prosper.

It was proven when a portion of the provincial trunk road, Highway No. 83, collapsed in 2012. Their municipality allowed municipal roads to be utilized to detour provincial traffic, and again in 2013, another highway collapsed just because of poor maintenance by this NDP government. But, at the same time, the municipality allowed their roads to be used again at a large, large cost to that municipality. But they have tried to work with the minister of government and then what happens? They don't get listened to when they come to committee.

Just to give it a—just to put the numbers again on the record, Shellmouth total—Shellmouth-Boulton's total assessment has increased from \$110,430,800 to two—in 2007 to \$207,864,900 in 2013. Their portion—or proportion, then, is at \$70,562,000 and is projected by 2014 at \$85 million, Mr. Speaker. That's huge. That's a huge amount of money. They're financially stable but they were not listened to. They're being forced to amalgamate with someone else.

We'll—we had a presentation from the Town of Altona, and Altona is not affected directly; they have a population, but the mayor of Altona pointed out a number of things. He said they have worked with other entities, other municipalities such as the RM of Rhineland and of Montcalm when they wanted to upgrade their clinic, and they—that's going to accommodate seven doctors. They share a landfill with two municipalities, Gretna and Rhineland. They manage a volunteer fire department and an airport with the RM of Rhineland, and with five years they've signed agreements with the RM of Rhineland. They also, on a regional scale, are partnering with several jurisdictions. They were the first community that sought to partner with several communities to establish the Pembina Valley Water Co-op, Mr. Speaker, and that's with 10 municipalities. They've managed to do that without help from the provincial government, but the minister chose not to listen to them.

The Town of Plum Coulee, Mr. Speaker, the Town of Plum Coulee made a number of passionate, passionate presentations for this particular minister. He didn't have—he didn't have the courtesy or show the courtesy to pay any attention to what Plum Coulee had presented. They pointed out what would happen to their policing. They had their—in fact, because of this announcement by this particular minister, their line of credit was cut by their funding institution. They cut their line of credit. They

stopped the subdivision annexation that has been in progress for four years. It was nearing completion. It would have put them over the thousand. This minister stepped in front of that and stopped that. That is wrong. That's a conflict of interest in my mind. There shouldn't be one department doing that to another.

\* (12:00)

In conclusion, Mr. Speaker, the minister has shown complete disrespect for the democratic process and for rural Manitobans. Thank you.

**Hon. Dave Chomiak (Minister of Innovation, Energy and Mines):** You know, Mr. Speaker, we've heard a lot of rhetorical flourishes from the member opposite and from members opposite concerning this issue. The member mentions—and I don't mean—it is a launching point for my comments. The member talks about conflicts in his mind. He indicates that in his mind there's a conflict. Well, there's a fundamental conflict in what the members propose with respect to this bill and what the reality is.

Mr. Speaker, the members say, we want voluntary amalgamations. Well, over the last hundred years, there's been three voluntary amalgamations, I understand. Now, you know, the members, and I'm using a bit of an analogy, the members get in their horse and buggy and on the way to the general store, putting the old feed bag on, they're going to have—they're dealing with boundaries and realities that are a hundred years out of date. Now, you can't, you know, you can—you know, you can try to sit on that fence for a while, but after a while, sitting on the fence just gets you pretty sore. You've got to get off of the fence and you've got to make a decision.

And, Mr. Speaker, there's ample opportunity in this bill of notification for appropriate amalgamation, for appropriate coming together administrative units. There's appropriate opportunities, and the people that are in place, in our rural communities and otherwise, have experience. And they have the good sense in order to deal with this appropriately. And that's why this bill has had flexibility. That's why there's been amendments brought forward by the minister and flexibility that's been given to a process because 'pride'—quite clearly, let's face it, there was—there used to be an entity called the Progressive Conservative Party. That's gone. Now, we've got the Conservative Party, and that means, you know, that means it all—nothing changes. You know, nothing changes. If it was good for Baba Ferena [*phonetic*] in 1934, it's



good for us now. Now, some of that's—you know, Baba Ferena [*phonetic*] was a—the very liberal and very progressive person, but she appreciated a car ride as opposed to a buggy ride.

And the point of the matter is, is leadership means taking—leadership means meeting, as the minister did, meeting with the communities, putting proposals on the table, discussing it. And you know what, you know what better—you know what leadership is, Mr. Speaker? Listening and learning and then adapting. And that's what this minister did. That's what we see in these amendments, the ability to adapt and to reflect not just what was heard out there, but the reality and the ability to show leadership and move forward.

So, if the member has conflict in his own mind, I'd say that the conflict probably results from the very fundamental position that was adopted from the beginning, that starts from the very beginning that there is no such thing as change, no—[*interjection*] I can stand—oh, so, Mr. Speaker, notwithstanding that I have 27 minutes and 22–21 seconds left, I will cede the floor to other members opposite who I can see are quite anxious to continue discussion.

**Mrs. Leanne Rowat (Riding Mountain):** Mr. Speaker, it was rather interesting to hear the member for Kildonan (Mr. Chomiak) put such interesting words on the record. And I know that my municipalities, the community leaders in the communities that I represent, and others that represent on both sides of the House, would find that kind of offensive. They would say, you know, we—they work hard for their ratepayers, and they—as we do, as we do. They balance their budgets, not like the NDP, not like the government side. They work hard to ensure that roads are safe within their communities, that services are available.

And, you know, we realize that this government, obviously, based on the comments from the member for Kildonan, don't understand the significance and the importance of working together. And I believe that many municipalities have said that they believe that it's important to create the opportunity for amalgamation, but it should be done in partnership, not in a heavy-handed way.

So on behalf of the municipalities that I represent, I'm very concerned with the outcome that this minister has taken. We believe that Bill 33 should have been lifted, should have been amended based on the many amendments that my colleagues presented, and I am just so disappointed that this

government failed to provide response in a respectable way to the many municipalities of this province. In a horse and buggy? Give me a break, Mr. Speaker. That is so disrespectful, and I don't know if the member for Kildonan has even been outside of the Perimeter to even know that those type of comments are just not acceptable in so many communities outside of Winnipeg.

Thank you, Mr. Speaker.

**Mr. Kelvin Goertzen (Steinbach):** I move, seconded by the member for Midland (Mr. Pedersen), that debate now be adjourned.

*Motion agreed to.*

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**Hon. Jennifer Howard (Government House Leader):** Mr. Speaker, I think, maybe, in my comments earlier I neglected to thank you for all your time and energy that you've spent with us here for many weeks. I know in some ways it's been a trial by fire.

I would like to have called, please, third reading of Bill 40.

**Mr. Speaker:** Now, proceed to call Bill 40 for concurrence and third reading. Bill 40 is The Residential Tenancies Amendment Act, and is there any debate for it?

**Mr. Goertzen:** Be focused less on 40 and more, Mr. Speaker, to echo the comments of the—

**An Honourable Member:** To move it—sorry. To move it.

**Mr. Speaker:** Pardon me, yes. I must be getting groggy here.

**An Honourable Member:** And here I was about to say nice things about you.

**Mr. Speaker:** I'm losing my touch here.

The honourable Minister of Family Services and Labour, to move concurrence and third reading on Bill 40.

#### **Bill 40—The Residential Tenancies Amendment Act**

**Hon. Jennifer Howard (Government House Leader):** Thank you, Mr. Speaker, I move, seconded by the Minister of Healthy Living (Mr. Rondeau), that Bill 40, The Residential Tenancies Amendment Act; Loi modifiant la Loi sur la location à usage d'habitation, as amended and reported from the

Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

***Motion presented.***

**Mr. Speaker:** Now, I regret to have earlier interrupted the honourable member for Steinbach.

**Mr. Kelvin Goertzen (Steinbach):** Thank you, Mr. Speaker. As I might not have the opportunity later on, I want to add my comments from the member for—the Government House Leader on the great work that you've done this session. It's been a difficult and an unusual session. I don't think many Speakers will have had the history of doing what you've done, whether that's good or bad from your perspective. We have appreciated the even hand that you've used. It's the balance in our democracy between finding an ability to allow us to act in a passionate way, but not act in a way that is detrimental to this institution. So I want to thank you for that.

I know that we have had to be called to the office a couple of times, and I can tell you that the distance between your office and this Chamber isn't very far, but it's a long walk when we get called. But I do want to say we appreciate the work that you've done. People don't know, but a couple people have asked me what was sort of the linchpin of getting the deal done, and I think I can tell the story now, that it was a couple weeks ago where the Speaker said to me that we had to be done by Monday because he's going to the Eagles concert, and I said we're absolutely going to get it done for you so that you can enjoy the concert. So we hope that you and all the other members of the House can take it easy, as it were, on Monday.

Thank you very much for your service to this House.

**Mr. Speaker:** Any further debate on Bill 40, the residential tenancies—the honourable member for River Heights, I've recognized.

\*(12:10)

**Hon. Jon Gerrard (River Heights):** Yes, okay. Mr. Speaker, let me say thanks to both the other House leaders, to the MLA for Steinbach and the MLA for Fort Rouge for the work they've done and the ability to work together cordially on—under sometimes challenging conditions, and for that I thank both. I also want to, once again, thank the Speaker for his job, as I did earlier.

On this bill, which is the residences—residential tenancies bill, we heard quite a number of people at the committee stage. We heard clear concerns from a number of people who felt that as tenants, that they could be faced with a more difficult time under this bill. I think the government could have, you know, listened a little more closely and perhaps taken some of the concerns into account a little bit more. I know that the timeline for one item was moved from, I think it was five days to seven days, but I think this government has showed, you know, where it stands.

I also want to talk to one of the items in this bill, which is the item relative to the pet deposit. I have argued in this Chamber quite often that there should be, as Ontario has, legislation which provides—makes it much easier for people to have pets in their apartments, and although this may make a small difference, it takes—it's still a long way to where Ontario is and I think this government could have done more. There are still too many seniors who, when they are downsizing from their home to an apartment, are having to give up their cherished cat or dog who've been with them for quite some time, because they can't find an apartment where the dog or the cat will be accepted—and sometimes it's another pet.

But what's clear is that the government and this province still needs to go further. Pets are vitally important for the health of people. People who have pets are much more likely to get out and to be exercising, walking their dog, for example. As I am out and about the community, I see a remarkable number of people who are out there primarily for walking their dog and I ask, you know, would they be getting their exercise without the dog, and I am convinced that a lot of them would not get as much.

Pets are healthy for a variety of other reasons, for somebody who has—who's downsizing after losing a spouse, having a pet around who's been a close companion for quite a number of years can be a great comfort, and I think that the mental health of people and the importance of pets in the mental health of people is vital.

So I think the—this government did not go the way that it should have gone, not nearly far enough in ensuring, as they have in Ontario, that apartment—people who have pets will be able to find the apartments they need reasonably easily.

Certainly, you know, the legislation in Ontario has shown that it can be applied, that it can be worked and that it works for pet owners and for

landowners, and that there are counterapproaches that apartment owners can take that are reasonable and yet there is an assurance that there will be spaces for people who have pets, who need to be moving into—for one reason or another, into an apartment.

So those are the words that I wanted to say as this bill moves to third reading and this third reading discussion.

Thank you, Mr. Speaker.

**Hon. Jim Rondeau (Minister of Healthy Living, Seniors and Consumer Affairs):** Thank you very much, Mr. Speaker, and I'm pleased to put a few words on the record for this bill.

First, I'd like to say thank you to the staff who actually spent a lot of time talking to both landlords and tenants to make sure that we had a balanced regime that was fair, equitable and workable. I think the branch continues to do a great job between both residences and tenants, and so that's the first part.

The second part is that I'd like to say thank you very much to the people who presented at the committee. I know one of the suggestions was to decrease the appeal period from five to seven days. I know there was some discussion. People talked about how that would impact people who were being evicted and they talked about real practical terms about how people would get assistance on the appeal within five days, especially if it was a long weekend, et cetera. So I'd like to say thank you to the presenters who suggested that we have a seven-day appeal process. We have incorporated and made the amendment for the seven-day appeal process.

And, actually, I've received a number of correspondences from those people who presented that said, thank you for listening, it is more appropriate. And, in fact, one of the suggestions that we were going through was it was going to be whether it was five business days or seven days, and they just suggested, for simplicity's sake, seven days was appropriate, and we did concur. And I'd like to say thank you to the presenters who were unanimous in that presentation.

In response to the member for River Heights (Mr. Gerrard), I'd like to say thank you for his input on the pet deposits. We've gone a long way. We started out with having some pet deposits; now we've made sure that it's adequate, they can charge up to a certain per cent for the pet deposits. When we initiated the pet deposit program a few years ago, people started to take pets. Now with the increase,

we believe, from what we hear from the property owners, that this will continue that process to make sure that people feel comfortable when people do have pets in.

I'd like to also mention the difference between us and the Ontario rent controls. On Ontario rent controls, when someone vacates there is no control in the rent. It can go to whatever rent that the landlord then chooses. We have adopted the fact that we have rent controls. They're predictable and stable.

I believe that the whole idea about having predictable, stable rent controls makes sense. We have said that we would have in law that they are more predictable, it's a public process, and I think that that's going to be good for both tenants and landlords because it's more predictable and appropriate.

The other two things is that we are going to continue to move forward on the renovations, whole building and whatever—and whole building or tenant renovations, we'll continue to move that for—and we'll make sure that we continue to have a balance that's good for both landlords and tenants. The one issue we did have, though, was that we wanted to make sure that there was ability to have people evicted if they're doing something that's dangerous and imminently dangerous to other tenants and so we moved that forward.

So, with those few words, Mr. Speaker, I'll wrap up and hear what others are saying, but I'm very pleased with the co-operation of members opposite, the landlords and tenants associations in moving this forward.

Thank you very much.

**Mr. Cliff Cullen (Spruce Woods):** It's certainly a pleasure today to speak on third reading debate on Bill 40. It was certainly interesting in committee the other night to hear from people around Manitoba and their views on Bill 40. We're certainly curious how Bill 40 might play out into the future and in some of the feedback we may get down the road, Mr. Speaker.

Certainly, there was—there were some concerns raised by individuals when they came forward, Mr. Speaker, in terms of some of the amendments proposed in Bill 40, and certainly have interest.

\* (12:20)

I appreciate the minister's comments today. I know the minister did make an amendment in

committee the other night in reference to some of the discussions brought forward at committee in regard to the appeal period, basically putting that back from five days as proposed in the amendment, up to the seven days. So, certainly, there was some consideration given to that discussion.

There was some issues raised at committee, Mr. Speaker, regarding the pet damage, the new proposed amendment in this legislation. Clearly—and the member for River Heights (Mr. Gerrard) raised that same issue which was brought out in committee regarding the new pet damage.

And, you know, when we talk about amendments, and we talk about landlords and tenants, and, you know, their relationships, it is quite a difficult situation when you have two points of view, quite often, Mr. Speaker. And it was encouraging to see people come to committee and speak—some of the people that involved in those disputes. And I think that's something that we should strive to do, and that's something that hopefully the minister was able to get that message, too, that there should be some room within government to hopefully work out some of those various disagreements between landlords and tenants as they arise. And then, hopefully, you know, the situations could be resolved earlier rather than later, which really cause a lot of distress for a lot of people over a course of time.

So certainly the pet-damage issue was one that raised some issues. We're certainly curious how that might work out into the future and what kind of issues that that brings forward as well.

Another issue that really caught people's attention which was raised in this amendment is in terms of allowing the landlords the right to terminate tenants engaging in unlawful activity. And there certainly—this whole area really opens up a bit of a Pandora's box in terms of who is going to make those assessments and whether those assessments get to be done by the landlord itself—him or herself, Mr. Speaker. And that's going to be a challenge, I think, as we go forward in this legislation, that the legislation itself doesn't clearly define how that's going to work and what the parameters are going to be for those evictions. And there certainly was some discussion in committee about, you know, when the law is involved and when the law is not involved, and who gets to make those decisions.

And those are some of the issues that come forward in this bill that, I think, we will be curious to

see how they work out in the future. We may be opening up some issues there that, you know, for tenants and for landlords, quite frankly, that are—they're going to put them in both in compromising positions which could ultimately lead to further litigation or lawsuits or some form of court proceedings. So that will be a challenge and I think that's something that we're certainly concerned about in terms of this legislation.

The other thing that always concerns us in opposition is when legislation is brought forward and there's the window for regulation, and this legislation also allows for activities by regulation and that's always a concern. We're always reluctant to pass legislation that opens the window for regulation when we're not sure what that regulation is going to be. And that really is the old adage, the devil's in the details, and, quite frankly, there's a lot of details that we don't know and that's a concern for us. You know, if we could see some of those details, I think we'd be more satisfied with the legislation and we could support the legislation, but those types of details are missing.

We know there is some discussion about rent controls going into the future. We—on both sides of the fence, Mr. Speaker, this legislation certainly opens up the doors to how rent controls are going to work into the future. And, you know, maybe a year from now, or two years from now when we can have this same debate about rent controls—and the system may or may not work. We're not sure and it's one of those things where time will tell.

So, you know, we're going to have a hard look at some of the details in this legislation and see how they work for Manitobans and we'll see what the impacts are to landlords and what the impacts will be to tenants, as well. But as I say, we're always a little concerned about details, and we're always concerned about details, Mr. Speaker, and so we will see how things work out into the future.

But, you know, having said that, there's certainly concerns in this particular legislation. I know it's always a balancing act to try to keep landlords and tenants happy on both sides.

Certainly, we look forward to further discussion, and I think that's something that we should be involved in is ongoing dialogue and discussion. And I hope the minister will take those words under advice, under advisement. I think there's always discussion where we should have open dialogue, and certainly, I give full credit to those individuals that

take time out of their schedule to be advocates for tenants when they find themselves in awkward positions.

Certainly, we've got a pretty complex set of rules now regarding tenancies, and it is tough for people to work through some of those. So, hopefully, the minister will endeavour to help consumers out on that side of things as well.

So, with those few words, Mr. Speaker, I just wanted to make sure that I was clear, for the minister, some of the concerns that we see in this particular legislation.

Thank you.

**Mr. Speaker:** Any further debate on Bill 40?

**Some Honourable Members:** Question.

**Mr. Speaker:** Question's been called. The question before the House is Bill 40, The Residential Tenancies Amendment Act.

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

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

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

#### Voice Vote

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

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

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

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

**Mr. Speaker:** On division.

#### House Business

**Hon. Jennifer Howard (Government House Leader):** On House business, Mr. Speaker, is there leave to set aside the sessional order provisions for today regarding report stage and concurrence and third reading motions so that all requests for recorded votes on report stage amendments are deferred until 2:55 p.m., and that all requests for

recorded votes on concurrence and third reading motions are deferred until 4:55 p.m. with the understanding that at both 2:55 p.m. and 4:55 p.m., the bells can ring for up to one hour on the first deferred item but that all successive deferred recorded votes are to take place without further bell ringing.

And just for the understanding of the House, Mr. Speaker, if we do get to 4:55 and require more time for debate on concurrence and third reading, we will agree to that.

**Mr. Speaker:** Is there leave to set aside the sessional order provisions for today regarding report stage and concurrence and third reading motions so that all requests for recorded votes on report stage amendments are deferred until 2:55 p.m., and that all requests for recorded votes on concurrence and third reading motions are deferred until 4:55 p.m. with the understanding that at both 2:55 p.m. and 4:55 p.m., the bells can ring up to one hour on the first deferred item but that all successive deferred recorded votes are to take place within—without further bell ringing. Is that agreed? *[Agreed]*

**Ms. Howard:** Will you call Bill 33 for concurrence and third reading, but will you ask for leave of the House that we can call 33 for concurrence and third reading, as we've already called it once.

**Mr. Speaker:** Is it the will of the House to provide leave to call Bill 33? *[Agreed]*

\* \* \*

**Mr. Speaker:** We'll now call Bill 33, The Municipal Modernization Act (Municipal Amalgamations).

#### Bill 33—The Municipal Modernization Act (Municipal Amalgamations) *(Continued)*

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

**Some Honourable Members:** Question.

**Mr. Speaker:** Question's been called. The question before the House is Bill 33, The Municipal Modernization Act (Municipal Amalgamations).

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

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

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

### Voice Vote

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

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

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

**Mr. Kelvin Goertzen (Official Opposition House Leader):** Recorded vote, Mr. Speaker.

**Mr. Speaker:** As previously agreed, since a recorded vote having been requested, this matter will be deferred as previously agreed.

\* \* \*

**Ms. Howard:** Would you please call report stage on Bill 18.

**Mr. Speaker:** We'll now call report stage on Bill 18, The Public Schools Amendment Act (Safe and Inclusive Schools).

\* (12:30)

### REPORT STAGE AMENDMENTS

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

**Mr. Kelvin Goertzen (Steinbach):** I move, seconded by the member for Morden-Winkler (Mr. Friesen),

*THAT Bill 18 be amended by replacing Clause 3 with the following:*

*3 The following is added after section 1.1 and before Part I:*

#### **Interpretation: bullying**

**1.2(1)** In this Act, "**bullying**" is a pattern of behaviour—whether by physical act or by verbal, written or electronic (including social media, text messaging, instant messaging, website or email) communication—that

- (a) places a pupil in actual or reasonable fear of harm to his or her person or damage to his or her property; or
- (b) creates or is certain to create a hostile environment for the pupil who is the subject of the behaviour.

#### **Differentiating characteristics**

**1.2(2)** Bullying includes, but is not limited to, acts reasonably perceived as being motivated by an actual or perceived differentiating characteristic, such as

- (a) race, colour, religion, ancestry or national origin;
- (b) physical appearance;
- (c) a mental, physical, developmental or sensory disability;
- (d) gender, gender identity or sexual orientation;
- (e) socioeconomic status; or
- (f) academic status;

or by association with a person who has or is perceived to have one or more of these characteristics.

#### **Hostile environment**

**1.2(3)** For the purposes of this section, "**hostile environment**" means that

- (a) the person who is the subject of conduct that could be bullying subjectively views the conduct as bullying; and
- (b) the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying.

#### **What is not bullying?**

**1.2(4)** Bullying does not include any action or behaviour of staff or a school volunteer that is necessary for the performance of the person's responsibilities, such as

- (a) selecting sports team participants;
- (b) speaking to the faith principles of an independent faith-based school;
- (c) issuing normal classroom instruction; and
- (d) making a comment where there is no intent or reasonable expectation that a pupil's feelings could be distressed.

**Mr. Speaker:** It's been moved by the honourable member for Steinbach, seconded by the honourable member for Morden-Winkler, that Bill 18—

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense? Dispense.

The amendment is in order.

**Mr. Goertzen:** I appreciate the opportunity to move this motion, seconded by my colleague, an educator himself. And I enjoyed listening to a number of the educators who felt comfortable coming to Bill 18. We know there were a number who were discouraged from coming, who reported by proxy because they were unable to feel comfortable coming to the committee, is something I know you and others would feel disappointed by, Mr. Speaker.

But there were a few who were able to come, along with MAST, the Manitoba Association of School Trustees, who indicated their concern about the broad definition of bullying. In fact, of the approximately 300 presenters—and I don't have the exact number, but it was probably in the mid-200s, I suppose, who actually came and made a presentation—I would say the vast, vast majority indicated that they were concerned about the issue of the definition of bullying within the current bill. They were concerned, obviously, that it is a broad definition, that it could include hurt feelings, one-time hurt feelings, and as I've said in this House before, as a parent of a school-age child who is in grade 2 now, that is a difficult definition to adhere to and to administer when even indicating that his favourite sports team isn't a very good team would certainly hurt his feelings. But I wouldn't want to be labelled a bully for that.

But we've appreciated the teachers who've come to us and said this is going to be unworkable, and there's an axiom in law that says, Mr. Speaker, that when something means everything, it ultimately means nothing. And I know a number of presenters indicated that they believed that this definition will be unworkable, that it won't be enforceable as a result of it, the one that is currently within Bill 18. In fact, I appreciated hearing from the Attorney General (Mr. Swan), who, in speaking to this exact definition in Bill 18, said that he would not want it applied to adults. He used the example of the Banjo Bowl and how there were going to be Saskatchewan fans there—and, indeed, there were Saskatchewan fans there—and that those Saskatchewan fans would be doing and saying things to us that could hurt our feelings, and, in fact, they were doing and saying things that might hurt the—an individual's feelings. But he said, the Attorney General said that he would not want that applied as bullying. And then in the hallway when he was asked to clarify his comments, he said, well, he meant that for adults. He didn't mean that for children. Well, I would say that I would not want to apply a definition of bullying

that's unworkable for adults onto children. I would argue that, in fact, if it's unworkable for adults, it's particularly unworkable for children. So I appreciate the Attorney General raising that particular issue and I hope that he's had a change of heart.

This particular definition, I think, is much more specific; it's much more manageable. And talking to educators, some of those who came actually to present at committee and those who were afraid to because of comments that were made to them by those who—by others, Mr. Speaker, that this is something that I think could be workable and this could be reasonable. It is much closer to definitions that we see in other Canadian provinces. It's much closer to definitions that we see in other parts of North America. And, ultimately, we want to ensure that there is a definition that will work for our educators, that will work for teachers. Because under the current definition, I believe, not only is there a good 'oppor'—or a good likelihood that we're going to see the bill not applied at all in terms of bullying, because teachers won't be able to determine what truly is bullying or what isn't. They're going to probably give up. As one of the teachers in the school that my son attends said, they wouldn't be able to do anything with the definition because it was so broad that they wouldn't be able to determine what was bullying or not because on any given month every student would have been a bully and every student would have been a victim because it is so broad. So, as the member for Morden-Winkler (Mr. Friesen) says, an educator himself, who—it would ultimately result in paralysis in terms of the application of this particular definition.

So I certainly hope that this is something that the government will look to. There were, again, I would estimate at least 200 presenters who raised this as a particular issue, regardless of what their issues were, and including the Manitoba Association of School Trustees, who I think have a good understanding of some of the issues that are going on, some of the issues that are happening within the schools. And they've, of course, been speaking with educators, as well. So I look forward to the government accepting this amendment and it strengthening this bill.

**Hon. Nancy Allan (Minister of Education):** Well, Mr. Speaker, I'm pleased to be here today to speak to the nine amendments that have been brought forward by the opposition in regards to Bill 18. I want to make it very clear that we're very concerned about this amendment that would fundamentally weaken our province's antibullying legislation, and we

believe it would gut Bill 18. Teachers want more tools to fight bullying and they do not want to have their hands tied like this amendment would do. The Tory amendment would ignore isolated incidents until they become a pattern. It would ignore humiliation, distress, hurt feelings and self-esteem.

When I sat in the committee for almost 40 hours listening to presenters, I listened to many presenters tell their stories. We made Bill 18 a safe place where people could come and tell their stories, and many people told their stories of being bullied because of comments that people made to them: they were fat; they were ugly; they were a fag. We heard lots of people tell their stories, very emotional stories, and they are carrying those emotional scars many years later. And who knows whether or not, with this 'legis'—with this amendment, we believe they would not be protected, and that is unacceptable. The sad truth is hurt feelings will lead to kids hurting themselves.

Now, the Tories, they can't have it both ways. The member for Steinbach (Mr. Goertzen) introduced a cyberbullying legislation—piece of legislation, and it included emotional well-being in the definition of his legislation. So he cannot have it both ways.

\* (12:40)

Teachers support our definition, and we have many teachers in our caucus, Mr. Speaker, and we've consulted with the Manitoba Teachers' Society and the 15,000 teachers that they represent. And I have been in schools all across this province, and I can tell you they want Bill 18 because it will help them to fight bullying.

We will not support this amendment.

**Mr. Cameron Friesen (Morden-Winkler):** Mr. Speaker, thank you for this opportunity to stand and put a few comments on the record with respect to this proposed amendment to Bill 18 by the member for Steinbach (Mr. Goertzen).

It is my pleasure to get up. I know that the member of Steinbach has done tremendous work in looking at this legislation, in talking to groups, into consulting with Manitobans. I know that he has received thousands of pieces of correspondence from both constituents and Manitobans across the province, and there has been considerable work done in preparation for this amendment and others that we will speak on this morning.

It is my pleasure also to get up and speak on this particular amendment which calls for a better, more workable definition of bullying to ensure, as the minister says, that all students in our schools would be protected, because if there's one thing in all of this debate that we agree on, it is that all students—and I've said it before, Mr. Speaker—are worthy of our best efforts to make schools a safe place and to make it a place where learning can take place free of that kind of harassment, regardless of the reason of that harassment or that difficulty, you know, for whatever reason a student would appear to be different, because we understand that's where bullying goes, right? It tries to exploit a difference.

It tries to—for whatever terrible reason, it happens when an individual identifies and then tries to exploit a difference in a child. Whether that's, you know, physical appearance, whether it's race or colour or religion, ancestry or origin, whether it's their socio-economic status, whether it's their gender or their gender identity or their sexual orientation, there is a host of reasons for which a child could be subjected to bullying, and we heard that at committee. And it was my honour and privilege to sit in committee night after night and hear, as the member for Steinbach said, the 200-and-some representatives of groups and individuals who took the time and sat in a sweltering committee room because they believe so strongly that their opinion needed to be conveyed.

The vast majority talked about the kinds of things that we will now introduce in amendments this morning. They called into question elements of this bill. They called for this minister to be open to improving the bill. They, in complete agreement, seemed to start their presentations by saying, we all believe that bullying is wrong, but how do we get there from here? And it seemed to be that the vast majority of presenters agreed that we could not get to a place of safety in school with a bill as the one that the Minister of Education (Ms. Allan) has introduced.

With respect to this particular amendment, I just want to take a moment of time, Mr. Speaker, to talk about the 1.2(4) amendment where it talks about what is not bullying. And as a teacher who spent 12 years in the public school classroom—taught in Winnipeg; I taught in Hanover School Division; I taught in Western School Division—I can tell you that I welcome this amendment because under the minister's legislation and under the wording of her definition of bullying, having been in a



classroom, having taught students, having had to give assignments and grade assignments, having had to discipline students and prescribe disciplinary action to students, I can tell you that the definition that the minister puts forward would expose teachers to charges of bullying when no bullying occurs. And I can tell you, those are not just my concerns, they have been expressed to me by teachers in this system over and over again from north to south, from east to west.

Now, the member for Steinbach (Mr. Goertzen) has already said what was lacking in all of this conversation was feedback from teachers, and, you know, Mr. Speaker, no one could look down these lists of presenters, night after night, and not come to the conclusion that notably absent from the list of presenters were teachers in the public school. Now, there were a few, but one presenter on one of the last nights of committee asked this minister, why is it that there are no public teachers coming to these committees who do not stand in support of this bill? And one of them even asked this minister, can you point to any?

And the minister fumbled a response to them but really what it did is it alerted all of us to the fact that for whatever reason, the only way that teachers who did not support this legislation were getting there was by proxy, and we had an individual stand up and said, I'm not a teacher, I am representing a teacher who will not come to this committee because he fears what the consequences might be. And, you know, this morning, or even today, the minister stands up and says she has the support of Manitoba teachers on this bill and yet, the Teachers' Society did no comprehensive polling of their teachers. Our email boxes and phones were busy with teachers reporting that they had not been consulted and that they had strong opinions. It speaks to the extent to which this minister did not do the background work that was necessary to bring this kind of bill forward. Consultation needed to be done.

But, Mr. Speaker, just in the brief time here allotted to me, let me just say this: I know from having to—had to select students for performance ensembles and having to make difficult decisions about who's in and who's out, trying to set out criteria for measurement as objectively as possible, we all understand, at the end of the day, when you do have a limited number of spaces, some will be in and some will be out. I have a good friend in the city of Winnipeg whose kids go to public school, and he is a volleyball coach and he talks about the difficulty and

he played volleyball to a very, very high level and he has excellent skills and excellent coaching skills that he now employs in helping that next generation of students gain those abilities. Now, the teams he coached performed very well, exceeded expectations, but at the beginning of the season he was still put in a position where he was made to do cuts, because you cannot have 37 people on the volleyball team.

And so, put in that position as he was, where it was necessary and it was understood that he would have to make those decisions, this bill could have put that individual in a place where charges of bullying would have been levelled against him because in the process of saying to a student, I'm sorry, you do not make the team, next year—I encourage you to come out for tryouts next year, work on your skill set, get involved at an intramural level, whatever the case may be, that student could have hurt feelings. That student could have brought a criticism that bullying took place, and that's why I think it is so important that 1.2(4) stands and should be adopted by this minister.

And I ask for her consideration on this matter because if these teachers are to be selecting sports team participants or selecting individuals for performance ensembles, choir ensembles, drama ensembles and theatre ensembles, band ensembles, jazz band ensembles, these charges, it is no question, will be levelled against teachers. Teachers will be demoralized. The effect of this is that they will throw up their hands and say, why do I put myself in the position where these accusations will be levelled against me. I believe it could have the inadvertent effect of causing teachers to step away from the extracurricular and co-curricular activities that we know make a school flourish, call out of our students abilities and strengths that they did not know they possessed, and it was only because in that high level of coaching or instruction they were able to realize a strength within themselves that they did not previously know was there.

This is important, and I know that the amendment goes on, and I won't go into all of it, but remember as well that just in the normal context of the classroom environment, issuing instruction, telling someone to be quiet—I have a son, who is 14, in the classroom and his teachers have told me from time to time, you know, if only we could get your son at times to pay a little more attention in class, and we work with my son to make sure he is doing that, but this amendment necessarily calls for this provision to be in the bill that a teacher could not be

accused of bullying when they're telling that student in the third row who keeps talking to his friend to not talk any longer.

\* (12:50)

Well, now my feelings are hurt. I felt humiliated and distressed and I will go and I will get even with that teacher. We must prevent those kind of capricious or frivolous charges of bullying from coming forward, because as the member for Steinbach (Mr. Goertzen) so aptly put it, if everything is bullying, then nothing is bullying.

Mr. Speaker, I thank the member for introducing this amendment. He has my full-hearted support for this amendment that he's brought.

**Mr. Speaker:** Before I recognize the honourable member for River Heights, I want to indicate a caution to the House. I understand that matters that we're dealing with currently have—members of the House may have strongly held views. But I'm going to give each and every member that wishes to comment or to provide advice to the House on this matter, I will give them their opportunity to be heard. So I'm asking for your co-operation in keeping your comments to yourself until everyone has had their say in the House here today.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I want to say about this amendment which has many components, that I don't support this amendment. But I do want to recognize one particular part of this amendment which I think could well have been considered in this bill, and that was included in 1.21, a pattern of behaviour. And the reason that I suggest this, we had a good recommendation from one of the principals who had recommended this based on considerable experience. And the reason that I would suggest that this be considered is the following. If you have it as a pattern of behaviour and, clearly, recognizing this as a pattern of behaviour and bullying, the first time an incident comes along it would clearly be very important for the teacher to point out the incident to the student and let the student know that this is inappropriate behaviour and that this should never become a pattern. It would also be important because in putting a pattern of behaviour there may be something which was said completely in error, something which was not heard correctly, something which was said, but misunderstood or misinterpreted, and that would allow for the discussion to occur between the student and the principal or the teacher, whoever it occurs. But it would allow there to be a warning, but it

would also allow there to be a situation where the first time that something happened there would be an understanding that there would be a warning, but somebody would not be labeled a bully.

And I think that this is also important because it allows, as we heard, a step-wise approach to bullying. The second time that something happened that student could then be approached. Look, this is the second time. This is now a pattern of behaviour; this is very serious; and we are going to have to take this very seriously. And, if you approach it like this and include a definition which says a pattern of behaviour rather than just behaviour, then I think it would make an appropriate difference which could be helpful in the legislation.

So thank you.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The House ready for the question? The question before the House is the amendment to Bill 18.

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

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

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

#### Voice Vote

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

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

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

**Mr. Kelvin Goertzen (Official Opposition House Leader):** Recorded vote, Mr. Speaker.

**Mr. Speaker:** Recorded vote, as previously agreed, will be deferred until 2:55 p.m.

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**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, I move, seconded by the member for Lac du Bonnet (Mr. Ewasko),

*THAT Bill 18 be amended in Clause 4(1) by adding the following after clause (b):*

*(c) by adding the following after clause (k.2):*

(k.3) provide educational programming for pupils and parents in preventing, identifying, responding to, and reporting incidents of bullying, including cyberbullying, with the program for pupils written and presented in age-appropriate language;

**Mr. Speaker:** It's been moved by the honourable member for Steinbach, seconded by the honourable member for Lac du Bonnet,

*THAT Bill 18 be amended in Clause 4(1)–*

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense? Dispense.

The amendment is in order.

**Mr. Goertzen:** Yes, thank you, Mr. Speaker. An amendment obviously intended to strengthen the bill.

There's a reason why in my comments over the summer on this bill I've referred to it as the weakest antibullying bill in North America, and that is because it is the weakest antibullying bill in North America, Mr. Speaker. It's something that ultimately—as we heard at committee—will result in 90-some per cent of the kids who are being bullied today being abandoned. And I'm disappointed that the government would abandon those kids who are being bullied and who need protection; that they had an opportunity to bring something forward that would help all kids, but instead those kids feel left out. I think that's disappointing.

And in my main comments on the motion, I'll look forward to citing examples of many kids who came to committee and poured their hearts out and said that they were going to not be helped by this particular bill, Mr. Speaker. Heartbreaking, heartbreaking testimony that we heard at committee.

In terms of this particular amendment, one of the hallmarks of a strong antibullying legislation that we've seen across North America is that it provides for educational opportunities for both pupils and for parents in that it's specifically in legislation so that it is, in fact, done. That is particularly true when it comes to cyberbullying, which is obviously not an emerging issue, necessarily, but a changing issue. It's always changing, Mr. Speaker, because of the issues around technology. And to have this within the legislation itself is something that would be similar

to other legislation that is more effective in North America in terms of protecting kids. We'd want it obviously written in age-appropriate language, which is something also that parents have expressed concerns about as well. But, clearly, we want to ensure that pupils and parents are engaged.

We know that parental involvement in education is important, and not just in terms of academic performance but in terms of ensuring that the environment the kids are in in schools is a positive one. And the more we can do to ensure that parents are able to identify issues in the home when kids come home from schools, the more we can do to help the pupils.

So it's about engaging and ensuring that it's in legislation that we engage parents, that we engage pupils in this process. Again, it is similar to what is in other pieces of antibullying legislation that are much more comprehensive than this piece of legislation, which is the weakest antibullying bill in North America, Mr. Speaker. So I hope that this amendment will be accepted and used to the effect of strengthening this bill.

Thank you very much, Mr. Speaker.

**Ms. Allan:** Well, thank you very much, Mr. Speaker. I'm pleased to have an opportunity to speak to the second amendment that is being made on Bill 18.

Mr. Speaker, this amendment, quite frankly, is redundant. I don't know what school divisions the MLA for Steinbach has been in or what schools he's visited, but he needs to know that in every school division in this province, programming is being offered to deal with bullying. It includes reporting, how to identify and respond to incidences of bullying, and they are always reviewing their best practices on a continual basis. And that's what our public educators do in this province that we are so proud of.

Early this spring, Mr. Speaker, I sent a letter to all school divisions in the province of Manitoba, and I asked them, I instructed them, that they needed to update their practices. And we will be working with our school divisions, with our education partners. We have an oversight committee with all of our education partners on it for the first time in the history of this province. Everyone is working together in the best interests of our students.

And I have asked that oversight committee, Mr. Speaker, to look at a provincial code of conduct, and it will build on the laws that we already have here in

place in this province. And we will continue to work with our education partners, and we will not be supporting this amendment.

**Mr. Wayne Ewasko (Lac du Bonnet):** Thank you, Mr. Speaker, and it gives me great pleasure to rise today and put a few words on the record in regards to the amendment brought forward by the—by my colleague from Steinbach.

\* (13:00)

Mr. Speaker, after reading and listening to many, many teachers and presenters throughout the committee hearings and, again, not only attending a committee hearing but also reading what was presented in Hansard and then some of the written submissions, I strongly feel that the amendments that this side of the House are bringing forward to the government side to be—to tweak, to change Bill 18, are only meant to make the bill stronger. There's an absolute hole in the definition. It's too broad. There's various other things in the bill that are just not speaking necessarily to the protection of all of our children here in Manitoba, and not only children, but our young students.

Later on today, I am going to put a few more words on the record in regards to the entire bill, but I just wanted to stand up and say that I am in support of the amendment brought forward by our member from Steinbach and I look forward to some other comments put on the record by other members of the House.

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

**An Honourable Member:** Question.

**Mr. Speaker:** Question's been called.

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

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

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

#### Voice Vote

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

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

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

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

**Mr. Speaker:** On division.

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**Mr. Speaker:** We'll now call the next amendment.

**Mr. Kelvin Goertzen (Steinbach):** I move, seconded by the member for St. Paul (Mr. Schuler),

*THAT Bill 18 be amended in Clause 4(1) by adding the following after clause (b):*

*(c) by adding the following after clause (t):*

(t.1) in consultation with the minister, create an online and anonymous mechanism for the reporting of bullying in schools within six months after this clause comes into force;

**Mr. Speaker:** It's been moved by the honourable member for Steinbach, seconded by the honourable member for St. Paul,

*THAT Bill 18—*

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense? Dispense. The amendment is in order.

**Mr. Goertzen:** This is again an amendment in the hopes of protecting more kids. I was disappointed that the last amendment was defeated. I'm beginning to wonder if, in fact, the government's intention is really to protect kids or not, but, hopefully, this is something that will ultimately be supported.

The issue of online reporting of bullying is something that came up for both people who were in favour of Bill 18 and those who were opposed to Bill 18. In fact, I asked a number of people who came and spoke in opposition of Bill 18 whether they would support online reporting of bullying. And, of course, what it is intended to do, Mr. Speaker, is to make it a little bit easier for those who are either being bullied themselves and who have a difficult time going and reporting that bullying because they might feel that they are going to be retaliated against, and that's a common theme that we heard from presenters at the committee. Many people came to committee and said that they were scared to report the bullying that they experienced when they were in school for fear of retaliation, or, in fact, that they did

report the bullying and there was strong retaliation against them. And that is something that's obviously concerning.

The other thing we heard from individuals who came to committee, for those who listened to the presenters, we heard from them that they said that they were worried about reporting bullying as an observer, that they felt, in many cases, tremendous guilt for not having reported bullying in school. But they were scared that if they had reported it, that they would have been retaliated against. And so this is an opportunity, Mr. Speaker, for anonymous reporting to be done.

And obviously the individuals who it's being reported to, whether it's the principal or some other delegated authority within the school, would have to go through the regular sort of checks to ensure that any report of bullying is substantiated, is been—before there was something more. But at least it puts authorities within the schools on alert, Mr. Speaker, that they can identify issues or identify problems at a time that they might not otherwise have been aware of them. And it gives them an ability to direct resource towards that.

So, Mr. Speaker, I would hope if the government is truly concerned about protecting children and in strengthening the bill, if that, in fact, is what this is about—we've already lost a couple of opportunities to make the weakest antibullying bill in North America a little bit better, but I hope that this opportunity isn't lost, as well. We know that it's something that's being done in many jurisdictions across the US. We see it in British Columbia, and I've heard some good reports from colleagues in British Columbia. I've talked to some individuals in Ontario in specific school divisions who are doing online reporting, including with apps and different sorts of things that they have in terms of technology, and they all report that it's a very, very helpful tool.

So I'm sure the government will accept this, because why would they be opposed to something that would allow people to report bullying?

**Ms. Allan:** I'm pleased to speak to the third amendment that is being presented by the opposition. And I just want the opposition to know that Manitoba is already working very, very closely with our counterparts across the province, in regards to breath—best practices, and new steps and strategies that we can take in regards to how to review and to report bullying.

We are working, as well, Mr. Speaker, with stakeholders and, actually, we are working as well with experts in the field who have got a lot of expertise in regards to how to prevent bullying and, particularly, cyberbullying. So we're working as well with other jurisdictions to ensure that if there is something that is happening in another jurisdiction and there is data in regards to the fact that that is a good program to put in place, that we will look at that very, very seriously.

Our Premier (Mr. Selinger) was at the Council of the Federation meeting at Niagara-on-the-Lake this summer where the BC minister presented an online anonymous tip line for bullying. Brought that information back to Manitoba and we are looking at this particular tool to provide further protection for young people, and we will continue to move forward in regards to those kinds of initiatives that we can do in regards to keeping our young people safe.

So I just want to assure members opposite that that work is under way, Mr. Speaker, and we will not be supporting this amendment.

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

Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** Question before the House is the amendment to Bill 18.

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

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

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

#### Voice Vote

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

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

**Mr. Speaker:** The opinion of the Chair, the Nays have it.

**Mr. Kelvin Goertzen (Official Opposition House Leader):** Recorded vote, Mr. Speaker.

**Mr. Speaker:** A recorded vote has been requested, but will be deferred until 2:55 p.m. as previously agreed.

\* \* \*

**Mr. Speaker:** Now, further amendments?

**Mr. Kelvin Goertzen (Steinbach):** I move, seconded by the member for River East (Mrs. Mitchelson),

*THAT Bill 18 be amended in Clause 4(1) by adding the following after clause (b):*

*(c) by adding the following after clause (z):*

(z.1) before the start of each school year, give the minister a written report as to the number of established incidents of bullying within the school division or school district in the previous school year, which the minister must include in the department's annual report.

**Mr. Speaker:** It's been moved by the honourable member for Steinbach, seconded by the honourable member for River East,

*THAT Bill 18 be amended in Clause 4(1) by adding the following after clause (b)–*

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense? Dispense.

The amendment is in order.

**Mr. Goertzen:** It's hard for me to speak because I'm still in shock that the government voted against an ability for kids to be able to report online bullying. I'm absolutely astounded, and I almost took the government at its word that this bill was actually about preventing bullying and now we're seeing something completely different. It's just unbelievable. We look forward to, obviously, talking to people and telling them that the ability to report bullying isn't something that the government is interested in. And in a antibullying bill, you know, if reporting bullying online wouldn't appear in an antibullying bill, I don't know where it would appear. But I suppose this really isn't about stopping bullying.

In terms of this particular amendment, it's important—and we heard from a number of presenters that it's important that we have data, that we have data when it comes to bullying in the province of Manitoba. We've seen some national data that's been collected. But, when we've asked the Minister of

Education to actually tell us how many kids are being bullied collectively in Manitoba or in individual school divisions, she tells us that we don't actually have an answer; that there isn't that kind of data.

\* (13:10)

So it's difficult, of course, to know whether or not any kind of measures, whether it's legislation or other sort of things, Mr. Speaker, policy directives, are making a difference in terms of bullying, because we don't know what the actual problem is. And we all know that there's a problem, but it's somewhat anecdotal at this point for us because we don't have the specific data.

We do know that some individual divisions do some tracking at different levels, Mr. Speaker, and it's not reported in a uniform way, but certainly we would like to see it reported and then have the minister put it into an annual report so that Manitobans can see this. The minister has indicated that this is a significant problem. We agree that it is a significant problem, so Manitobans deserve to know the answers in terms of how significant it is and what is actually being done to improve the problem.

Now, when I look at other antibullying bills in North America, and, of course, this is the weakest antibullying bill in North America, but we do see this exact sort of provision in bills like Ontario and other jurisdictions in Canada and across North America. I'm sure the minister couldn't possibly be opposed to tracking bullying and seeing whether or not things are improved or not. If this is truly about antibullying, of course, then I'm sure that she'll accept this very quickly, but I was surprised that reporting of bullying was offensive to her and wasn't something that she wanted included in an online bill.

Of course, we'll have a recorded vote, so she may change her mind. But, ultimately, Mr. Speaker, I would hope that if she truly is concerned about bullying, that we'd want to measure that and ensure that the public is aware of how it's being improved through the measures that the government is taking.

**Ms. Allan:** Well, Mr. Speaker, I want to ensure the member opposite, the MLA for Steinbach, that officials in both our public education and our private education take bullying of all forms very, very seriously, and I want to ensure him that divisions are already required to immediately notify officials when my department is dealing with incidents, critical incidents, and when this happens, we work with

divisions immediately to ensure that appropriate actions are taken and to ensure that there is follow-up.

Parents expect immediate action when bullying happens, not a report 12 months later. So, unfortunately, Mr. Speaker, we will not be supporting this amendment.

**Mr. Speaker:** Is there any further debate on the amendment?

Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is the amendment to Bill 18.

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

**Some Honourable Members:** Yes.

**Some Honourable Members:** No.

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

#### Voice Vote

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

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

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

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

**Mr. Speaker:** On division.

\* \* \*

**Mr. Speaker:** We'll now call the next amendment.

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, I move, seconded by the member for Morden-Winkler (Mr. Friesen),

*THAT Bill 18 be amended in Clause 4(2) in the proposed clause 41(1.8)(a) by striking out "or" at the end of subclause (iii), striking out "and" at the end of subclause (iv) and adding the following after subclause (iv):*

(v) ethnicity,

(vi) the awareness and understanding of, and respect for, people living with social disadvantage, or

(vii) religion or creed, or religious belief; and

**Mr. Speaker:** It's been moved by the honourable member for Steinbach, seconded by the honourable member for Morden-Winkler,

*THAT Bill 18 be amended in Clause 4(2) in the proposed clause 41(1.8)–*

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense? Dispense.

The amendment is in order.

**Mr. Goertzen:** Mr. Speaker, it's becoming more difficult for me to speak. It's becoming so shocking that the government just voted down an ability to actually report bullying to the people of Manitoba. I thought it was such a significant concern for the—I've heard the member for Thompson (Mr. Ashton) say this is such a big issue, but he doesn't actually want anybody to know about it. So I'm really shocked, actually, that apparently it's not about bullying at all. I thought we were going to be voting on an antibullying bill, but it's apparently about something completely different.

So that's disappointing, Mr. Speaker, that the government actually isn't really concerned about bullying, that it's obviously about something completely different, because we've now voted down an ability for kids—for young kids to report online bullying. We've reported—or voted down an ability for there to be actual data on bullying. We've report—voted down to—an amendment to have parents and pupils involved. I—this should be the anti-antibullying bill. It seems to be we're trying to promote things instead of—promote bullying instead of actually trying to reduce bullying.

This particular amendment which, of course, I know will be accepted by all the members of the House, would include provisions within The Human Rights Code of Manitoba that aren't currently delineated within the bill. Right now, within the bill, there are specific things that are included that appear in the Manitoba Human Rights Code but there are certain things that are excluded that appear in the Manitoba Human Rights Code. And, in particular, that would involve ethnicity, and we know that this is a multicultural province. We have people who've come from all over the world, and I know that the government sometimes talks about being in favour of

that and so I'm sure they'll be in favour of this. It also would allow for the awareness and the understanding and respect for people living with social disadvantage. We've often heard lip service from the government about that, about how they are concerned about the poor and disadvantaged, but while I'm glad the member for Riel (Ms. Melnick) is engaged now—and I know she will want to vote, then, in favour of this, if she truly believes that. And also religion or creed or religious belief, and clearly we've heard from many individuals who want all of the parts of The Human Rights Code appearing into the legislation now.

We had a very interesting presentation from many presenters, and I'll have an opportunity to speak to some of the presenters later on, but we heard from Islamic Social Services Association, their president who came forward and said that she would like to see the entire Human Rights Code put into the bill. The member for Minto (Mr. Swan), the Attorney General, said, you know, you should take comfort because we reference The Human Rights Code, and she said she didn't take comfort from that and she wanted all of The Human Rights Code put into the bill, and I think that that makes sense. I don't know why the government would be opposed to supporting those of social disadvantage, supporting those who have a particular read—religion or creed, or supporting those from different ethnicities within the province of Manitoba. So I appreciated the Islamic association and others, including the Catholic league of civil rights, who came forward and suggested that this would be something that would be important. But I know that this will quickly pass and so I don't want to spend too much time, because I can't imagine that the government would vote against the Manitoba Human Rights Code or vote against people who are living with social disadvantage or vote against people who are coming from different ethnicities or religion or creed. So I don't want to take too much time because I know this will quickly pass and be referred and be part of the bill. Thank you very much.

**Ms. Allan:** I want to ensure the member that Bill 18 protects all students, Mr. Speaker—all students.

And I want to ensure the MLA opposite that it protects all student groups as well, and it is consistent with the Manitoba Human Rights Code. The Human Rights Code is specifically and directly referenced in Bill 18, and the Canadian Charter of Rights and Freedoms provides further protections.

It is important to remember that Bill 18 builds on all previous antibullying and human rights laws that are already in place and that protect all groups, including the ones in the opposition's amendment. We respect the work that people in all of the communities are doing to address bullying, to promote diversity, to make schools more inclusive and build stronger communities. Bill 18 builds on that work. Because The Human Rights Code is specifically mentioned in Bill 18 and we support The Human Rights Code, we will not be supporting this amendment.

**Mr. Gerrard:** I just want to speak briefly to this amendment. You know, I—we heard from many people that it's very important that this be inclusive and we've got a debate on both sides as to exactly how the bill is inclusive. I think it would not have been a disadvantage to list all the relevant sections or concerns that were in The Human Rights Code. I'm a little disappointed that the MLA for Steinbach has not included some of these, which are referenced in The Human Rights Code: nationality or national origin, source of income, political belief, political association or political activity, and it would seem to me that, if we're going to do this, that, you know, all should be included.

\* (13:20)

And I respect the minister's comments that there's a reference in 41(1.7), the school board must have due regard for the principles of Human Rights Code. What we're talking about here is student activities and organizations, and I don't particularly see a problem in being inclusive in terms of the ability to set up student activities and organizations. Indeed, you know, I would think it would be quite reasonable in (b) to put in: use the name gay-straight alliance, antibullying club or any other name that is consistent.

And the reason for doing that is just to emphasize that students can pick one name or the other, that they're not just restricted to one, that this is, as I think we heard very elegantly a student—I think it was from The Maples—who came forward and said, you know, we had a variety of different clubs and then we decided that what we wanted to do was to have, you know, one antibullying club, and that brought together all these human rights issues as, you know, in a way that was very effective and helped bring people together instead of pull people apart.



And I think that you don't have to take away gay-straight alliance. I think it's important that that phrase is there, but I think you could add antibullying club just on the basis of the presentation of the student from The Maples who put it so eloquently that there can be and should be a real opportunity. Not that this takes away from it, but that, if you put it in the bill, it will say to all students that, you know, gay-straight alliance—wonderful, antibullying club—wonderful. You can use other phrases but at least it puts it there and makes people feel that the legislation is a little more inclusive.

So, in respect to the first part of this 41(1.8) and the respect for human diversity policy, I think that it is, you know, it would've been perhaps helpful to have a (v) which said: or any of the other characteristics which are in The Human Rights Code, plus perhaps even including physical appearance because many people brought up physical appearance as an issue.

But the intent here would be to make people who read the legislation feel that it is indeed inclusive because, as we saw the discussion in the debate during the committee hearings, there was a real sense of a divide, and that, rather than trying to strengthen that divide, maybe we can do some small things to this bill which would actually make people feel that they are being included and that they are not being left out.

So thank you.

**Mr. Friesen:** I thank you for the opportunity to rise and put a few words on the record with response—with regard to this amendment to Bill 18 as brought forward by the member for Steinbach (Mr. Goertzen).

I thank the member for River Heights (Mr. Gerrard) for his comments he's put on the record with respect to saying it certainly wouldn't be a disadvantage—it wouldn't have been a disadvantage for this bill to list all the issues identified in The Human Rights Code.

I think there might be a little bit of discrepancy here whether the member for River Heights is talking about the Canadian Human Rights Code or whether he's referencing the Manitoba Human Rights Code but, in principle, I completely stand in agreement with him that I think—I believe—and we've said from the beginning as a party—that one of the principal places where this legislation falls down, and it does indeed fall down, is there is a clear lack of

consistency between documents, like the Manitoba Human Rights Code and this one, whereby this bill identifies some groups and organizations or, should I say, enshrines some protections to groups, but it does not explicitly guarantee them to all the groups in the Manitoba Human Rights Code, and that is a principal point of contention.

It is not one that we alone have made. It is one that has been made night after night in submissions to committee. It has been made by email and by phone and by fax. It has been made at rallies and other events.

And, Mr. Speaker, clearly the question for this government, one to which they have never provided a satisfactory answer for Manitobans is: Why would you list some but not all?

And, Mr. Speaker, in—it was the member for Steinbach who mentioned earlier that we live in a multicultural society. This minister demonstrates great ignorance for the immigration patterns of this country and of this province when she fails to also identify explicitly in the wording of this legislation, protections for, that would recognize that we are a multicultural society, that there would be enshrined those same articulated provisions about ethnicity or the awareness and understanding of people living with social disadvantage—and we heard from them in committee—and also that those from a different religion or creed or religious belief would have the same guaranteed, explicit protections.

Now, this minister has got up and said, well, they're implicit. But it's not good enough. It's not good enough to say they're implicit. They could all have been implicit, but by virtue of the fact that this minister and her legislation identify some, she must—is it incumbent upon her to list all. And the member for River Heights has said the same this morning and I stand in agreement with him on that point.

The issue is not why you would also include these other categories as identified by the member for Steinbach in this amendment. The clear issue is why would the government have stopped short of providing that comprehensive list. In the words of the member for River Heights, it certainly would not have been a disadvantage to list all of those issues as identified in The Human Rights Code. It is an answer, Mr. Speaker, that has not come forward. It is a question that remains because the government has provided no compelling evidence as to why they took the path that they did.

Mr. Speaker, let me just sum up my comments on this note by saying I was there that evening when the member for Minto (Mr. Swan) stood and he wanted to—or he expressed the questions to the executive director for the Islamic Social Services Association. And this was done, you know, on occasion, but the member for Minto said, well, doesn't it give you some level of comfort that those protections for ethnicity and social disadvantage and religious—religion and creed are implicit in the bill? And the answer was direct. It was eloquent. It was articulate and it was wise. And that answer from Executive Director Shahina Siddiqui was clear: No, it provides no satisfaction. If you meant it you should have put it in the bill. And she said it much more eloquently than that, but it was something that resonated with the committee that night.

And I want to just conclude my remarks by going back to the actual presentation of Shahina Siddiqui who said this at the end of her presentation: It is imperative that we also teach them that harming, hating and ridiculing those who do not share their beliefs from within their own faith community or others is totally acceptable. Furthermore, they should be taught personal beliefs cannot and should not be imposed on others, and values that are faith-based should not be used to judge, indict or punish our fellow human beings no matter how much we disagree with them. That is what our Charter of Rights and Freedoms is all about.

Mr. Speaker, the strength of our society has never been that there is unanimity. Strength of our society is that there's plurality, there's tolerance, there's respect, there's understanding, and that is what we call this minister to do by adopting this amendment. Thank you.

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

House ready for the question? The question before the House is the amendment to Bill 18.

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

**Some Honourable Members:** Yes.

**Some Honourable Members:** No.

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

#### Voice Vote

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

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

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

**Mr. Kelvin Goertzen (Official Opposition House Leader):** Recorded vote, Mr. Speaker.

**Mr. Speaker:** Recorded vote having been requested and, as previously agreed, will be deferred to 2:55 p.m. today.

\* \* \*

\* (13:30)

**Mr. Speaker:** Now, next amendment.

**Mr. Kelvin Goertzen (Steinbach):** Yes, Mr. Speaker, I move, seconded by the member for Lac du Bonnet (Mr. Ewasko),

*THAT Bill 18 be amended in Clause 5(1) by striking out "and" at the end of Clause 5(1)(a) and adding the following after Clause 5(1)(b):*

*(c) by adding the following after clause (d):*

*(d.1) in relation to bullying, a statement that*

*(i) there will be disciplinary consequences or interventions, or both, for a person who commits an act of bullying or cyberbullying, or falsely accuses another person of bullying or cyberbullying as a means of retaliation or reprisal, and*

*(ii) the disciplinary consequences or interventions will be progressively more serious for repeated or more serious acts of bullying or false accusations.*

**Mr. Speaker:** It's been moved by the honourable member for Steinbach, seconded by the honourable member for Lac du Bonnet,

*THAT Bill 18—*

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense? Dispense.

The amendment is in order.

**Mr. Goertzen:** Mr. Speaker, I had a little bit of a difficulty reading that one. I think I'm still in shock; I might need a recess yet.

And now so far on the amendments, we've had the government vote against protecting teachers. They voted against having parents and pupils engaged in the issue of bullying. They voted against reporting bullying anonymously online by students. They voted against having data collected on bullying and published for the public. They voted against a clear definition. They voted against people of ethnicity, social disadvantage, religion and creed.

You know, Mr. Speaker, I can hardly believe it, although I suppose, you know, many people told me that this bill ultimately wasn't about reducing bullying at all, and I suppose now I believe it. And so I'm terribly concerned that the weakest antibullying bill is clearly going to stay the weakest antibullying bill in terms of the way this legislation is going, and in a year from now we're all still going to hear the same reports of bullying and we're going to be bringing them to the House and reporting them to the minister and saying, you had your chance and now these poor kids are still being bullied as a result of your inability to bring forward a strong antibullying bill, or your inability to listen to amendments and to those who presented—the 200-and-some presenters at committee.

This is something that many of the presenters—actually both for and against the bill—talked about, that there was value in having something specific about discipline, there was something about consequences, that if you're going to have a bill that deals with bullying—in fact, if you look at most of the bills in North America that deal with antibullying, almost all of them have reference to consequences. Now maybe it doesn't have reference to the specific consequences because there are age issues in relation to this.

The member for Burrows (Ms. Wight) is stunned; I hope that she actually looks at some of the research that's been put forward by people who were at committee. She was the chairperson so perhaps if she was listening, she would actually have been able to hear many of the people bring forward the data.

And when they brought forward the data, Mr. Speaker, they saw that in all the antibullying bills that are significant and effective in North America, they reference consequences for bullying. Now, again, they don't always lay out exactly what those consequences will be prescribed, and I think that's appropriate because ultimately there are age issues and there are differences in terms of what the level of consequence should be for the level of bullying and

what the incident is. So we want to have some discretion there. But, certainly, we do need to ensure that for every act of bullying that there is some sort of consequence or intervention. That intervention can certainly be also supporting somebody who is bullying and trying to help them through whatever is causing the issues of bullying.

Many people talked at the committee that it's not just simply about punishment, but that it's also about reaching out and helping somebody who is bullied. This seems to disturb the member for Burrows too. But I certainly know, Mr. Speaker, that—I'm not sure why she'd be opposed to either helping somebody but maybe she doesn't want to. But I do think that it's very important that we help either those who are bullying and make sure that there are consequences for those who are bullied. And that the consequences should be progressive so that for repeated acts of bullying or more severe acts of bullying that those consequences or the interventions are more significant as well.

Now, unfortunately, I think the shock is wearing off. I'm now convinced that the government is going to ultimately—the government's going to vote against this because they just want to vote against everything. But, clearly, they are not going to be interested in having any sort of consequences for bullying and not having any sort of intervention for those who are bullying, so bullying is going to continue because the government is obviously not serious about it, Mr. Speaker.

*Mr. Mohinder Saran, Acting Speaker, in the Chair*

**Ms. Allan:** Parents and students know that when bullying or cyberbullying occurs or—in our schools or outside of our schools—with Bill 18 that principals must act. The Safe Schools Charter supported by all members of this House requires schools to have codes of conduct that must lay out the appropriate disciplinary consequences for bullying.

The member for Steinbach's (Mr. Goertzen) own school division, the Hanover School Division, is a leader in this regard, and we are going to build on the work that has been done here in this province. We have—I have sent a letter to our education partners, including the Manitoba Federation of Independent Schools, and we will continue to work with them and with teachers and with parents to set out a range of appropriate disciplinary consequences that all schools will be allowed to follow and that will provide more schools with the tools that we need in regards to addressing bullying, all forms of bullying

in a clear and consistent way. We will not be supporting this amendment.

**Mr. Friesen:** It's my pleasure to speak on this amendment, as well, as brought forward by the member for Steinbach (Mr. Goertzen). And, I guess, Mr. Acting Speaker, if I echoed the words of the member for Steinbach, we should not be shocked anymore to hear the Minister of Education (Ms. Allan) say that she wouldn't adopt this amendment because she hasn't indicated a willingness to improve the bill in any other way this morning either, amendments that would improve that definition and provide some minimum thresholds, amendments that would see the reporting of bullying online, amendments that would protect teachers, amendments that would add things like ethnicity and social disadvantage and religion and creed into the wording of the definition.

She doesn't agree with public reporting and she doesn't, obviously, then, also agree that there could be a place to strengthen this bill to talk about consequences. And I guess perhaps, in this Chamber, nothing should surprise me anymore, but it just seems that the minister is so completely entrenched that really nothing has changed, that all the presentations at committee on all those nights really didn't succeed in swaying her at all from her original position, and I would suggest to her that's not what a good legislation process looks like.

I think, as the minister she had a duty to listen carefully, to listen to the voices that were speaking and the opinions and beliefs expressed and then to be flexible enough to ask herself, to be confident enough to ask herself whether there was worthy amendments that were expressed there. Because I heard from non-legislators night after night, some great ideas for amendments, that actually one night there seemed to be some tacit agreement from that minister that some of those ideas expressed by one presenter she was in favour of. And yet we now have an amendment brought forward by the member for Steinbach and it's shot down again, and it's reasonable.

My daughter is in school and, of course, as many other school-aged children, this last week she went back into the classroom and one of the first assignments they had in their class, the teacher got them into small groups to work out what would become the classroom rules. What would be the agreed-upon rules and there was collaboration. There was actually consultation, Mr. Acting Speaker, and

the students broke up into small groups and they talked about what they thought would be reasonable rules for the class. And what the students also worked on were consequences, what would happen in the context of that classroom when a student would exhibit behaviours that fell outside of those agreed-on and identified code of conduct, and there would be penalties or there would be education done. There would be consequences and they would escalate. I was interested to hear my daughter talk about the fact that there would be a certain consequence for a first-time offence, but then there might be a greater consequence for the next offence.

As the member for Steinbach has said, every legitimate and every effective bill on bullying throughout North America seems to go to this place of consequences. They don't necessarily do an ABC of proscribing what will happen in every situation, but they provide a framework that can become a necessary and useful tool for teachers and administrators because, Mr. Acting Speaker, I would suggest to you that without us going here, as legislators today, we will hamstring administrators and teachers.

\* (13:40)

We understand that students in school respond to boundaries. That is not a wild statement. Mr. Acting Speaker, if we don't provide the framework and the context, if we don't articulate to students that there will be consequences, I do not know how we can go about trying to, then, also change student behaviour. This is reasonable—this is not unreasonable—like the other amendments that have been brought forward. This minister would have been wise to adopt this amendment. I'm disappointed to hear that she won't. I would encourage her to rethink her position until such a time this afternoon as we will vote on these amendments. And I express complete agreement with the amendment brought forward by the member of Steinbach.

**The Acting Speaker (Mohinder Saran):** Is the House ready for the question?

**Some Honourable Members:** Question.

**The Acting Speaker (Mohinder Saran):** Okay. Does the House agree to adopt this amendment?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**The Acting Speaker (Mohinder Saran):** I hear a no.

### Voice Vote

**The Acting Speaker (Mohinder Saran):** Therefore, those members who are in favour of the amendment, say aye.

**Some Honourable Members:** Aye.

**The Acting Speaker (Mohinder Saran):** Those members who are not in favour of the amendment, say nay.

**Some Honourable Members:** Nay.

**The Acting Speaker (Mohinder Saran):** In my opinion, the Nays have it.

**Mr. Kelvin Goertzen (Official Opposition House Leader):** Recorded vote.

**The Acting Speaker (Mohinder Saran):** Recorded vote to be called—that will be postponed to—until 2:55.

\* \* \*

**The Acting Speaker (Mohinder Saran):** Next amendment, honourable House leader—Opposition House Leader.

**Mr. Kelvin Goertzen (Steinbach):** Mr. Acting Speaker, I move, seconded by the member for Lac du Bonnet (Mr. Ewasko),

*THAT Bill 18 be amended by adding the following after Clause 5:*

*5.1 The following is added after section 47.1.1 as section 47.1.1.1:*

#### **No retaliation for reporting**

**47.1.1.1(1)** No person shall take or threaten reprisal or retaliatory action against a person for reporting unacceptable conduct, as defined in section 47.1.1, to the principal or to other school staff.

#### **Protection extends to anyone who reports**

**47.1.1.1(2)** Subsection (1) applies to protect a person who must report unacceptable conduct under subsection 47.1.1(1), and to any other person who reports unacceptable conduct.

**The Acting Speaker (Mohinder Saran):** Proposed amendment to—it has been moved by the member for Steinbach—

**Some Honourable Members:** Dispense.

**The Acting Speaker (Mohinder Saran):** Dispense? Dispense.

This amendment is in order.

**Mr. Goertzen:** Mr. Acting Chairperson, it's almost like the—you know—the 12 days of Christmas, but this is a terrible list. So far, the government has voted against protecting teachers. They voted against having parents and pupils engaged in bullying. They reported against having the ability for students to report bullying online. They've voted against having data on bullying in the province of Manitoba. They voted against a clear definition. They voted against people of ethnicity, social disadvantage and those who have religion or creed. And they voted against intervention or discipline.

I can hardly believe it. I think when the public learns of how little the government cares about bullying, they're going to be shocked. And they should be shocked, as I'm shocked today. I expected the government to accept, certainly, a few of these amendments. I couldn't believe that they would care so little about young people who are being bullied in our schools, to vote against these sort of provisions, which aren't radical. They actually appear in almost every strong antibullying bill in North America. I'd be happy to share the information for any member who asked. None of them have asked, but if any of them did ask, I'd be happy to share them that information.

You know, they might be surprised that this isn't—I know that there is a tendency in partisan politics that every time somebody on the other side of the House introduces something, they just assume it's radical or something that they wouldn't believe in, but if they actually looked at legislation that is in provinces that are represented by Liberal governments and provinces that are represented by Conservative governments, in states that are represented by Republican Houses or Congress and states that are—or governors—and states that are represented by Democratic congressmen, governors, or the House in the case of when they have two Houses in those states, this appears in that legislation. There's nothing partisan about that; there's nothing untoward. All it's supposed to do is protect kids, and I have no idea why the government isn't interested in protecting 97 per cent of the kids who are being bullied.

This particular amendment would simply assure that those who are reporting bullying also have protection. One of the things we heard at committee was that there are many people who were concerned when they were young people, or if they were currently young people, about reporting bullying because of the fear of retaliation. Now, this would

give some sense of protection for those young people, it would provide them some kind of protection about retaliation. You'd want to ensure that to as best as you could. And I understand, you know, I've always said, legislation is not the sole answer. There's a lot of issues around bullying, but you want to do your best. And so one of the provisions would obviously be to ensure that those who are reporting bullying would have some kind of protection against that retaliation and that there would be consequences as a result of retaliating against somebody who reported bullying.

Now, we've already saw the government voted down consequences for those who bully, they're trying to protect those who bully, so they probably won't be interested in trying to protect those who report bullying. That is just unimaginable. I can't imagine—you know, you can stand up and talk about platitudes, and you can thump your table and try to cause division and call people names—as we've heard NDP members in this House call people names—homophobic comments; you can do all that, but at the end of the day, I mean, why wouldn't you—why wouldn't you—support something that would protect people who are reporting bullying? So, I've been stunned that the government so far has voted against protecting teachers; voted against engaging parents and pupils; voted against reporting bullying; voted against allowing kids to report bullying online; they voted against a clear definition; they voted against people of ethnicity, religion and creed or social disadvantage; and they voted against discipline for bullies, so surely—surely—they can't possibly vote against protecting those who report bullying.

I look forward to this amendment quickly passing. Thank you very much.

**Ms. Allan:** I just want to comment that bullying is bullying, regardless whether or not you are an initiator or whether or not you are a retaliator. You know, bullying is bullying, whether or not it's—and whether or not it's a first-time offence. I want to remind members opposite that in 2011 this House unanimously passed legislation requiring bullying incidents to be reported to principals. At that time, retaliation was never raised. We will continue to look at this very important issue of bullying and at retaliation. I've already spoken about the fact that we will be working with our education partners in regards to consequences, and I believe that our education partners understand fully their responsibility in regards to the duty of care for students, and we will continue to have that

discussion with our education partners. So we will not be supporting this amendment at this time.

**Mr. Ewasko:** And again, as before, it does give me great pleasure to stand up and put a few words on the record in regards to the amendment brought forth by the member from Steinbach. And at this time I'd also like to commend the amount of work that the member from Steinbach has done in regards to his research, not only here in Manitoba but the research that he's done nationally, internationally, on antibullying bills right across—throughout the world.

\* (13:50)

And us on this side of the House, what I find is that since we're in opposition we don't necessarily have all of those 192-plus communicators to help us with that research. So, us on this side of the House have to go and spend those hours putting the time in, checking things out to make sure that what we're putting on the record is truthful and factual.

And the amendments brought forth by the member for Steinbach (Mr. Goertzen) today—you know, Mr. Acting Speaker, it's a little disheartening to take a look at the list of nine amendments, we still have two to go, but to see that now the Minister for Education (Ms. Allan) has said that our number seventh amendment is—and they're not going to be supporting—is disheartening because she is in charge of a portfolio that is taking care of our greatest assets in this province, and those are our kids. And I continue to hear the minister stand up and say that she will continue to work with the teachers, the unions, the kids and all stakeholders.

Mr. Acting Speaker, part of the—part of getting into this position as far as, or the decision to run as MLA was not a light decision to be made. Coming into this we are trying to make things better for Manitobans, whether it's youth—*[interjection]* And I hear the member from Thompson wanting to possibly put some words on the record, so I encourage him to get up a little bit later.

Now, before I was rudely interrupted, Mr. Acting Speaker, I'm just going to continue. When we talk or when the minister talks about listening, what does listening really mean? That means that she has to also be hearing. There was many, many, many times at committee—and what I've also read through Hansard, from what I've read on the emails and various phone calls that I've received and talked to many of my past co-workers—for this minister to stand up in this House today—and as she said earlier

that there was not going to be any amendments to Bill 18—she's standing her ground. But yet she says that she is going to continue to work with these individuals, the stakeholders.

Well, Mr. Acting Speaker, I think the whole process is a little backwards. I would think that you would do—be doing those consultations, getting those stats and that data ahead of time when you bring forward a bill. Two hundred-and-some speakers or presenters had come to talk about the bill, pro and against, but yet she refuses to be listening.

I look at this amendment, for one of the nine that's being presented today, I don't understand. I can't understand why she would not accept any of these. The protection of the kids is number one, Mr. Acting Speaker, and I know I'm going to have an opportunity to put some more words on the record a little bit later, but from what I'm seeing there's something else going on here, and I'm not sure what it is and this minister for some reason is not hearing the people of Manitoba. Thank you.

**The Acting Speaker (Mohinder Saran):** Is the House ready for the question?

**Some Honourable Members:** Question.

**The Acting Speaker (Mohinder Saran):** Does the House agree with the—this amendment?

**Some Honourable Members:** No.

**Some Honourable Members:** Yes.

**The Acting Speaker (Mohinder Saran):** I heard a no.

#### Voice Vote

**The Acting Speaker (Mohinder Saran):** All those members who are favour of this amendment, say aye.

**Some Honourable Members:** Aye.

**The Acting Speaker (Mohinder Saran):** All those members not in favour of this amendment, say nay.

**Some Honourable Members:** Nay.

**The Acting Speaker (Mohinder Saran):** In my opinion, the Nays have it.

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

**The Acting Speaker (Mohinder Saran):** On division.

This amendment has been defeated on division

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**The Acting Speaker (Mohinder Saran):** Now honourable member for Steinbach.

**Mr. Kelvin Goertzen (Steinbach):** Thank you, Mr. Acting Chairperson.

I move, seconded by the member for Lakeside (Mr. Eichler),

*THAT Bill 18 be amended by renumbering Clause 6 as Clause 6(2) and adding the following as Clause 6(1):*

*6(1) Subsections 47.1.1(2) and (3) are replaced with the following:*

#### **Investigation by principal**

**47.1.1(2)** A principal who receives a credible report or complaint of bullying or other unacceptable conduct must

- (a) promptly investigate the matter;
- (b) make a record of the investigation and any action taken as a result; and
- (c) notify the appropriate law enforcement authority about the matter if, after an investigation, the principal reasonably suspects that an offence under provincial or federal law may have occurred.

#### **Principal to notify parent or guardian**

**47.1.1(3)** If, after an investigation, the principal believes that a pupil has engaged in bullying or other unacceptable conduct or been negatively affected by such conduct, the principal must

- (a) notify the parent or guardian of the pupil who engaged in the conduct, and the parent or guardian of any pupil negatively affected, of the nature of the conduct; and
- (b) advise them of the steps taken to protect the safety of any pupil negatively affected, and the disciplinary action that the principal
  - (i) has taken or intends to take to prevent further acts of bullying or other unacceptable conduct, or
  - (ii) intends to recommend to the school board if the principal recommends suspension or expulsion under subsection 48(4).

**The Acting Speaker (Mohinder Saran):** Moved by the member of—honourable member of Steinbach, and seconded by—

**An Honourable Member:** Dispense.

**The Acting Speaker (Mohinder Saran):** Dispense.

The amendment is in order.

**Mr. Goertzen:** As the list of shame grows, we now have the government having voted against protecting teachers, voted against having parents and pupils engaged in the issue of bullying. They voted against reporting bullying in the province of Manitoba. They voted against allowing students to have—

**An Honourable Member:** Wrong.

**Mr. Goertzen:** —of course, I hear a wrong—and there's a recorded vote on this one so they'll have the opportunity. Maybe they're changing their mind. Maybe we have a breakthrough.

The fact that they are voting against having young people be able to vote—or to have bullying reported online. They voted against a clear definition of bullying. They voted against people with—of ethnicity, those who are living with social disadvantage, and those of religion or creed beliefs. And now they voted against the investigation or the intervention of those who are bullying and discipline for those who are bullying. They've also voted against having disciplinary measures for those who report bullying.

*Mr. Speaker in the Chair*

So I don't understand how the government can consider this an antibullying bill when they voted against the hallmarks of issues that are within bullying bills across North America. It's as though they're abandoning these kids, and I don't understand it, Mr. Speaker.

We've heard from so many people come to committee. Come to committee, kids who are currently being bullied—and I'll speak more about this when we get to the main motion—but kids who are currently being bullied. We've heard from adults who talked about their experiences as youth in schools. And repeatedly they said, we need something that's going to protect us. We don't believe this is going to protect us.

Now the Minister of Education (Ms. Allan) at those committees, she stood up and said, well, I—don't worry; I know that this is going to protect you. She actually dismissed the stories of people who came forward with these horrible stories of bullying. She said, you don't know what you're talking about. You have read the law and you know what you've

lived through, but you don't know what you're talking about. I know that this is going to protect you, and even though I didn't live your experience. I mean, that's sort of the height of arrogance, Mr. Speaker. It's the height of arrogance to suggest that you actually know the experiences somebody else has lived and what would or wouldn't have helped.

But, Mr. Speaker, what we repeatedly heard was that 97 per cent of the people who came forward, who reported being bullied as kids, said that they were being abandoned by the government.

\* (14:00)

Well, I'm going to be proud to vote for those 97 per cent of the people who want something that's actually going to protect them. And, because Bill 18 doesn't protect them, a vote against the bill will be for protecting those kids, something that we're going to have strengthen, absolutely. And we'll see—we'll see the government stand up and vote against the 97 per cent of kids who are looking for protection. We're going to see the government stand up and vote against those kids who are simply looking to be protected. I don't know why—I don't know why—they don't want to protect kids who are being bullied for issues of language. I don't know why they don't want to protect kids who are being bullied for issues of body type. I don't know why they don't think those kids have the same kind of value, that they shouldn't be protected.

We think that all kids should be protected, Mr. Speaker. It's kind of a unique sort of a—you know, maybe it's radical—maybe it's radical—but we actually believe that all kids should be protected. If that's radical, then I'm happy to be radical.

On this particular amendment, Mr. Speaker, what it would do would be assuring that principals are interacting with parents, that they are ensuring—they're ensuring that parents are notified. We think it's important that parents are particularly involved in this issue, that there's always notification, that it's not subjective as the current Public Schools Act allows, that every time there's a case of bullying that parents are notified, whether their kids have been bullied or whether, in fact, they have been bullying, because parental involvement, we think, is particularly important. So this particular provision would ensure that there would be parental notification.

There is—wasn't one presenter—not one presenter at committee who objected to parental notification, but I suspect—you know, I'm not looking into a



crystal ball, Mr. Speaker, and I'm not always good at predicting the future, but I have a suspicion that the only people who are opposed to parental notification in Manitoba are the ones who are going to be speaking after this and standing up and voting against parental notification when there are cases of bullying. That's a very limited group in the province of Manitoba, because all the presenters who came to committee, not one of them spoke against allowing the parents to be notified and not having subjectivity within that, but ensuring that when there are documented cases of bullying that the parents or the guardians are notified in those situations for those who have been involved.

But, again, Mr. Speaker, I suspect that the government will vote against this, because this isn't obviously about bullying anymore; this is simply about—actually, I don't know what it's about, but it's clearly not about protecting kids. So we'll watch the government vote against this and, as a result, we'll see more kids being bullied because of this government's weakest antibullying bill in North America.

**Ms. Allan:** Well, Mr. Speaker, the MLA for Steinbach is proposing an amendment that is already covered in a piece of legislation that we have already passed.

Mr. Speaker, in 2011, this House unanimously passed legislation—unanimously—requiring bullying incidents to be reported to principals. It was Bill 28; maybe he missed it. In turn, principals are to notify parents of incidents under section 41.1.1(2) of The Public Schools Act. School boards already have policies in place which require police to be notified for serious incidents involving violence or an imminent threat to the safety of the school community. This is not required, this amendment.

Thank you, Mr. Speaker.

**Mr. Friesen:** I welcome this opportunity to put a few comments on the record with respect to this amendment brought forward by the member for Steinbach (Mr. Goertzen).

And this is another important amendment because it talks again about a failure that is in this bill to go to the necessary places where it must go in order to make sure that it is comprehensive, that it provides protections and that it connects the dots. And that is also a theme that we heard again and again at committee, that the bill didn't just go to the right places in this regard.

And so here is an amendment brought forward by the member for Steinbach that calls on a principal to promptly investigate a matter and to make a record of the investigation, to notify authorities that—if they feel like something has been done that requires those authorities to be notified. But, in addition to that, it also then requires that the principal make contact with the home. It talks about the connection between the home and the school.

And, Mr. Speaker, in the context of committee, we heard again and again from presenters, and I have the notes with me today. I brought all my notes with me from the nights I was on the committee group. And I can tell you that presenter after presenter made mention of the fact that what students do at school is not done in isolation, and neither can the minister's legislation attempt to not involve the home. The legislation must acknowledge the relationship, the core, the fundamental relationship between the home and the school. As a matter of fact, the very first doctrine of 'legis'—education in this province talked about that principle of *in loco parentis*, which would mean that the school would act in the place of the parent when the child was at the school. Now that doctrine is probably no longer the principal doctrine. I think we call the doctrine now *parens patriae*. The idea that, when in the context of schools, the school will provide that context to students that ensures that they are safe and that they are educated. But still these basic doctrines talk about the fact that parents have a role and schools have a duty, and while this minister will say, oh, all those things are implicit. It's covered over already, that protection is there. That kind of comment time after time gave no comfort to presenters at committee. Presenter after presenter said why is there no mechanism in this bill that parents be contacted when bullying—acts of bullying were perpetrated. And there was presenter after presenter who shared that they felt the bill would be strengthened if that would be put in—[interjection]

And I hear the member for Minto (Mr. Swan) across the way chirping again: oh, it's implicit, it's implicit. This same member for Minto stood and asked presenters at committee if he—if they felt that the implicit protections offered by this legislation gave them satisfaction, and time and again we heard, no, it didn't, that those protections and those conditions needed to be explicit in the bill.

And, Mr. Speaker, I know that we're talking about this amendment, but I think it's—it begs mentioning again the fact that this is the same kind of condition that lies outside the wording of this

legislation in the same way as the basic protections against bullying are afforded to some groups by this legislation, but not others. And even the member for River Heights (Mr. Gerrard), earlier this afternoon made mention of the fact, and he said that he could see no quarrel—to paraphrase him—that there could've been no quarrel. There could've been no downside to actually mentioning all the groups. The failure of this legislation is that not only does it stop short of offering these kind of protections that this amendment would bring, this kind of connecting the dots that would be done by requiring reporting to authorities, by requiring conversation with the home, but that somehow it offers no good explanation of why it would stop short of those kinds of conditions.

It's not too late for this minister. She's claimed now that she won't support this amendment. This is a reasonable amendment. It's an important amendment, as the other ones that have been brought forward by the member for Steinbach. They're not done out of isolation. This is not something that the member for Steinbach did one night when he was sitting at his computer and he thumped out on his keyboard a couple of words and thought, huh, this is something. This is done after important and exhaustive consultation with groups, and it's important that this kind of thing be included in the bill.

I want to end my remarks on this subject by referring back to comments put on the record by the Catholic Civil Rights League just a few nights ago at committee, and submitted by their national director, Ms. Francine Lee. She says listening is an act of love, a comprehensive—a comprehensive—and antibullying policy based on respect for the dignity of the person would recognize that all students should be free from bullying without categorization or qualification. Listening is the doorway to everything that matters. This bill fails in that regard.

\* (14:10)

Mr. Speaker, it's not too late for this minister to do the right thing and adopt this amendment.

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

Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** Question before the House is the amendment on Bill 18.

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

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

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

#### Voice Vote

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

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

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

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

**Mr. Speaker:** On division.

\* \* \*

**Mr. Speaker:** Now, the next amendment.

**Mr. Kelvin Goertzen (Steinbach):** Yes, Mr. Speaker, I move, seconded by the member for St. Paul (Mr. Schuler),

*THAT Bill 18 be amended by adding the following after Clause 8:*

*Court of Appeal reference*

*8.1 After this Bill is enacted but before the day fixed by proclamation under section 9 (coming into force), the Lieutenant Governor in Council must refer **The Public Schools Amendment Act (Safe and Inclusive Schools)** to The Court of Appeal for an opinion as to whether it is consistent with the purposes and provisions of the **Canadian Charter of Rights and Freedoms. The Constitutional Questions Act** applies, with necessary changes, to the reference.*

**Mr. Speaker:** It's been moved by the honourable member for Steinbach, seconded by the honourable member for St. Paul,

*THAT—*

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense? Dispense.

The amendment is in order.

**Mr. Goertzen:** Well, I—we've seen now that the government isn't interested in a number of different provisions that appear as common-sense provisions in other jurisdictions across Canada. I'm disappointed

and discouraged about the lost opportunity that we've had here to have a bill that would actually protect kids, protect all kids.

I know, in a year from now, we'll be standing up and asking questions of the minister of the kids who are being bullied still because she's failed to accept these common-sense amendments. And, you know, it's disappointing because we'll have to do that. But I'm more disappointed about the kids because we heard some just heartbreaking stories. And I would've thought it'd be impossible to not be moved by those stories, and I would've thought that government members would have accepted at least some of these provisions to ensure that those kids would have been protected.

And I feel so bad about the false hope that so many kids would probably have had now that they've heard about an antibullying bill, and they're going to be in school and still be bullied, and they'll say, well, where can I report this online anonymously? And we'll have to tell them that the government voted that down; government wasn't actually interested in that.

And the parents will phone and they'll say, what are the consequences for bullying? And we'll have to say, well, I'm sorry, the government voted that down, to the parents, and then we'll hear the reports from parents, and they'll say, well, you know, we want some sort of intervention for those who are bullying, and we'll have to say, well, the—now, the NDP didn't think that was important; they voted it down.

And those who are being bullied because they reported bullying, they'll say, is there any protection for me? And we'll say, well, we offered that, but the government said that that wasn't important and they didn't want to have you protected for that.

We'll hear from parents who will say, well, we'd like to be more involved in this and have more material and interventions for us and so we can have some discussions with our kids. And we'll have to say to the parents, the government didn't think that was important.

And I'm sure at some point they'll say, well, we were convinced there was an antibullying bill. And we'll say, well, there was an antibullying bill, or at least it was called that, and they'll say, well, if there was an antibullying bill, how can none of these things be there? And we'll have to tell them, well, it was really an antibullying bill that wasn't about stopping bullying; it was about something obviously completely different. Fact, it's the weakest

antibullying bill in North America, and we'll have to tell them that, that all their kids or the kids themselves who aren't being protected, why it is that they aren't being protected and why they're still being bullied.

Now, we do know, and I want to thank the different representations we've had from, whether they're constitutional lawyers or lawyers of other types or the Catholic league, civil rights league, who made a presentation to this particular point. And I said to them at that time, that I would be looking at an amendment similar to what they brought forward, and I appreciated the Catholic community who's come forward on a number of different fronts when it comes to this issue. And they made the suggestion, actually, that rather than having something potentially tied up in court and having litigation go back and forth where typically the only ones who really win at the end of the day are the lawyers—and, of course, the government's in court for a lot of different things, and we don't know how many lawyers are left in Manitoba who aren't involved in litigation for the government.

But, Mr. Speaker, we thought, rather than having the government go back to court on this issue, I took the suggestion by the Catholic Civil Rights League to heart and drafted an amendment in accordance with their suggestion. And this would be something, obviously, that would ensure that this legislation, where it's been questioned whether or not in fact it has constitutionality, that there wouldn't have to be different groups that come and fight with the government. Ultimately, I'm not a constitutional lawyer, and I don't know what the outcome of what a court case would be, but I do know that if there is a challenge on it, that it's difficult to see winners on that when you have to have people, either schools or groups of individuals, have to go and fight the government and then have the government use the taxpayers' resources to fight back against that litigation, that that is something, obviously, that there aren't a lot of winners in, regardless of the outcome of that.

So I appreciated the Catholic organization coming forward with this suggestion, and the other lawyers who brought it forward, to try to avoid that confrontation, that litigation possibility, Mr. Speaker. And we heard from Robert Praznik, representing, also, I think, the Catholic education portion, who suggested that that could be problematic in terms of legality.

And so this seems like a pragmatic approach, Mr. Speaker. It's pragmatic in that there's a reason why we have our court system. Now, it's not always for references to legislation; there are other things, of course, that the court system does on a daily basis. But we've seen legislation, not routinely, but it's certainly not unusual to refer legislation for reference to various levels of the court. We saw that, of course, more recently federally, with different pieces of legislation that have been referred to the courts for review. So it's a pragmatic approach. It avoids the sort of confrontation that you have in court cases and avoids taxpayers' dollars being spent on lawyers, because we know already that there are far too many tax dollars being spent on lawyers already.

So I appreciate the suggestion from the lawyers who brought this forward, from the organizations representing the Catholic faiths. We appreciate the fact they brought this forward. And I look forward—well, I know the government won't accept it, but I certainly appreciate it is a pragmatic approach and a pragmatic suggestion, Mr. Speaker.

**Ms. Allan:** Well, Mr. Speaker, this is rich. After nine months of fighting, organizing and leading the charge to oppose Bill 18, administering a Facebook page rallying opposition, fear mongering in communities, spreading misinformation and filibustering for months, refusing to support bullied students in his constituency, delaying the bill to make it sure that it could not be in place for the start of the school year, the member opposite has reached a new low.

Mr. Speaker, we have heard clearly from experts, including constitutional scholars, the Manitoba Bar Association, human rights experts and academics, that this bill is on solid legal ground. Our government has its own counsel review the bill, and we are confident of its constitutionality. Manitoba parents, teachers, officials and, most importantly, students will be dismayed to learn that the members opposite want to further delay the bill by tying it up in the court system.

I want members opposite to know that I am proud to be part of a diverse caucus from all across this province, Mr. Speaker, and I am proud to be part of a caucus from all across this province that unanimously supports Bill 18. We will not support this amendment to delay this bill any further.

**Mr. Speaker:** Order, please. Order, please. Any further debate on the amendment?

House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** Question before the House is the amendment on Bill 18.

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

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

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

\* (14:20)

#### Voice Vote

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

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

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

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

**Mr. Speaker:** On division.

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**Hon. Jennifer Howard (Government House Leader):** Would you please call concurrence and third reading of Bill 31.

#### CONCURRENCE AND THIRD READINGS

*(Continued)*

**Mr. Speaker:** We'll now move to concurrence and third readings, starting with Bill 31, The Workplace Safety and Health Amendment Act.

#### Bill 31—The Workplace Safety and Health Amendment Act

**Mr. Speaker:** Is there any debate?

Honourable member for Riding Mountain (Mrs. Rowat)—*[interjection]* Oh, wait a minute. You have to move it. You have to move it. So I keep forgetting. My apology to the House.

The honourable Minister of Family Services and Labour, on Bill 31.

**Hon. Jennifer Howard (Minister of Family Services and Labour):** Yes, Bill 31. I move, seconded by the Minister of Infrastructure and Transportation (Mr. Ashton), that Bill 31, The Workplace Safety and Health Amendment Act; Loi modifiant la Loi sur la sécurité et l'hygiène du travail, as amended and reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

***Motion presented***

**Ms. Howard:** It's my pleasure to get up and say a few words about this bill. I appreciated the time this bill spent at committee, the presentations that were made from—and including from people who were able to appear in person and people who provided written presentations.

And I just want to say to start that this bill is mainly the work of the advisory council on workplace health and safety that is made up of representatives of both employers and employees. There are some things in the bill that go beyond what that committee did recommend. It is a important part of our five-year plan for workplace injury and illness prevention.

It is a sad truth, and we heard this at committee, that we have too many injuries in workplaces in Manitoba. There are every year too many names that are read out at the day of mourning memorial, and we seek to reduce the number of people that are injured in the workplace. We seek to make Manitoba workplaces safer places for us to send our sons and daughters, our husbands and wives, our mothers and fathers and all the people that we love and cherish.

And so some of the things that this bill does do is bring in enhanced enforcement tools, makes sure that those health and safety rights are entrenched in legislation—the right to know about your health and safety rights in the workplace, the right to refuse unsafe work, the right to be free from discrimination if you refuse unsafe work or exercise your rights under workplace safety and health. We're pleased to be able to put those into legislation.

It also expands our mandate for focusing on injury and illness prevention. The—much of the discussion—I know some of the discussion from members opposite at second reading had to do with issues like training and prevention, and those are important issues. This bill is mainly about enforcement. It does provide for a renewed focus on

prevention, but I want to assure the member for Riding Mountain (Mrs. Rowat), the member for Portage la Prairie (Mr. Wishart), both of whom I know have an interest in this area, that many of their suggestions are things we're working on. I know the member for Portage la Prairie, in his past experience and still today, is very much an advocate for increased workplace safety in the agricultural community on farms where we know we have a big job ahead of us to increase safety in those places, and I'm looking forward to any further ideas he has on how we can do that.

Some of the things that we are looking at doing through our five-year plan are things like building on the success we've had through sector councils and through employer associations. I'm interested to know if that approach is going to work well in terms of the agricultural community. We have good support from folks like the Keystone Agricultural Producers.

I also heard a mention about the importance of getting training to rural and remote areas. And so one of the ideas that came to us through consultation that we're looking forward to implementing is putting in place—I don't know exactly what it's going to look like, but some kind of mobile training lab so we'll be able to take that training out to people who may not be able to travel to classrooms to do it, not unlike some of the fire safety training vehicles that go around. So I'm not sure exactly what it's going to look like, but I thought it was an intriguing idea and it's one we want to take forward.

I also want to acknowledge at committee that we did bring forward a couple of amendments that were made to clarify the intent of the bill. The clarification was that we want to make sure that people who serve on workplace health and safety committees have the training and able to do that job, and so we made some clarifications to do that.

I know that there were some concerns expressed at committee, particularly about the impact of this legislation on employers and small-business owners, and I recognize that there is an impact every time that we strengthen workplace safety and health legislation. One of the things that we also heard in the consultations was our need to work especially with those small and medium-sized employers who don't have the same advantage often of a well-documented or well-put-together safety and health plan because they don't have a large corporate structure, they have to do everything themselves—that

we have to do an even better job of reaching out to them and working with them on prevention.

I have found in this job that, by and large, most employers, I would say, want to do the right thing. And what—part of what we want to do is make it easier for them to do the right thing. So we are looking at through the five-year plan doing things like ensuring a—one phone number that people can call to get information about what their obligations are under the act, to report safety concerns, to get assistance with putting in place prevention plans, and I hope that that will help employers be better able to comply.

The other unfortunate thing I've learned in this job is that there are some—and I'm happy to say, I believe, a very small minority of workplaces in this province where even with information, training, even with inspections and time to comply, still do not comply with workplace safety and health laws. And what this act will do is give us stronger enforcement tools to use, things like being able to levy a fine if there is an imminent threat of harm in a workplace.

We have the power to stop work but we also know that sometimes we need to have in place also other penalties to try to get some change going on in that workplace. It also gives us for the first time an ability to put in place a fine for those employers who discourage or actively punish employees who bring forward health and safety concerns, which is something that we also heard at committee does happen.

And I think we heard at committee how—we heard a very good presentation from Rob Hildal with the UFCW about how there are parts of this bill that had they been in place, they would have helped deal with a health and safety concern at one of the workplaces where he's involved and in a much more timely way.

So we take the responsibility of trying to make workplaces safer seriously. We also take the authority that comes with being able to go into those workplaces and inspect and sometimes shut down work that is deemed an unsafe, seriously. And we always want our inspectors to be able to go out, to work with those employers who are willing to learn about their obligations, exercise those obligations, but also know that we have the tools to make sure that everybody that we love can come home safe at the end of the day.

And I think that this bill strikes the right balance. It does move us forward but I also believe it strikes

the right balance and I'm pleased to recommend it to this Legislature, hope that it receives the support of the Legislature.

Mr. Speaker, I also want to take a moment to thank all of the folks who came to talk to us as part of the consultations leading up to our release of the five-year plan—we had both employers and employees. We heard moving stories of people who've experienced workplace injury. And I know that our investments in this area are making a difference. In the last decade, we have seen the number of inspections go up dramatically. When we came to office there were about 1,200 inspections taking place every year; there's now over 12,000. And we have seen through SAFE Workers of Tomorrow, which we're proud to be able to fund, that education happening in classrooms across the province. So we know how vulnerable young workers are to workplace injury, new workers are to workplace injury. We have more work to do on that front, absolutely, but I know it's making a difference.

\* (14:30)

And I'm just going to tell a short anecdote that I always talk about when I talk about workplace health and safety, and that's an experience I had where I—shortly after becoming minister I went to a gas station and I—there was a young man there who was working there. I don't know how old he was. I think maybe 16, 17, and he was being asked to fill a very large propane tank and I stood there and witnessed as he told his supervisor, no, I'm not doing that. I haven't been trained to do it and I don't think I can do it safely. And his supervisor said, oh, you know, come on, just do it, it's easy, you don't have to worry about it. And this young man continued to refuse to do that work that he felt was unsafe, and eventually the supervisor decided that he would do it himself after giving this young guy a little bit more grief about refusing to do that work. But that is his right in the workplace: to refuse an unsafe work, and I hope that maybe one of the reasons that he knew that was his right, maybe one of the reasons that he exercises his rights is because he had the advantage of having some education on the issue. But I also commend him for his courage. That's a hard thing to do, and it's especially hard when you're working in your first job.

So some of the other things we're looking at doing in this five-year plan is giving parents the tools to talk to their kids about workplace health and safety. We talk to our kids about all kinds of safety

issues as they go out into the world. We don't always have the tools to talk to them before they go out to their first job about what their rights are to a healthy, safe workplace and how to exercise those rights and we want parents to also have those tools. So I think there's a lot of exciting work that we can do in the next few years to make Manitoba workplaces a safer place to be. This is part of that work, and I'm looking forward to this bill passing so that we can have the tools we need to make sure that everybody comes home at the end of the shift, at the end of the day.

Thank you very much.

**Mr. Speaker:** I offer my apologies, honourable member for Riding Mountain, for interrupting her before, but I had skipped a step in the process and so I offer my apologies to her.

**Mrs. Leanne Rowat (Riding Mountain):** Thank you, Mr. Speaker, and I apologize to the minister. It was her bill. She should have spoke at first. So I was just wanting to get up and put a few words on the record with regard to this bill.

Bill 31, The Workplace Safety and Health Amendment Act: I, too, appreciated the information that was shared by the presenters at committee and also the individuals who had written in providing their feedback and suggestions on how to make this bill even stronger or to raise more awareness going forward for government to consider certain aspects of their five-year plan. So I think it was a good opportunity to hear what individuals were saying. We also had an opportunity to do consultation with employers and employees across the province and it gave us a, you know, an interesting perspective on how businesses move forward with regard to workplace safety and health amendments and knowing that there are going to be some challenges, as the minister has said, with some smaller businesses or maybe even some larger businesses, as we had heard from committee, who just need to be educated on the need for certain types of procedures to be in place. But we do know that the majority of employers out there are committed to ensuring that the workplace is safe for their employees unconditionally. Employers rely on employees in—as a family, to continue to make a business prosper and make money. So we do know that there is an appreciation from both the side of the employer and the employee with regard to workplace safety.

In 2012, we had 10 workers die in Manitoba in their workplace, and this is 10 too many and we agree that steps are needed to educate to eliminate

workplace injuries and most of all workplace fatalities. And I know that as a wife of a Hydro employee who spends a lot of time on workplace safety, my kids, you know, sometimes roll their eyes with regard to wearing earplugs when they cut grass or making sure they have, you know, boots on when they're going to be doing something that may hurt their feet. But, you know, I think, in the long run they appreciate it. They understand it and, as they are now adults, will continue to take heed and respond to those encouraging moments when, you know, we wanted to make sure they're safe, because as Brad and I have realized, we've lost a significant number of friends, way too many, through workplace accidents and we know how that affects the families that have been—have lost an important family member. So we understand and we appreciate the significance of that.

We also, through amendments, had made some suggestions based on the consultations that we had, Mr. Speaker, and some of the amendments, we felt, were worth presenting. They weren't accepted, but we felt that they were worth presenting for, you know, further consideration by this government and to—you know—and to continue to monitor this legislation to see if, in fact, that some of these points that we raised do create issue with the legislation. And we will follow through with continuing to ask the minister to consider some of these.

One of them was with regard to the threshold of having 10, instead of five, employees having to form a committee. That was significant because we have some small businesses that are run by families, and again, everybody wants to ensure that there's a safe work environment. And we believe that by increasing the threshold it's going to cause some serious issues with regard to small businesses, including, you know, agricultural base, which have a high significance of accident, I agree. But again, the education piece, and ensuring that, you know, people just take the time, slow down, because I do know at this time of year, you know, people do, in the agriculture sector, you know, work against the clock, work against potential rain, darkness, et cetera, and sometimes just forget about their own personal safety. And I think that we just need to ensure that we continue to provide education through farm safety and other means.

Another sort of concern that was raised is that we want to see more balance with regard to worker and employer. We believe that that has to happen. The minister has indicated that she recognizes that

there has to be more work done with regard to working with employers. She's committed to that, and I applaud her for doing that and putting that on the record. And we'll work with her to ensure that when we hear concerns from employers that we will be raising them with the minister and with her staff to see if we can develop, you know, 'reso'-or regulations that will actually respond to some of the challenges that have been put forward.

I guess, you know, having, you know, a second safety officer or somebody to provide sober second thought—sometimes in a workplace, there may—there's concern that somebody will come in that doesn't understand the industry, doesn't understand what is—what this business is about and how they process or how they, you know, do their jobs, be it, you know, a potato farmer, a bakery, et cetera. We really believe that, you know, what we want to see is somebody that understands or appreciates how a business operates, you know, how they do business. And I think that, if there is issue with a health officer or, you know, a workplace safety officer, that there is a means where the employer can sit down and ask for somebody to, you know, give it sober second thought and see if there's some type of a compromise that can be shared, Mr. Speaker.

So I believe that the five-year plan is an interesting—will be an interesting process. And, as opposition side will follow and support and encourage and possibly amend—and I'm sure that we will have disagreements on some of the steps that the government takes moving forward, but we are at the table and we'll continue to have a voice for the employers as well as the employees within these businesses. One incident, even in the workplace today, the member for Emerson (Mr. Graydon), by his private member's statement today, I believe it was a noise violation, and it was—so even in this workplace within this Chamber we have violations of workplace safety. And I appreciate that all members recognize that violation and will ensure that he doesn't violate our workplace again, Mr. Speaker.

So, on that note, thank you very much.

\* (14:40)

**Hon. Jon Gerrard (River Heights):** I want to put a few words on the record with regard to Bill 31.

Mr. Speaker, this is an area which is extraordinarily important to all of us, ensuring that every Manitoban who's working has a safe workplace, and we historically have had in Manitoba

a higher time-lost-to-injury rate than most other provinces, and we need to improve, notwithstanding, but there can also be improvements in the way we measure the time-lost-to-injury rates.

I led the push a number of years ago to have safety needles in health care and that change was made. I introduced, a number of years ago, legislation to address bullying in the workplace. We have some improvements. I think it could still be better and now this legislation which moves things forward in other ways.

I want to mention and recognize the work that the MLA for Portage has done in terms of farm safety because I think that's been a significant contribution, and wherever we work, we need people who are leaders in getting workplaces safer, and this is not just an employer's responsibility, it is the employee's responsibility; it is all of our responsibilities to have safe workplaces. And, in balance, this is a positive step forward, and I'm certainly ready to support this. I look forward to it being enacted and proceeding with the planning that will follow.

I think that, as has been mentioned, one has to work with employers, as well as employees, make things workable. Sometimes, workplaces' numbers fluctuate so that the number of five employees may be two one day, maybe six another day, that there needs, in some fashion, to be a recognition that you're going to have numbers fluctuating, and recognition that if all of a sudden somebody hires a fifth worker, you know, how quickly do you need to react? How quickly do you have to have it in place, the steps and the measures that are here? And so we don't want to impede the growth of businesses, but we do want to make sure that we can grow businesses and at the same time that the work environments can be safe.

So, with those few words, Mr. Speaker, thank you.

**Mr. Speaker:** Any further debate on Bill 31? Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is concurrence and third reading of Bill 31, The Workplace Safety and Health Amendment Act.

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

**An Honourable Member:** No.



**Some Honourable Members:** Agreed.

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

#### Voice Vote

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

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

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

**Hon. Jennifer Howard (Government House Leader):** I'd like to request a recorded vote.

**Mr. Speaker:** A recorded vote having been requested, as previously agreed this matter will be deferred to 4:55 p.m. today.

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**Ms. Howard:** I move, seconded by the Minister of Finance—oh, would you please call third reading of Bill 34.

**Mr. Speaker:** We'll now—let's see if I can get this correct today.

We'll now call third reading of Bill—on concurrence and third reading of Bill 34, The Property Registry Statutes Amendment Act.

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

**Hon. Jennifer Howard (Government House Leader):** I move, seconded by the Minister of Finance (Mr. Struthers), that Bill 34, The Property Registry Statutes Amendment Act; Loi modifiant diverses lois relatives à l'Office d'enregistrement des titres et des instruments, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

#### *Motion presented.*

**Hon. Stan Struthers (Minister of Finance):** Mr. Speaker, I'll just take a couple brief moments to speak a little bit about this bill.

This bill springs from a commitment on this side of the House to find more efficient, different ways to deliver services on behalf of the people of Manitoba, to find more efficient ways to do things without

impacting the services that Manitoba families have come to count on in terms of the Property Registry in this case.

We've seen examples springing from the two budgets that I presented in this House where we've undertaken to reduce the number of regional health authorities in Manitoba and take that money and dedicate it towards first-line—front-line services. We've reduced the number of Crown corporations in Manitoba and redirected that—those savings to front-line services that Manitoba families count on.

We've—Mr. Speaker, in another bill, you will know that we've trimmed the number of agencies, boards, and commissions in Manitoba. We've modernized that and produced some savings that we then, again, can redirect to the front lines for Manitoba families.

Mr. Speaker, we have undertaken the reconfiguration of regional offices in every part of this province—in the North, in the rural, in Winnipeg to produce savings, again, that then we can redirect into the front-line services that Manitoba families have come to count on.

Mr. Speaker, we've undertaken a plan when it comes to municipalities to produce a more efficient municipal level of government and, again, provide savings and service enhancements to the people of Manitoba.

This 30-year licensing agreement that we have with Teranet Manitoba to deliver services that were formerly delivered by the Property Registry here in Manitoba is another example of this government finding efficient ways to deliver the same services for Manitobans, but at less cost to Manitobans and less cost to our government. It also helps us in terms of revenue, Mr. Speaker. That's clear and was clear in questioning the other day. We have an up-front payment of \$75 million, an annual payment over the course of the life of this 30-year licensing agreement, which will very much help this government to come back into balance as we have said we would.

The most important—two very important facts about this licensing agreement is that, first of all, the data that is involved stays with the Province of Manitoba. It's not a privatization; it's not a privatization of data. We keep the data. We keep the ability to set rates and to keep those reasonable. If, at the end of the 30-year licensing agreement or any time between now and then we want to bring this

service back in-house into the government, we can do that. We can, let's say, at the end of the 30-year licensing agreement tender and have other companies compete with Teranet at that time to offer even a better deal for the people of Manitoba. The other thing that is very important is that we're not laying people off in order to do this, that employees with the Property Registry have the option of moving along with Teranet. The vast majority of employees have opted for that option. A small number of employees have asked that they be retained and put in other positions within the civil service.

\* (14:50)

Mr. Speaker, I would recommend this bill to the House for support. I think it is one part of what I think is a very progressive strategy to provide Manitobans with an enhanced level of services at a much more efficient way of delivery.

So with those few comments, I would recommend for members opposite to support Bill 34.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I want to begin by thanking Peter Currie, who's a conveyancer from Ontario, for his very thorough written submission at the committee. And, although he was not able to come here in person, he certainly laid out the issues and the concerns.

I'm going to start with a little history, of course, beginning with last December when the NDP government announced it was selling our provincial property registry to an Ontario company. Now, the data may not be sold off, but the reality is that the use of the data, the way it's organized, structured, the way it's sold, the management of that data, that is all sold off to Teranet for a 30-year period. Teranet has a 30-year monopoly on selling information from Manitoba's property registry, from our public database.

A little history on Teranet: In 1991, Teranet, which was a corporation owned jointly by the Province of Ontario and a private-sector company, took ownership of the Province of Ontario land registration system. As the Auditor General of Ontario reported in the year 2000, the company did such a terrible job it was hundreds of millions of dollars over budget in its completion of the automation of the province's land registry system. The estimated cost, as I understand it, eventually rose to something like a billion dollars over budget, hardly something that one would recommend they—

recommend the services of this company to our province.

It may be expected that the NDP would bring in somebody who has a record for going over budget extremely, because the NDP themselves are known for going over budget, over their expenditure budget, every year since they've been in power.

Now, in 2004, Teranet was again in an Auditor General of Ontario's report because of problems of the way that the land transfer tax was being collected. What was happening, it appears, is that the Province of Ontario was losing very substantial amounts of money, that the land transfer tax that was being collected, because it wasn't collecting it in the first place, and so the money, of course, was never transferred to the Province of Ontario. This was, I understand, in the Auditor General's report, up to something like a quarter of the money collected. That's not a loss that we would like here.

Now, in 2003, the Government of Ontario sold its stake in Teranet. And in 2008, Teranet was purchased by Borealis, the infrastructure investment arm of the Ontario Municipal Employees Retirement System, which is OMERS, their pension fund.

It should be noted that, in addition to the cost problems of Teranet's operation in Ontario, there have also been major quality concerns with its operation. For example, as Peter Currie, director of the Ontario Association of Professional Searchers of Record, said in his written presentation to the Manitoba legislative committee reviewing Bill 34, it is clear that Teranet did not have the electronic expertise to know what information to put into the electronic system. This had resulted in the real estate profession, the lawyers and conveyancers having to repair thousands of titles, with the cost being borne by property owners.

My understanding is that in other provinces—

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

When this matter is again before the House, the honourable member for River Heights will have 25 minutes.

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**Mr. Speaker:** The time being 2:55 p.m., as had been previously agreed to earlier today, we will now proceed to consideration of the deferred recorded votes for the report stage amendments on Bill 18.

**REPORT STAGE AMENDMENTS***(Continued)***Bill 18—The Public Schools Amendment Act  
(Safe and Inclusive Schools)***(Continued)*

**Mr. Speaker:** As was previously agreed, the bells can ring up for—for up to one hour on the first report stage amendment and, following completion of that recorded vote, all subsequent deferred votes will—are to be completed without further bell ringing.

Just to advise honourable members, we will have four recorded votes on report stage of Bill 18—on the report stage amendments to Bill 18, starting with Bill 18, report stage amendment No.1 to clause 3.

So we'll now call in the members please.

**Recorded Votes**

**Mr. Speaker:** Order, please. The first question for the House is Bill 18, report stage amendment No. 1 to Clause 3.

**Division**

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

**Yeas**

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

**Nays**

*Allan, Allum, Ashton, Bjornson, Blady, Braun, Caldwell, Chomiak, Crothers, Dewar, Gaudreau, Gerrard, Howard, Irvin-Ross, Jha, Kostyshyn, Lemieux, Mackintosh, Maloway, Marcelino (Tyndall Park), Melnick, Nevakshonoff, Oswald, Pettersen, Robinson, Rondeau, Saran, Selby, Selinger, Struthers, Swan, Whitehead, Wiebe, Wight.*

**Clerk (Ms. Patricia Chaychuk):** Yeas 17, Nays 34.

**Mr. Speaker:** Declare the amendment lost.

\*\*\*

**Mr. Speaker:** We'll now call the next Bill 18 report stage amendment, No. 3 to Clause 4(1) after (t).

**Division**

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

**Yeas**

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

**Nays**

*Allan, Allum, Ashton, Bjornson, Blady, Braun, Caldwell, Chief, Crothers, Dewar, Gaudreau, Howard, Irvin-Ross, Jha, Kostyshyn, Lemieux, Mackintosh, Maloway, Marcelino (Tyndall Park), Melnick, Nevakshonoff, Oswald, Pettersen, Robinson, Rondeau, Saran, Selby, Selinger, Struthers, Swan, Whitehead, Wiebe, Wight.*

\* (15:10)

**Clerk:** Yeas 18, Nays 33.

**Mr. Speaker:** I declare the amendment lost.

\*\*\*

**Mr. Speaker:** We'll now proceed with the third vote on Bill 18, report stage amendment No. 5 to clause 4(2).

**Division**

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

**Yeas**

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

**Nays**

*Allan, Allum, Ashton, Bjornson, Blady, Braun, Caldwell, Chomiak, Crothers, Dewar, Gaudreau, Howard, Irvin-Ross, Jha, Kostyshyn, Lemieux, Mackintosh, Maloway, Marcelino (Tyndall Park), Melnick, Nevakshonoff, Oswald, Pettersen, Robinson, Rondeau, Saran, Selby, Selinger, Struthers, Swan, Whitehead, Wiebe, Wight.*

**Clerk:** Yeas 18, Nays 33.

**Mr. Speaker:** I declare the amendment lost.

\*\*\*

**Mr. Speaker:** Now proceed with the fourth vote on Bill 18, report stage amendment No. 6 to clause 5(1).

### Division

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

#### Yeas

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

#### Nays

*Allan, Allum, Ashton, Bjornson, Blady, Braun, Caldwell, Chomiak, Crothers, Dewar, Gaudreau, Howard, Irvin-Ross, Jha, Kostyshyn, Lemieux, Mackintosh, Maloway, Marcelino (Tyndall Park), Melnick, Nevakshonoff, Oswald, Pettersen, Robinson, Rondeau, Saran, Selby, Selinger, Struthers, Swan, Whitehead, Wiebe, Wight.*

**Clerk:** Yeas 18, Nays 33.

**Mr. Speaker:** I declare the amendment lost.

\* \* \*

**Mr. Speaker:** I'm now going to call report stage on—this concludes report stage on Bill 18 amendments.

\* \* \*

**Hon. Jennifer Howard (Government House Leader):** I think we're prepared to resume debate on Bill 34.

### CONCURRENCE AND THIRD READINGS

*(Continued)*

**Mr. Speaker:** All right. We'll continue with the debate on concurrence, third reading of Bill 34, The Property Registry Statutes Amendment Act, and, prior to the votes, the honourable member for River Heights had the floor.

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

*(Continued)*

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I'm going to continue to outline my concerns about this bill, which, I believe, is misguided, as is the approach of the Finance Minister in this respect, and let him know that I will be voting against this bill. And I'm going to continue to outline the reasons why.

I want to remind the minister that in Peter Currie's submission he indicated that there were problems with the search engine for Teranet—Teraview, which doesn't often function well. Not a good recommendation. Frequently, Teraview fails to identify parcels of land so that they can be readily found in the database. A problem. And the problem goes deeper than this, but it points out one of the major issues here, which is the quality of what we can expect from Teranet based on what has happened in Ontario.

I think it's important for us to ask the following questions: (1) Is Teranet really the company we want operating in Manitoba, (2) why was the sale of Teranet not properly and competitively tendered, (3) what sort of guarantees do we have that Teranet's operations in Manitoba will not have the same problems as its operations in Ontario?

To address the first point. Is Teranet really the company we want operating in Manitoba? Alas, the answer based on information available to date appears to be a resounding no. As Peter Currie says in his submission to the Manitoba legislative committee, the public-private partnership monopoly, Teranet, has been a disaster, the project has become a profit-making scheme for the private partner. Any notion of what these public records are for and what constitutes good public policy with regard to easy and inexpensive access to public records has been lost. Not very complimentary, to say the least.

\* (15:20)

One of the important issues here is that Teranet services as delivered in Ontario are very high cost. Indeed, they are far away the highest cost for services in all of Canada. The cost for accessing information online from Teranet in Ontario is \$20; that's the online access charge. In British Columbia, the private-sector partner which delivers the comparable services charges \$1.50. The online service charge in Alberta is zero. In Saskatchewan, it is zero. In Manitoba, it is currently 15 cents. In Québec, it is zero. In New Brunswick, it is zero. In Nova Scotia, it is zero. In Prince Edward Island, it is zero. And in Newfoundland, it is zero. Why the NDP would ever want to pick, of all the options across Canada, by far and away, the most expensive option, is unknown but peculiar to the NDP. They seem to like expensive cost options rather than to be careful about how every penny is spent.

I would note that in Manitoba, if the current charge, 15 cents, were to go to the same rate as that

in Ontario at \$20, that we are, in fact, talking of an increase of more than a hundredfold in the price. We have inflation that's high in Manitoba, at the moment, partly related to the PST. The PST increase at 1 per cent from 7 to 8 per cent was about a 14 per cent increase. This increase is a hundredfold increase in the cost of accessing a service online, Teranet, to Ontario, which is the company we're going with, to what Manitoba currently has now.

Teranet services for—in Ontario for certain items like multiple searches are extremely high cost. Peter Currie, in his submission to the Manitoba legislative committee, gives multiple examples. One example is the charges in Ontario for extra pages. As Peter Currie says, Ontario is the only province where, when selling an abstract, they charge for each additional page beyond the first page. Charging in this manner in no way reflects the cost to provide this service. When searching the title, the amount of information associated with this specific title shouldn't determine the price. Whether there are one or 40 pages of information, the cost to access the print material doesn't vary anywhere else in Canada.

Before conversion, the cost of the book was \$8 regardless of the number of pages. If the customer required copies, they were billed by the page, but that was a government photocopy machine, worker, rent, paper, ink, et cetera. There was a reason for that. But now, with remote access, the cost of ink and paper are borne by the user who prints all the pages at his own expense. There is not a shred of justification for this extra page charge.

Let me give you an example of the charges', by page, devastating effect. Title to co-operative housing complexes in Ontario used to cost \$8 to look at a book. A co-op's title abstract, due to the large number of individual owners, often has a large number of pages. A co-operative, of course, is a form of ownership based on a corporate structure where an individual owns a share in the entire property and is assigned exclusive use to a portion thereof, i.e., an apartment. The apartment of interest may only have a few entries, but they are merged with all other co-op owners, so it's required that all pages be reviewed. Once the relevant entries were located in the paper system, the searcher would either write out the relevant entries or copy only those pages required. Now, the cost, in many instances, is between \$200 and \$300, the lion's share of which goes to Teranet. Teranet offers no value added; they simply stand as the gatekeeper, charging huge sums for access to a database already created.

Now, Mr. Speaker, not always but very often, in a co-operative housing complex, it's a lower income complex, and, you know, we're talking with people who can't afford these huge sums of money to do the kinds of property searches that would be needed. This—in this way and because of these costs, the NDP are working against the interests of those who are on lower incomes, in particular, because they can't afford such exorbitant prices.

There are a variety of other circumstances, but where searching can be multiple and, as an example, Mr. Currie gives one in which the cost went up from a small amount to \$50,000 because of the way that the Teranet organizes for and charges for access to its database.

The second question I asked, why was the sale of Teranet not properly and competitively tendered? The government has absolutely no excuse for not properly tendering this contract; it is sad and shameful and bad NDP management.

Unfortunately, the current NDP government has a very bad record in terms of tendering. One example that's widely known is an untendered \$100-million contract for a helicopter ambulance service to an Alberta company. In another recent example we learned as a result of questions in a Public Accounts committee, that the Department of Innovation, Energy and Mines alone issued 191 untendered contracts in the fiscal year 2012 to 2013, not just the occasional untendered contract but a wide-spread practice.

The third question that I asked was what sort of guarantees do we have that Teranet's operations in Manitoba will not have the same problems as the ones in Ontario? The answer to this question may be none. Teranet made the same sorts of promises to the Ontario government that he has made to the government of Manitoba, and look where the people of Ontario have ended up. We are likely to end up in the same place with a problematic service, locked in for 30 years.

Overall, there are many concerns with the sale of Manitoba's property registry to Teranet. The property registry is a vital part of the public digital infrastructure for Manitoba. Why on earth are we selling it? The question is particularly relevant since we as citizens will have to pay these high prices. The sale of Manitoba's property registry to Teranet appears to be a desperate short-term money grab by a desperate NDP government, but one which may lead to 30 years of long-term pain for Manitobans.

The sale of the property registry to Teranet may also lead to a loss of small-business activity for Manitobans. And the spin offs for small business in our province of a provincially owned property registry are actually quite considerable in a digital world, as people can sell access using sophisticated data-searching techniques to the registry, and they can develop that software and market it and sell access to very high-quality information at a competitive price. In contrast, there is not the competitive situation to push Teranet to even provide some of the sophisticated services which are possible, so a poor service. And, as well, there's no competition to make sure that we get a fair price. Bad decision by this government, a bad legislation and a bad move.

Now, I think it's worthwhile talking about two additional items. One is the land transfer tax, and I believe what's going to happen here is that land transfer tax is going to be collected by Teranet and then passed on to the Manitoba government, but there may be some money that Teranet earns from collecting it for the government. But what is relevant here is that the land transfer tax was set up specifically, originally to fund the property registry. So here we are, we have a government which is collecting land transfer tax, which when it came to power was in the order of about \$10 million a year and is now grown, I think, in the latest year or the current year it's somewhere around \$74 million a year.

\* (15:30)

The sale of this property registry was \$75 million for the one-time sale. But here we are, Manitobans paying the land transfer tax to fund the registry. We are still paying the land transfer tax. If the government took off the land transfer tax and we just had to pay when we access the service, it might be one thing. But to continue paying and paying and paying and paying for the Property Registry, now two different ways at once—in a sense three different ways at once, as I'll explain in a few minutes—is a problem. And it really shows the duplicity and the underhanded way that the NDP are trying to manipulate this situation within the—in the—not to the best interests of this particular population of people—Manitobans.

Now, I want to talk about, briefly, some of the issues that the minister himself commented on. He said that this will be at less cost to Manitobans. Now, here is the issue: I've already explained that the cost

for accessing online services in Ontario is a hundred-fold higher than it is in Manitoba. And so this is lower cost—only in NDP jargon. The fact is that we are likely to pay, and will be paying, almost assuredly, much higher costs for the same service that we are getting now.

The second thing is that the government has built in—that the government will take \$11 million a year from the money brought in from the sale of the services from the Property Registry, which we've paid for as citizens, and that will go from 11 million up to 24 to 30 million. Now, you average that out over 30 years, and that's on the order of about \$600 million. This is the Minister of Finance's (Mr. Struthers) grab from Manitobans—\$600 million for services which we've actually already paid for when we paid the land transfer tax, which are already exorbitant, as we know.

So the minister's saying that this will be at less cost to Manitobans is blatantly wrong, because all the costs that I've already talked about don't include the profit that the company is going to make, and the ability of this to fund Ontario pensioners instead of Manitoba pensioners, because that's where the money, the profits, will go, is to the pensioners of Ontario, rather than going to Manitoba pensioners. The minister could have done better when he thought about how he was going to organize this.

Now, the annual payment that the minister was very happy about is really a flow-through tax. There's no other word to describe it. We pay Teranet; Manitoba collect—or the government collects the money. This is just a tax on this service, and it's actually quite a steep tax.

The Minister of Finance says that the Province has the ownership. Well, that's true, but, in fact, when you're dealing with a database like this, that the use of that database, the sale of information from that database, that really all belongs to Teranet. They have the monopoly. When you develop an online digital database, you have to use search engines. That will be Teranet. How good or bad they are will depend on, in part, on the quality of that access.

So, overall, although the data, notionally, will be owned by the province—in fact, access to the data is completely controlled by Teranet and we are therefore much restricted. And, for example, if it was a publicly owned database, it would be quite easy for a small company to develop some software to search that database because it's publicly owned, and that would provide economic opportunities and jobs for

Manitobans. And there could be multiple different ways that this database is searched to get useful information for Manitobans.

There's no incentive now for Teranet to develop the sophistication in the way that that database is searched. In fact, there is incentive not to, and they are already, in Ontario, charging very high prices without providing the level of sophistication that could be provided. So we're losing in economic opportunities, we're losing in quality services.

The Minister of Finance (Mr. Struthers) says that in 30 years we can have some competition; it's okay that it wasn't tendered now. But the minister says there'll be a possibility for competition 30 years down the road that other companies might bid for. Well, in the digital world, 30 years is a very, very, very long time. Google has been around for less than that and look at where it is.

The fact of the matter is that this is a shameful, long-term giveaway. We need to talk about it for what it really is and we need to hold this government to account for the shameful way that they have approached this.

I'm opposed to this legislation. The government should not have done this. And it will suffer and Manitobans will suffer for what they have done.

Thank you.

**Mr. Cliff Cullen (Spruce Woods):** I appreciate the words the member for River Heights (Mr. Gerrard) put on the—on this in regard to Bill 34, Mr. Speaker.

This is a very interesting legislation the NDP have brought forward, and it's not typical of NDP governments, Mr. Speaker. I do want to begin by saying, first of all, it's interesting they recognize the thought of privatizing a portion, in this case a special operating agency of government. We're certainly curious how this is going to unfold into the future and how Manitobans will be impacted by this change in legislation.

Mr. Speaker, the intent of this legislation, of course, is to designate a service provider to provide services to Manitobans and particularly under the Property Registry. I think that, you know, the member for River Heights laid out a number of concerns that he has with this legislation. We, too, have a number of concerns with this legislation. You know, clearly we're—you know, we're not opposed to the concept of private companies providing for services to Manitobans, and that's an intent of what

this bill is going to do. And we're certainly not opposed to that concept.

But we're not sure exactly what we're going to get ourselves into over the term of a 30-year contract. Mr. Speaker, we want to make sure that there was—and we're a little afraid that there may not have been due diligence done on this particular file. Clearly, there was only one company that was brought forward in this one, and that's Teranet, an Ontario-based company. You know, clearly we want to make sure we're getting value for our dollar. If we're selling off assets of the Crown, we want to make sure that we are getting value for our dollar. And we're not sure—we're not too sure there's justification that the \$75 million was in fact the appropriate amount of money that this special operating agency is actually worth.

Now, Mr. Speaker, the contract—and we're not privy to the contract the government has entered into with Teranet, but it certainly has a number of—well, a number of conditions to it. And it's a 30-year contract of which we will be receiving royalty fees, if you will, or commissions back to the Province of Manitoba. And, again, we're not sure that the royalty fees, or commission, if you will, will be—is adequate, is really the numbers that would reflect the cost of services.

The other issue that the government has left themselves an out on, is in terms of the fees that will be charged back to Manitobans. The government will have control of the fees that will be charged to consumers, to users of the service, Mr. Speaker. And these fees will be based partially on inflation and also will be allowed inflation plus 1 per cent. This is what the provincial government has allowed themselves in terms of increasing fees on an annual basis so that, you know, if they choose to select the inflation rate plus the full 1 per cent each and every year in the future, it will have a significant impact to people using this particular service. And that certainly is cause for concern.

\* (15:40)

Clearly, Mr. Speaker, the provincial government, and currently the NDP, are certainly trying to get their hands on as much cash as they can, and we've seen a lot of increases in fees and taxes and surcharges and including the provincial sales tax, which has been very significant over the last two years.

So I would suggest, Mr. Speaker, that, given the history of the NDP government, they will be exercising their full extent in terms of the inflation plus the 1 per cent in terms of the increase in rates that they will be charging users of this particular service, and we're not so sure there was due diligence done in terms of the contract arrangements. It doesn't appear there was an open and unbiased tender that—for—was open to the public, to other businesses to provide the services. So it's certainly a challenge, I think, from the outside to do this if this was really an open and transparent tendering process which would benefit all Manitobans.

Those are the kinds of issues that we have, Mr. Speaker, with this particular legislation, and we will certainly look forward in the future to see how those costs will be transferred back to the citizens of Manitoba and, in fact, if the company Teranet is providing satisfactory performance. We certainly hope in terms of the contract there will be some performance clauses stipulated in that contract that will stipulate that everything is done according to the contract and, if things are not done appropriately, that there will be some recourse for the government to take in regards to Teranet activities.

So, with that, Mr. Speaker, I just wanted to put those few points on the record just to raise our concerns with this particular piece of legislation. Thank you.

**Mr. Speaker:** Is there any further debate on Bill 34?

House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is concurrence and third reading of Bill 34, The Property Registry Statutes Amendment Act.

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

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

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

#### Voice Vote

**Mr. Speaker:** All those in favour of adopting Bill 34 on concurrence and third reading, please signify by saying aye.

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

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

**Mr. Kelvin Goertzen (Official Opposition House Leader):** Recorded vote, Mr. Speaker.

**Mr. Speaker:** A recorded vote has been requested and will be deferred until 4:55 p.m. this afternoon.

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**Hon. Jennifer Howard (Government House Leader):** Would you call third reading and concurrence for Bill 37.

**Mr. Speaker:** We'll now call concurrence and third reading of Bill 37, The Emergency Measures Amendment Act.

#### Bill 37—The Emergency Measures Amendment Act

**Hon. Jennifer Howard (Government House Leader):** I move, seconded by the Minister of Infrastructure and Transportation (Mr. Ashton), that Bill 37, The Emergency Measures Amendment Act; Loi modifiant la Loi sur les mesures d'urgence, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

*Motion presented.*

**Hon. Steve Ashton (Minister responsible for Emergency Measures):** I'm very pleased to be speaking on this bill. I do want to indicate that this has been a long time coming. I do find, Mr. Speaker, it's unfortunate that we are in a situation with bills such as this that really, I believe, should've passed with this Legislature weeks, if not months ago, that we are only now going to third reading and later on by agreement the votes on third reading, and it's—it is a—it's encouraging to me that this is one of the 10 bills that we were able to select.

But I do want to put on the record that there's certainly other very good bills that are going to have to be brought back later and—in this session, which I would describe—and I say this with all due respect as a former opposition house leader—I'd say the opposition has had a series of tactics in search of a strategy. It really does strike me that, as we actually are able to see some progress in the Supreme Court and bills that, quite frankly, Mr. Speaker, I don't see



why many of these bills couldn't have been passed through before. And I realize that members opposite have set their own set of priorities. Obviously, they do not see the importance of many of our other bills. I know, certainly, they highlighted a number of bills and I do look forward in a few moments on, actually, one of the three bills that they targeted for extensive filibustering, amendments and tactics—and I have to tell you, I might not agree with their position on the two other bills, Bill 20 and Bill 33, but I'm still amazed that we actually have members opposite spending most of the—their time actually opposing a bill that protects kids against bullying. And I think, you know, people will reflect on that, that you have an opposition that has no sense of reality, that this is the year 2013, and I can say—and I speak again as someone that has the—had the opportunity to sit as an opposition House leader, who's been, in many lengthy sessions, and understands the importance of, value of debate.

I also understand one thing, that when you're in opposition, you speak volumes by the bills you oppose and you speak even greater volume about the bills that you filibuster and you try and delay. And dare I say, Mr. Speaker, we saw, only a few moments ago and the rather bizarre scenario, that when we—just as we thought we were going to have a vote on one of the key bills, we had an amendment that would have sent it to court. Delay, delay, delay—and I would suggest that, you know, there was a tactical reason for that. Even though I don't think there was a lot of tactical concern, I do believe that, you know, when you want to oppose something for one reason and you think that you can put up a smokescreen to make it look like it's something else, I don't know who you think you're going to fool. But, if you filibustered and you voted against it and when you've encouraged people to come out to a committee on any bill, it speaks volumes.

Now, on Bill 37, if they were opposed to this, I would suspect they would probably have voted against it on second reading, they would have packed the committee, they would have brought in numerous amendments, Mr. Speaker, they would have tried to delay it. They might have even said, send it to court. But they didn't do that. So, presumably, on this one, they might support it; we don't know. There are other bills, like Bill 31, where I was shocked, a few moments ago—where I was in committee, we had a number of amendments brought in suggested by members of the committee—they didn't oppose the bill at committee—and then they turn around and

they voted against it. So there's an element of randomness.

But, you know, Mr. Speaker, I do believe, in this case, with Bill 37, don't you think if they had gone through all those steps, and including filibustering it, they might actually have an opposition of fundamental principle to the bill? And I want to remind members opposite, by the way, and I say, especially to the Opposition House Leader—and I do have some knowledge of House rules; I even carry my copy of *Beauchesne* with me—and want to say, in this session, it's quite remarkable, but I'm wondering if the word *Beauchesne* is not going to be included in *Beauchesne* 6 as an unparliamentary word. I never thought I would see that happen.

And I want to say, Mr. Speaker, as someone that understands the value of vigorous debate, you know, what you choose to debate, what you choose to filibuster, what you choose to vote against, speaks volumes about your priorities. And I want to say that throughout this session I've been waiting for the opportunity to actually have a chance to vote on some of these bills. I've waited and waited and waited. I remember those weeks in the summer where, you know, members opposite were so interested in hearing from the members of the public about bills like this—they didn't send a single bill to committee, not one bill. No, they—[*interjection*] I know members opposite, the only applause during those lengthy weeks is when it hit 5 o'clock because that's when members opposite can quit.

I've got to tell you, Mr. Speaker, you know, in my perspective, having been in opposition, I don't remember any filibuster that ended at 5 o'clock. We were not a 9-to-5 opposition. And we're not a 9-to-5 government, either. And so we're prepared to come back in a number of months and bring back some of the bills. And I'm actually shocked—some of the bills that they're holding over.

*Mr. Mohinder Saran, Acting Speaker, in the Chair*

I want to remind members opposite—I mean, it's nice that they actually, you know, were gracious enough to actually agree to have this bill, which deals with flooding and emergency measures come forward. But I have numerous other bills—numerous other bills—that deal with trucking safety, not that—you know, we only had 10 choices. We couldn't pick that one. I have a charter bus regulation. No, we couldn't pick that.

\* (15:50)

So this, as an opposition, I think, has gotten to the point where they've got one big no stamp. All they knew—all they know is how to oppose. They clearly have nothing to offer and we've seen it time and time again.

And again, when I have the opportunity to stand and speak on this bill, what's quite remarkable is the degree to which we've seen the Opposition House Leader himself take on one of the most fundamental bills in this session for us—and I want to put on the record that Bill 18, I'm so looking forward in a few minutes to actually have a chance to vote on it.

But it's been the leader—the Opposition House Leader that has tried anything and everything to stop that vote. And we all know why. I can tell you, on Bill 37, if I had gone out and organized a mass meeting of six or seven hundred people and said how proud I was on how they opposed that bill, you might think that might have something to do with the position on the bill.

And what's remarkable are the—the member for—you know, for Steinbach, is that even though everyone in the province knows that the real issue with that bill is whether you're going to protect all kids including gay and lesbian kids, today he had the nerve to stand up—and I note on this bill he's not bringing nine amendments—there were nine amendments, and each time he had one of those amendments voted down because they were redundant, because they were unnecessary. He got up and he added more and more.

The ultimate is when he talked about it being like the 12 days of Christmas. Well, the only connection with Christmas is the fact they're holding up every single one of the bills, other than the 10 we were able to select, until Christmas, and that's the Tory lump of coal for the people of Manitoba.

So I'm—yes, on Bill 37, I can't believe I'm actually having the opportunity to talk on third reading. But more important than talk, it's the walk. And in this Chamber, it's the vote. And I'll look forward to seeing the member for Lakeside (Mr. Eichler), whether he's going to follow the leadership of the Opposition House Leader, who, by the way, I think is also Education critic. I don't know, do they not have an Education critic anymore? By the way this session has been, it looks like they don't. You know, and if he is the Education critic, the only thing he's concerned about is stopping a bullying bill from going through the Manitoba Legislature before the school year starts. That's unbelievable.

And I was last night with a group of teachers from my community and the first thing they said is, what's happening with that bill? What's happening with the session? And, you know, as I—as we sat throughout the summer—and I know, you know, the Leader of the Opposition further and further came forward with his agenda for—you know, for the people of Manitoba. I know before member Fort Garry-Riverview was talking about their vision; I would consider it their nightmare for the province of Manitoba.

What struck me about it is the occasional constituent that even knew we were sitting often asked me the question, what was going on? And I can tell you, you know, when it comes to budgets, we understand there's often disagreements over things like budgets. I have not quite understood why they have a problem with modernizing local government—that was the second issue that they picked. But the other issue they picked was protecting our kids against bullying. I have never seen a session where so many tactics have been put forward by an opposition against the bill that is supported by so many Manitobans. Because I can tell you right now that Manitobans understand it's 2013, and an opposition that's rooted in the '90s, and when it comes to Bill 18, I'm talking about the 1890s. I say they do not know of what they speak.

And I want to say that thanks to modern technology—and I hope the member opposite, member from Steinbach, doesn't consider this disrespectful—but I actually went on Twitter, and I got to tell you, what struck me was the degree to which Evan Wiens, a courageous young person from Steinbach who said, basically, in response to his MLA, how ashamed he was that that member represented his community. Because I want to put on the record that even in Steinbach—especially in Steinbach—there are many people that support our efforts to protect all kids against bullying. Members opposite are stuck in a time warp.

What's amazing is—I want to see, if in a few minutes, if they'll learn their lesson. Will they stand up and will they vote—will the Leader of the Opposition and the Opposition House Leader, will they vote for that retrogressive agenda—

**The Acting Speaker (Mohinder Saran):** Order, please.

**Mr. Ashton:** —or will they vote for what the people of Manitoba want?

And, just in case the leader, the Official Opposition House Leader (Mr. Goertzen) thinks I'm only concerned about his comments, I want to say to the Leader of the Opposition, who is the clear architect of pretty well everything that's happened in this session—

**Some Honourable Members:** 'Til 5.

**Mr. Ashton:** 'Til 5. Members—some members are actually sitting 'til 5 o'clock. It wasn't even always until 5 o'clock, but I remember when he was a Member of Parliament in Ottawa before he quit, which was after he was an MLA and quit. I remember his comments on the issue of same-sex marriage and, you know, the member—the Leader of the Opposition'd get up time and time again, and he can throw in some bizarre comments and preambles in question period, but I can tell you people will judge you not just by what you say but by what you do. And, in my mind, I cannot believe that in this day and age, that a Leader of the Opposition who was the architect of everything in this session, because it is—do you know the Leader of the Opposition? It's all about him. It's all about his agenda.

You know what, Mr. Acting Speaker, he set up a dynamic in which they voted against protecting kids, and they are going to do it I'm sure in a few minutes because that Leader of the Opposition doesn't get that this is Manitoba in 19—not in the 1990s, not in the 1890s. It's the year 2013 and we're there for all Manitobans.

So Bill 37, emergency measures—and I realize that members opposite have pretty well lost interest in dealing with the flood. You know, questions on flooding have pretty well, you know, dissipated just like the flood waters, but, you know, unlike members opposite, we have an ongoing interest of being there in terms of the floods. And I want to say this week I had the opportunity to meet with my counterparts from across Canada, and I was particularly struck by the meeting that I had with the minister from Alberta.

You know, they're looking at a \$5-billion cost in their floods, and I could tell you that my first comments, when I had the opportunity to speak to him privately, and my comments in the meeting were very clear. Here in Manitoba we know what Alberta's gone through. And I want to indicate that we offered any and all assistance, but one of the things we can offer to Alberta, and what we can offer to any other jurisdiction in Canada, is the fact that out of our experience in 1950 with the massive flooding, we

brought forward a vision and it's a vision. Yes, it was brought originally by Duff Roblin, but it's this government, the Doer government before and now under the leader of our First Minister, that has taken up that vision, and it's called mitigation.

Now I want to be very clear, because I know this connects to the other bill they filibustered, one of the other ones where they don't want municipalities to have sufficient ability to respond to the challenges of 2013. But you know what's amazing, Mr. Acting Speaker, is in Calgary when they got hit with a major flooding, one of the reasons they were vulnerable is because they have one-in-25-year flood protection. We have in the city of Winnipeg, in our biggest city, our capital, one-in-700-year flood protection.

Now, in Alberta, they don't have a sales tax, but since the 1960s, the same premier, by the way, who brought in the sales tax, he built a floodway, and I want to say it's why I speak on this bill which deals with emergency measures. I'm proud that in the year 2013, out of this session of the Legislature, we will have courageously, as a government, taken a stand that in the case of the most impacted people in the last flood, around Lake Manitoba and Lake St. Martin, Assiniboine River valley, 1 cent extra on the sales tax, \$250 million for an outlet from Lake Manitoba and a permanent outlet for Lake St. Martin. And, Mr. Acting Speaker, our goal around those lakes is one-in-200-year protection; that is our goal.

\* (16:00)

So, when I look at members opposite, I actually think that this session has been useful in one way. It's exposing your agenda. I mentioned their agenda on social issues. Basically, their agenda on social issues is to impose their views on others. I don't think we have any place in our pluralistic society in the year 2013 for that, and I was really offended.

The fact that members opposite—even today, the Opposition House Leader had an opportunity to talk about some of the comments that were made in committee. And I want to put on the record that the vast majority of comments—and I went through the Hansard—were respectful, and whether I agree or disagree with people, I think it's important that we recognize that they had something important to put forward. But there were some very objectionable comments that were put forward by a very small number of people. I would have expected those members opposite, who have been fanning the flames of that bill, would have come in here

today, when we had the opportunity to talk about amendments at this stage, would have actually come in and disowned those comments. Because I want to say I am personally offended when I see some of the comments that I heard from people. You know, I won't get into the details, because a lot of the comments simply do not—you know, should not be put on the public record.

But I do want to put on the record one thing, because I personally, as an MLA and as a citizen of this province, I'm sick and tired, when we talk about human rights, whether it's for people of diverse ethnocultural background or diverse religious backgrounds or, particularly, when it comes to sexual orientation, I'm tired of hearing people talking about an agenda. And I've heard the phrase a gay agenda; it's a human rights agenda.

And I actually have the unique experience that I was here when we passed the human rights act that, for the first time in Manitoba history—only the second province—specifically recognized sexual orientation as a grounds for prohibition in terms of discrimination. And I remember the same comments then.

*Mr. Speaker in the Chair*

I remember when Tory MLAs stood up and made the same kind of comments. Now, they're a little bit more careful now; Mr. Speaker, what they do is they organize people who come to committee, and I want to stress again most were very respectful. But they didn't have the courage to disown the comments that were objectionable, and that will speak volumes, again, about their agenda.

And I want to stress that, whether it was the human rights act of a few years ago or whether it was the same-sex marriage debate—and I was very proud to campaign for a candidate, now MP, that stood front and square in terms of the rights of every—anybody and everyone regardless of sexual orientation to be married under the law—whether it be in terms of same-sex adoption, I have never been more proud to be a New Democrat.

And I wanted to particularly, Mr. Speaker, in finishing my remarks, say how proud I am of the Minister of Education (Ms. Allan). I have seen a lot of ministers show a lot of courage, but I can tell you one thing. The amount of courage she showed, the amount of class she showed sitting in those committees, but the guts of her conviction, of our

conviction in fighting for human rights, I want to put on the record.

I am going to be so proud in a few minutes, Mr. Speaker, to stand with our Minister of Education, with our Premier (Mr. Selinger), with our caucus to fight for human rights for all Manitobans, all kids, including gay and lesbian kids.

**Mr. Ralph Eichler (Lakeside):** Quite a little rant, Mr. Speaker. I think member from Thompson just feels he was the leader there for a little while and went on about everything but his own bill. It's unfortunate that he got off message there a bit. Of course, that's fine. I mean, that's his prerogative. He's the dean of the Legislature, of course; he's been here the longest. And it seems like he knows the most of every—anybody else in the Chamber as well, which is far from the truth—far from the truth.

In fact, all he really had to do if he really believes in what he said, why would he not call a referendum on Bill 20 and let the voters have a say? I mean, he stands up in the House and does his rant and he's supposed to be talking about Bill 37 and he just seems just to get caught up in the moment. And I'm not going to take the bait and go over everything that he said.

Unfortunately, you know, it's just too bad the minister—and he talks about us calling the bills. Well, the last time I checked, the government calls the bills. We don't call the bills. It's their own agenda. And he talks about Bill 37 being one of the bills he was able to call. What about Bill 26? People with disabilities—why wasn't that on their top of their agenda? It's a shame. I mean, people out there were counting on this minister to call Bill 26 and they didn't. It could've been one of the top 10.

Now, in regards to Bill 37, this bill is seeking clarification in regards to The Emergency Measures Act. It's unclear; it's problematic. It passed. In fact, we know, since 1826, that Manitoba's flood—is flood prone. In fact, because of Lake Manitoba and Lake Winnipeg, we know water flows our way. And it's a great hydro resource; we know that. We have to learn to manage water, and that's part of what we're talking about in regards to the flooding, just as one of those issues. There's other issues that we need to take into account: tornadoes, wind storms, lots of other things. In fact, part of the briefing note that whenever we met with the minister to go over the bill—in fact, AMM made it very clear they're concerned about this piece of legislation in regards to preparedness. And

what the minister has said quite clearly, there's no longer any provision to call a state of emergency.

Now, we have seen very clearly that municipalities declare states of local emergency with exception of that action necessary to free up disaster financial assistance—money to help pay for damage that comes from major emergencies. And we know, very clearly, through committee on Bill 33, that a tornado that hit the beach country—not that long ago, mind you, over at Grand Beach and some of the areas that were affected by that storm—this is part of what the emergency thing is all about.

But what this government realizes not to do is they can't seem to work with municipalities. In fact, we have 200 municipalities, and the relationship is totally destroyed by this Minister of Local Government (Mr. Lemieux). So they have no credibility when it comes to working with those municipalities, and they don't feel they should be able to address some of the issues they feel they want to do.

And I can tell you that what the government is also proposing—they should have permitted anyone that is in that disaster zone some information about how it's going to be laid out, how is it going to be presented to those ratepayers that are at risk. And sometimes—sometimes—we need to have officers come in and they may be appointed—may be appointed by the municipality, may be appointed by the Province. However, what training—what training—is going to be provided those folks so that they'll be able to have the tools to be able to deal with those particular cases?

In fact, where are they are going to go? What are they going to do? What steps? And this is all going to have to come through regulations, which the government has not laid out part of their plan about what they want to do, which, again, which is unfortunate. People need to know. And I talked about this yesterday in regards to whenever they're doing their campaign promotion. And they'll be doing the same thing on this, but they're not going to make it clear about what really are those steps.

And, whenever we're talking about safety—and everybody wants to make sure that we're protected in the best way we can, whether that be through flood, whether it be through tornado. In fact, I've asked the minister—from time to time I ask question in regards to where we're at with the new weather stations. And, in fact, we rely on information provided by the government in a timely manner. In fact, the

radio station in Swan River has challenged this government many times in regards to emergency status and what they're going to be doing in regards to weather stations.

So we have a lot more to do—a lot more to do—and it's up to this government to ensure that they do that. We're going to remind them, as we do from time to time, in regards to that.

What also is happening with this emergency measures bill is the fact that those people who may be trying to protect their property has to do so in a very safe manner. We don't want to go up and just remove those folks at the time when they need to be doing their protection. We also have to do it in a way that's going to be able to sustain those folks and protect their property in whatever way they need to do.

\*(16:10)

So I know, Mr. Speaker, that whenever we're talking about the costs of this—and I know the minister did lay out a situation whereby he was talking about Breezy Point. And they had to go in and airlift people out in the dark of night because people wouldn't leave and they were trying to protect their property. Well, I can tell you, obviously the government didn't do a good job at communicating what really needed to happen at that particular point; otherwise, they wouldn't have been in a position that they were. So they need to learn, first thing, to work with the municipalities. That's first and foremost.

Why do they not do that? I have no idea, but also, he also claimed, that because of the way the disaster finance assistance program is laid out that they no longer have to declare states of emergency. So, whenever a municipality is in the state that they talked about, the illustration that he used in regards to Breezy Point, if there's no state of emergency happened to be declared, what are they going to do to notify those folks? It hasn't been clear in regards to what they want to do through this piece of legislation, and it's unfortunate they haven't done that because it's not just always about flooding. There's lot of things that come up through disasters, and we need to be clear about the direction we want to see them go. And they'll have the opportunity through regulations to devise the method they want to do, to use that tool, and we look forward to it.

But it's interesting, it's interesting that the member for Portage was out at a rally at the outlet going into Portage la Prairie, from the Assiniboia

river, the Portage Diversion, and the bill just happened to pop up. It just happened to pop up and said okay, now, it's time enough, but we remember, we remember that rallies are a democratic right. There was no harm done, and, in fact, they had a police approval for this. They were there, and the government decided that they were no longer going to allow people to exercise their democratic right, which, again, is unfortunate. These flood victims, in fact, the minister made it very clear—made it very clear—that we quit asking questions on the flood. Well, you know, he's talked about his great saviour, Lake St. Martin, well, we have 2,000 folks still out of their home; we've not had an announcement from this government. Two years, three months and we still have 2,000 folks out of their home—totally unacceptable. Totally unacceptable. And I know that they want to know, when it comes, whether they're going to have a place to live, a place to be able to raise their children, a place where they're going to be able to actually put roots up and once again be secure in their home. Unfortunately, the government hasn't done it.

Part of The Emergency Measures Amendment Act should be part of that, what their long-term plan is. When will they get folks back into their home? It's again one of those things that we need to make very clear so that those folks will be able to plan; in fact, some of them will have jobs that they're going to have to either give up or try and to come back and start off where they've been uprooted from through no fault of their own through this man-made flood of 2011.

And the minister also talked about all the great things they're doing in regards to the emergency outlet. Well, I can tell you, that outlet on Lake Manitoba not coming in until 2021 is totally, totally unacceptable. I mean, they have a way of—be able to fast track this; they have not talked to the federal government about that outlet. And they have an opportunity—they have an opportunity—to do that, and I'm suggesting, suggesting to the minister, that he reach out to the federal government and say what can we do to expedite this and get that outlet built as soon as possible. Two reasons, two reasons for that: first of all, it will bring the lake level where it should be, and it'll prevent another flood.

We don't know what next year is going to have, so I'm encouraging the minister to do that. And I hope that he does because if he don't we may be facing exactly what we have in the past. And I know that the Finance Minister made a number of

commitments in the flood of 2011, and those haven't been lived up to. And it's unfortunate because those farmers took this minister at their word. He not only repeated them in Landmark when he first made them; he repeated them in Meadow Lea. And it's unfortunate that he has not made the commitment that his government did. It's such a shame.

So thank you, Mr. Speaker. They'll have to live with it.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I'm going to be quite brief. I support this legislation. As I've pointed out at second reading, the only real problem with this legislation is that it could have been a lot more than it is. In 2011 flood, we had a lot of problems, particularly in the recovery phase. In the 2011 flood we still have some 2,000 people who are still out of their homes and not able to come back. This bill could have done much more in laying improvements in planning, improvements in their recovery phase. It does some good things and I will support it, but it could have been much more.

Thank you, Mr. Speaker.

**Mr. Speaker:** Is there any further debate on Bill 37?

House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is concurrence and third reading of Bill 37, The Emergency Measures Amendment Act.

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

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

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

#### Voice Vote

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

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

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

**Mr. Kelvin Goertzen (Official Opposition House Leader):** A recorded vote, Mr. Speaker.

**Mr. Speaker:** A recorded vote having been requested and, as previously agreed, this matter will be deferred 'til 4:55 p.m.

\* \* \*

**Hon. Jennifer Howard (Government House Leader):** Would you please call concurrence and third reading of Bill 18.

**Mr. Speaker:** We'll now call for concurrence and third reading of Bill 18, The Public Schools Amendment Act (Safe and Inclusive Schools).

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

**Hon. Jennifer Howard (Government House Leader):** I move, seconded by the Minister of Education (Ms. Allan), that Bill 18, The Public Schools Amendment Act (Safe and Inclusive Schools); Loi modifiant la Loi sur les écoles publiques (milieux scolaires favorisant la sécurité et l'inclusivité), reported from the Standing Committee on Human Resources, be concurred in and be now read for a third time and passed.

***Motion presented.***

**Hon. Nancy Allan (Minister of Education):** Since—first of all, I just want to remind everyone in this House that I introduced Bill 18 on December the 4th, 2012. Since December, I have been amazed at the countless, heartfelt stories, some heartbreaking, many inspirational, that Manitobans have told me about their experiences with bullying.

Our children, Mr. Speaker, cannot learn, they cannot reach their full potential if they are worried about being bullied in the classroom, on the playground, in the locker room or after hours. And we know it is not acceptable that young people are bullied online, and it's unfortunate that the member for Emerson (Mr. Graydon) suggested just tell them, if you don't want to be bullied, just don't go on the Internet.

It is critical, Mr. Speaker, because of social media that our laws keep up. In December we launched a broad antibullying strategy that built on a solid foundation laid by the Safe Schools Charter and subsequent antibullying bills that were supported unanimously in this House. Since that time, we have held forums bringing together educators and students from across the province to hear from experts about the difference Bill 18 will make.

We've attended school rallies. We've worn pink. We've stood with students as they led the fight against bullying. We announced new resources for parents and students. We've announced new measures in partnership with educators to clearly set out best practices and our expectations for clear, consistent and effective disciplinary consequences for bullying, and this fall we will be doing an online anonymous survey with students from grades 4 to 6 all across this province to hear directly from them about how we can make their schools safer—Tell Them From Me.

And I have had the privilege of sitting close to 40 hours listening to over 250 presenters speak to what we believe is the longest public committee hearing in the Province's history, and I was proud to be there. It was a safe place where people could share their stories. I've met with educators, parents, students, experts in the field, all of whom are on the front lines of making their schools and their communities safer places.

\* (16:20)

I've met with educators, parents, students, experts in the field—all of whom are on the front lines of making their schools and their communities safer places. I want to thank the Manitoba Teachers' Society president, Paul Olson, for strongly supporting Bill 18.

We rely on the professional judgment of teachers and principals and administrators who work hard every single day to provide safe and supportive environments for our children. We will continue to work in partnership with principals, teachers, parents, educators to make our schools safe for all students.

Since I introduced Bill 18, I have visited countless schools across this province and I am proud of communities like Steinbach. I am proud of the Hanover School Division. They have stood in the face of the opposition to this bill and they have said, our job is to protect students.

And what has the opposition been doing? The Leader of the Opposition and his caucus has spent nine months leading the charge opposing antibullying bill for students. They have fear mongered in communities, Mr. Speaker. They've spread 'informay'—spread misinformation. They have filibustered for months and, just yesterday, they introduced amendments that would gut the bill and further delay it.

But, Mr. Speaker, what concerns me most was when we saw a young student from Steinbach fighting for the protections that this bill provides. He was called names, he was harassed and he certainly had his feelings hurt, and he stayed strong. When he looked for leadership, members opposite turned their backs.

I'm proud to say that all of my colleagues on this side of this House, who are diverse and represent all corners of this province, will stand with Evan Wiens and other students all across this province to protect them from all forms of bullying.

And what will the opposition say, Mr. Speaker? Well, they'll go out and say that the bill is too broad or that it isn't broad enough. They'll say it lacks teeth or maybe they'll say it's overreaching. But main—make no mistakes, their opposition has been consistent. It is consistent with the lead—with the record of the Leader of the Opposition. He voted against equal marriage for all Canadians. He voted against adding sexual orientation to hate crime laws. He dismissed same-sex marriage as a social experiment. And that is not leadership.

Bill 18 will make a difference. And we know, Mr. Speaker, we have more work to do. We know that one bill is not going to end bullying, but passing this legislation will send a clear message to every student in this province that we've got their backs.

Let's pass Bill 18.

**Mr. Cameron Friesen (Morden-Winkler):** Well, thank you, Mr. Speaker, to stand and put some final comments on the record with respect to Bill 18.

Mr. Speaker, the PC Party, our party, our Education critic, has said from the outset that we support the best efforts to make sure that every child in a Manitoba school is safe. And we have outlined the reasons why we and many others across Manitoba have continued to say that Bill 18 falls short of the goal of actually providing the framework in which every student in Manitoba schools can indeed be safe.

Mr. Speaker, we have said from the outset the special provision for accommodating one particular group sends a message to other groups of students subject to bullying that somehow they are less worthy of our best efforts to prevent bullying from taking place.

There are lots of things, Mr. Speaker, that make us different. Bullying zeroes in on those differences.

Our efforts to counter bullying should attempt to reach across differences, emphasize common ground, emphasize empathy and compassion. And the legislation that we put forward with regard to this very, very serious matter should also attempt to reach across differences and emphasize common ground, empathy and compassion. And, on this, the Minister of Education (Ms. Allan) has clearly failed. As one presenter clearly said, antibullying legislation should at least acknowledge at the outset that all forms of bullying are equally heinous. And throughout night after night at committee, we heard the responses of Manitobans who felt compelled to come and share their stories. I wanted to take just a moment, couldn't possibly list them all, but to take a moment to just reflect on some of the things that were put into the record by those committee presenters.

Karen Friesen reminded us that there's important issues of inclusivity. She reminded us that there's an important need to establish a threshold so we understood what bullying was. Carolyn Peters said that we need to encourage acceptance regardless of differences. Chantelle Friesen questioned whether segregating groups based on differences and differentiating features was helpful at all. Ken Peters said that disagreement is not hatred and what was needed was respect. Markus Reimer indicated that he was there to present on behalf of a public school teacher in Manitoba who felt like he did not have the freedom to do so himself, and Markus presented for that individual; he was his proxy. Jennifer Thompson stood and bravely told the story of her children who were hearing impaired and suffered bullying because of those—that factor. Shirley Schroeder told us that the bill, if 'unamended', would pose a crisis of conscience for some teachers who are being asked to teach things that were not in agreement with their own beliefs. Brian Schroeder told us that to promote and enhance the values that stand in opposition to one's own values poses a moral dilemma. Reece Malone told a powerful story of being bullied, and he talked about a teacher who created the conditions in a classroom where all students could feel safe.

And, Mr. Speaker, the stories go on and on. Shahina Siddiqui told us that the bill must mirror the Manitoba human rights act provisions and that it didn't. Just a few more: Kristy Penner said that under the bill, respect has been torqued to mean wholeheartedly approving of something. I thought Bradley Warkentin put it in very good terms when he said—he offered this definition of bullying. He said that to suggest that if a religious group wants public



funding they must somehow change what they believe about their ideas that are inspired by faith, about human sexuality, that might provide a definition of bullying. And presenter after presenter showed us some serious questions about the bill. Darcey Bayne from Springs Christian Academy said that they have antibullying strategies in place in their schools. She would have welcomed the opportunity to provide input had that opportunity been made possible by this minister, but, indeed, it was not made possible.

Mr. Speaker, there are many, many presenters who came and told many, many stories about concerns that they have. We heard from the bullied and we heard from the bullies. We heard about how tremendously heinous bullying is and how it can cause problems years and years down the road.

\* (16:30)

Mr. Speaker, I was never so proud as when Garden Valley School Division actually consulted with their constituents in the community. They gauged the public's opinion, and they very respectfully came back and made a public statement. They made a public statement about what they believe. They basically mentioned that to single out one group really does exclude others by the very nature of doing that. And they also mentioned the Charter of Rights and Freedoms is already protecting people of every background. Those were some courageous things for them to say and they said them.

Mr. Speaker, I know there are others who want to speak on this bill, and so I won't take much more time, But I think that what we—what the member for Steinbach (Mr. Goertzen), our critic for Education, has so clearly shown is that this is an issue of respect. And the extent to which the minister has stopped short of even basic things like including social disadvantage or religion and creed and ethnicity in the wording of this bill shows the extent to which she does not understand the patterns of immigration in this province. She does not understand the accommodations made for groups in this province years ago, accommodations that have been continued and been promised to groups. She doesn't seem to understand under the charts of rights and freedoms you cannot emphasize some protections while de-emphasizing others.

Mr. Speaker, this government today discounted nine amendments. In the minister's words, those amendments would have gutted the bill.

Amendments that would have defined bullying, amendments that would have provided programming to students and parents, amendments that would have required—that would have called for online reporting of bullying, amendments that would have added those terms of ethnicity and social disadvantage and religion and creed to that bill itself, amendments that would have required public reporting, amendments that would have put consequences in place. And the minister rose again and again and said, we're not going to do it. We're not going to do it. And for her to stand in her place today and somehow try to suggest that those things would have gutted the bill is an affront to all Manitobans.

Mr. Speaker, I've only been in this Chamber for a year and a half. Some days are better. Some days are worse. The work that we are called to is serious work. There is serious trust placed in our hands, and these are serious issues. I have felt that this minister has at times been divisive and quarrelsome, antagonistic and heavy-handed. She has picked winners and losers in this when it was not the case. She did not need to do it. At times she has stopped short of showing basic respect to her opponents, including us on this side. She has personalized this debate, and at no place is that more obvious than when she stood in this place and issued charges of homophobes against her opponents and repeated those comments on air in the media. That was not a good day for me as a member of this Chamber. That was not a good day.

And, Mr. Speaker, there's many places in which this minister could have chosen a different path, a path that would have brought Manitobans together, a path that would have fostered understanding and empathy. She chose a different path, and I'm disappointed that she did so.

We heard the Catholic Civil Rights League tell us recently, listening is an act of love and listening is the doorway to everything that matters. I would charge that the minister has not listened, but I'm going to leave the final comments in this very, very long debate we've had to a gentleman by the name of Robb Nash, who's the founder of the Robb Nash Project, and he issued—he put out an op ed early in the debate and I kept that article. I carried it with me, and what I liked about Robb Nash's article is that he talked about how bullying originates from the differences between us and how naming and highlighting that difference can be fuel for the fire. Robb Nash says this: We need to treat each other well, no matter our differences. We should look for

common ground, celebrate our sameness, the things that make us all human. We should teach empathy and compassion and tolerance.

We can't legislate this problem away. Laws forcing us to join this group or that, identifying us with what makes us different will most likely result in more stories like the one above referring to a situation in which a girl was bullied.

Define the nature of bullying and let school staff, parents and schools—students know that if your caught doing these things there'll be clearly spelled out consequences.

Bill 18 as written is not the answer.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I support this bill. It is time we have strong legislation in Manitoba to protect children from bullying while they're in school.

Going back to the healthy kids task force when a number of people from all the parties, MLA's, toured the province. One of the things that we heard then was concerns about bullying. In the Liberal minority task force report we wrote of the need to address bullying and to reduce bullying or eliminate bullying to help children in our province grow up and be able to learn.

So I support this bill because it is needed.

At the committee, when we sat evening after evening, there were incredible number of sad stories from so many people who had been bullied. And interestingly, Mr. Speaker, some who went on from that experience to be bullies themselves to try and protect themselves. It's a sad, vicious cycle.

And what was interesting is that everybody who came there was against bullying and wanted to reduce bullying. It didn't matter what side of the fence they were on in terms of some of the issues that we discussed. And I think that shows the strong feeling in the province that there is to reducing bullying here in Manitoba.

I think one of the things that the heavy debate may have accomplished is actually creating a much greater awareness of bullying as a problem, and I think in that sense that the people who came out and presented at committee are part of building that awareness, that understanding, the understanding of the problems that bullying can cause inside, the problems for learning, the problems for people, children growing up.

And so, Mr. Speaker, I hope that not only would this bill, but as result of the debate and discussion we have had, we can move to a new and more tolerant environment one which is less accepting of bullying and will stand up and reduce and hopefully eliminate bullying.

I'm going to comment—and I think it's fair that some of the approach taken on both sides by the NDP and the Conservatives toward this bill has been more divisive than it needed to be. I would have—think it would have helped, in my view, for example if the NDP had after listening to more than 250 people with concerns even made some small changes to the bill to enable all the people who read the bill to see it as more inclusive than many saw it when they came to present.

Now that wasn't the path that was chosen but I think that we have now the challenge of bringing the divides together. If bringing the unity that was there in that committee against bullying, the unity and the effort to reduce bullying and eliminate bullying together—and I hope that out of this effort some of that unity and some of that combined approach to reduce bullying can come.

You know, I think as members know it is my view that we have together another step in this journey to go. I believe that freedom from being bullied needs to be fully acknowledged as a human rights in our Human Rights Code, that we need to extend the protection in schools to the protection outside of schools to all Manitobans. I believe this is possible and we had a healthy debate when I introduced Bill 212 on this subject.

\* (16:40)

I know that other MLAs are not yet ready to go in that direction or to take that step. Right now, bullying under the Human Rights Code is more narrowly defined than bullying is under Bill 18. Right now, bullying in the Human Rights Code is only a problem or a prohibition when it is seen in the context of discrimination or bullying in the case of differences in race or religion or sexual orientation.

But we can go further than that. We can have the same definition of bullying that we have in this act—in the Human Rights Code so that we have one for all. That, as adults, we should be subject to no less a prohibition against bill-bullying than our children will be in schools under this act.

Now, we may not be ready to take that step today. But I hope that we will be at some point in the

future. As we move toward a society and a province which is less tolerant of bullying, a society and a province where people can be diverse in whatever way, but can be free from bullying and harassment so that we can grow together and prosper together. And I believe in doing this, that we can address some of the other problems in our society: of violence. We have, sadly, a history of being a province where rates of violent crime and of homicides are higher. And, if we can start by addressing in a better way and improving how we address bullying, I think it's going to be a start to improving how we address some of these greater problems as well.

So I think this is one of the accomplishments of this session, and we should recognize that. I want to thank the NDP for bringing this forward, for the member for St. Vital (Ms. Allan) and for her efforts, which, I know, have been very considerable. And I want to recognize how careful she was in the committee to be polite to people, to recognize whatever their divergent view was. And I think, you know, notwithstanding some comments from—that have been said earlier, that the member for Steinbach (Mr. Goertzen) and the members, all the members who were there, were—came there to listen and to be polite and to be respectful, and the framework, the mood, the atmosphere in that committee meeting was a respectful atmosphere. And that's something that we can be proud of and that we can hold up, not only here but to the rest of the province and the rest of the world.

Thank you.

**Mr. Wayne Ewasko (Lac du Bonnet):** I just paused for a few seconds there to see if anyone else on the government's side was going to stand up and put a few words on the record for or against Bill 18.

It gives me great pleasure again, as I have a couple times earlier today put on the record, to stand up and make a few comments in regards to Bill 18, The Public Schools Amendment Act, brought forward—safe and inclusive schools, by the way—brought forward by the minister from St. Vital.

I know, Mr. Speaker, that the last 17 years before I received this great nod from my constituents to become their MLA, 17 years in the school system, and then, of course, a few more before that, growing up and going through the school system, of course, through education, as we all have, and my last eight years in the school system, I was guidance counsellor and spent many, many, many meetings with students on various topics, and, of course, bullying is one that

it's a tough go. It's a tough hurdle that kids and students and the like have to go through.

It's saddens me a little bit that we're here today—and we are; we're a tad divided on Bill 18. That being said, everybody that I had either heard at committee on Bill 18 or through—I read Hansard or written submissions or the emails that I received from constituents, from constituents, from people from across the province, speaking to my own past co-workers and colleagues, and not only teachers, but administrators and superintendents, educational assistants, custodians. I, too, spent some time doing some research on bullying and the thoughts and feelings of Bill 18.

The part that saddens me, Mr. Speaker, is the fact that we're here today, we're—Bill 18 is obviously going to pass. And, that being said, when a bill comes into the House, my past experience and the research that I've done is, technically, bills should be researched ahead of time. You should be having—going through the consultation process with various stakeholders and basically developing a bill because this is going to be law. I really don't feel that those consultations had happened, enough of it, anyways. I know that the minister had put on the record that she had consulted with various different stakeholder groups and many, many schools across the province. And I—going to have to take her for her word at that. I don't know otherwise. I know that she also said that she consulted with the Manitoba Teachers' Society and also with 15,000 teachers. I know that, not on Bill 18 nor on Bill 20 with the PST, had she done that with the 15,000 teachers, because there's many, many, many teachers that I think are not giving the—being given the chance to say what they have to say. Because it's those teachers and it's those staff that I mentioned earlier—bus drivers—you know, I almost forgot the bus drivers for goodness' sakes. I mean, we're talking people who, on a day-to-day basis, pick up our kids, take them to school, teach our kids, and they have those connections with those kids and we need those people to be part of the team to try to squash bullying.

Now, day in and day out, I kept hearing from this minister about these consultations and the fact that she put on the record that she was not going to accept amendments to this bill. Now, I don't know if she quite said it, but, obviously, she thinks that this bill is a perfect bill and we're going to be moving forward. And she said, again, that on the nine amendments that the member from Steinbach had brought forward, she was going to continue to talk

with stakeholders and come up with a plan. What's disheartening to me, Mr. Speaker, is the fact that not only on Bill 18 is this happening, this is happening in other bills. Why is this after the fact, are we going and having these conversations with these stakeholders? I don't quite understand their thought process on that.

But what does worry me is that, after the fact, a year from now, as the member from Steinbach had mentioned earlier, are we going to be standing in this Chamber trying to figure out what other piece of legislation we're going to do for antibullying, because there's certain pieces in Bill 18 that are missing. I know that some of the amendments talk about getting data and getting stats. I know that I've asked, and I've heard the member from Steinbach ask on more than one occasion, what are the stats? What are the Manitoba stats? Where are they? During committee, we talked—they—a lot of—a few of the presenters brought in stats from Toronto, different percentages and why these students are being bullied. I asked the minister: Do you—what are our stats? And she either doesn't have them or refuses to share them.

\* (16:50)

I know for a fact, Mr. Speaker, at École Edward Schreyer School we collected bullying stats. We collected the information when students were sent to the office. Where's that information going? Why is this government wasting people's time if they're not going to be using it? This is information that I think—not I think, I know would be very worthwhile when we're coming to situations where we are passing laws in this province. There is quite a few communicators on that other side of the House that we've talked about quite often. Why are these people not asking for that information and then taking that information and developing bills? What is the point of having people come to committee, which is the democratic process—first reading, second reading, go to committee, listen to what the public has to say, but she's not hearing them, not one amendment. And whether it was totally against—whether these presenters were totally against this bill or not, they all shared the same view—they really did—we're all not in favour of bullying. And we want to squash it, but there's definitely things in Bill 18 that need to be changed and tweaked, which isn't going to happen. She says she was listening, but she wasn't hearing anyone.

As the member from Morden-Winkler had mentioned, in regards to some of the comments of some of the people on the government side of the House, one thing that worries me, Mr. Speaker—and I'm just going to read a quote because I know that the minister from Thompson earlier on, in an earlier bill, had put quite the things on the record, and I know the minister—you know what? I'm not going to argue that that wasn't necessarily her own speech that she read, but I'd just like to say a quote that the Minister of Education (Ms. Allan) had said earlier on this year. She said, some of the members across the way—quite frankly, I would have say there is still homophobia in our society and I'm seeing it across the way. This is what the Minister of Education had said.

Mr. Speaker, the definition is too broad, and I know you've heard that quite a few times. There's too many possible 'oopses' that can happen with that definition, for the lack of a better word. The consequences in the process is missing. Some of the amendments that were tabled today, I think, could have definitely strengthened this bill.

In closing, Mr. Speaker, I'm not going to be voting in favour of this bill, because I do truly feel that the public and thousands and thousands of teachers and other staff members who deal with the—with our students on a day-to-day basis have not been heard or even listened to and, in some cases, were told, thou shall not show up to committee for fear of some sort of repercussions. That is not the way that democracy works.

So I'm really hoping that the quote from the minister, that she does not paint me with that brush when I vote against Bill 18 because I feel it's not strong enough, because, to take a line from the Finance Minister, I would put my record—

**Mr. Speaker:** Order, please. I hesitate to interrupt the honourable member for Lac du Bonnet, but there is an agreement to interrupt the proceedings at five to 5.

**Mr. Kelvin Goertzen (Official Opposition House Leader):** Mr. Speaker, pursuant to the comments from the Government House Leader (Ms. Howard), could you canvass the House to see if there's leave to not see the clock until the question has been put on Bill 18 in concurrence and third reading.

**Mr. Speaker:** Is there leave of the House not to see the clock until the question on the motion on concurrence and third reading of Bill 18 has been put to the House? *[Agreed]*

The honourable member for Lac du Bonnet, to continue with his comments.

**Mr. Ewasko:** So, thank you, Mr. Speaker, and thank you for the rest of the House for giving me leave.

The last thing I did want to put on the record was, again, with the Minister of Education's (Ms. Allan) comments earlier on in the year talking about homophobia and how she sees it across the way. When I vote against Bill 18, because I truly feel that it isn't going to do what it needs to do because of the unaccepted amendments, and to take a line from the Minister of Finance (Mr. Struthers)—this is where I was going—I'd put my record up against hers any day, Mr. Speaker.

Thank you.

**Mr. Kelvin Goertzen (Steinbach):** I want to thank my colleagues, the member for Lac du Bonnet (Mr. Ewasko), the member for Morden-Winkler (Mr. Friesen), public school teachers, both of them, who have distinguished careers and—for speaking on this—distinguished careers in the public education system. They're working on distinguished careers in the public service here in the Legislature, and they're both off to tremendous starts. But I want to thank them both for their comments on this bill.

I think the overwhelming feeling that I have today is one of missed opportunity and, as I've looked around the different jurisdictions in North America on their antibullying bills—and it'd be certainly before Bill 18 came forward. I hadn't had the opportunity to see very many of them, and when I had the opportunity to read, now, literally, dozens of them, I was impressed, and there are some good initiatives out there. There are some very good pieces of legislation out there that are making a difference, never will eliminate bullying entirely, Mr. Speaker, but are making a real difference.

And my hope was that the debate that we would have around Bill 18 would be one that we would all agree that protecting all kids is important and that we could learn from the different jurisdictions that have already experienced different sorts of things and have experience in different pieces of legislation. And so the—our caucus brought forward some of those ideas in terms of trying to strengthen this bill because this is, from what I was—been able to look at different jurisdictions, the weakest antibullying bill in North America.

So we wanted to have amendments to try to ensure that we could do something that would

protect as many kids as possible, that would be there to protect all kids. So we brought forward amendments this afternoon, you know, some very common-sense amendments. And I suspect that if we went out on Broadway avenue, still now at this time at 5 o'clock, and we asked people whether or not it made common sense to ensure that there was a report on how much bullying is happening in the province of Manitoba to see if things were improving, I suspect that the most people would say yes. I guess, that if we talked to people and we said, do you think there should be consequences put into an antibullying bill for bullying, I suspect the mass majority of people would say yes. I don't think there'd be any question. I suspect that if we asked them whether or not there should be consequences for a retaliation against somebody reporting bullying, I think most of them would say yes.

And then we asked them whether or not there should be an opportunity for students in this day and age to be able to report online bullying, the vast majority would say yes. In fact, at the presentations, the hearings, both those opposed and in favour of Bill 18 agreed to that resolution, and yet this government voted it down. And I think that most people would be—well, the minister is shaking her head, but I saw her vote and she voted it down. And so maybe she doesn't know what she voted for.

\* (17:00)

But, Mr. Speaker, I know, when you look at those amendments, they're common sense. They're common-sense resolutions that are—seem to work in other jurisdictions, that are effective, experts say, in reducing bullying, and yet this government said no. They said no to them. They didn't want to do things that would protect more kids and all kids. And that is very, very troubling.

It makes you wonder why it was, in fact—the member for Morden-Winkler (Mr. Friesen) says that the minister called it gutting the bill. Her definition of gutting the bill is giving kids an opportunity to report bullying online. Her definition of gutting an antibullying bill is having consequences for bullying. Her definition of gutting an antibullying bill is ensuring that if you are a teacher, that you would be protected. Her definition of gutting an antibullying bill would be if you reported bullying, that if there was any retaliation against you, that you would be protected. I can't believe it that that's her definition of gutting an antibullying bill. I mean, that's the definition of an antibullying bill—is to have those sort

of things in an antibullying bill, Mr. Speaker. It's remarkable that the Minister of Education (Ms. Allan) would actually utter those things.

In fact, what's she's done is she's brought forward false hope, because I know that there are kids out there who need protection—and we heard from them—who now believe that there's going to be something and there's not. This bill will not protect the vast majority of kids who are being bullied today; we know that. We heard from them at committee, Mr. Speaker.

And so I feel that this is a missed opportunity. You have to wonder why. How did we get to this point? Well—and I think it started, not a number of months ago when there was an information meeting, Mr. Speaker. There was an information meeting in the community that I represent, and 1,500 people eventually showed up to hear about the bill. Very few knew about it at that point. I know there was some MLAs there. The Minister of Education was invited. She was invited to come to that meeting. And her staff phoned up and said, well, I'm not coming unless I can talk to people. I want to tell them why they're wrong. And the person said, well, actually, we're not allowing politicians to speak. It's just an information meeting. We've—not allowing any politicians to speak. And she said, well, then I'm not coming; I don't want to come and listen. I want to tell people why they're wrong.

And I should have known, at that point, where this was going, Mr. Speaker, that the minister wasn't actually interested in listening to anybody. She was interested in telling people why they were wrong. And so she wouldn't come—she wouldn't come. Now, she talks about, oh, well, she was very pleased to meet with the Hanover School Division, for example, but she wasn't pleased to meet with 1,500 citizens that probably represented much of southeastern Manitoba. She wouldn't come—why?—not because she wasn't invited to come, not because she wouldn't have been welcome to come, because she couldn't speak. She couldn't tell people why they were wrong. And I suspect that's how this bill is developed, is because she absolutely wouldn't listen to people.

And so, with the amendments, common-sense amendments, amendments that are represented in provinces that are governed by Liberal parties, represented in provinces that are governed by Conservative parties, even represented by provinces that are governed by New Democratic parties, she shot them all down because she simply, I think, is

too 'proudful' to take any of those amendments, because she doesn't want to listen to anybody.

But the problem is she's not actually hurting us; she's hurting those kids. She's hurting those kids who needed a bill that was actually going to protect more people.

On the definition, I appreciated the Minister of Justice (Mr. Swan), who, a few days ago, in speaking to this definition, said he wouldn't want it applied to him. He said it was too broad. He said, you know, if you'd go to a football game and somebody said something negative about you and it hurt your feelings, well, that would be ridiculous. He said, I wouldn't want that defined as bullying. And then he went out into the hallway and he changed his mind and he said, well, I meant that for adults, not children. He said, I wouldn't want—as adults shouldn't have to live by that definition, but children should. Well, Mr. Speaker, if it doesn't work for adults, it's not going to work for children, and I don't think you should be applying something that you think is not fair for adults and apply them to kids.

And so we have this sense of false hope. And I listened to so many presenters at committee, and I appreciate my colleagues who joined me on committee. And, Mr. Speaker, those are some pretty heartfelt presentations, probably the most emotional presentations that I have heard at any committee that I've ever been involved with in my time here in the Legislature. And we heard from so many young people, so many brave young people and those who were bullied as youth who came forward, and a lot of them started off with this phrase: I've never told this story before. And then they told a heart-wrenching story of being bullied, and there were a lot of tears in that committee. And the minister's right: it was a safe place because it was an all-inclusive place. It wasn't labelled; it wasn't—you could—anybody could come and tell their story.

And it was interesting because so many of them who came and they said, you know, we had a hope—because they were bullied—we had a hope that this was going to be something that would help us now or would have helped us at the time we were being bullied. And they said it wouldn't and they were so disappointed because they knew they were victims of being bullied, they knew how important having a strong antibullying bill would be, and yet this wasn't that for them.

I don't think I've ever seen in my time here in the Legislature a bill that was supposed to be there to protect somebody and then over 80 per cent of the people who it was supposed to protect came out to a committee and said, we're opposed to the bill. I mean, that's remarkable, Mr. Speaker. You would think the strongest advocates of an antibullying bill would be those who are being bullied currently or the kids who were being bullied in the past, and yet the majority of them came out opposed to the bill because they said, it wouldn't have helped me, it wouldn't have made a difference for me. That's remarkable; that's a very strange thing.

Now, we had a number of specific presentations, and I appreciate my colleague from Morden-Winkler talking about some of them. I'll just go through a couple of them that I wanted to highlight. We heard from Carla Anne Coroy. And Carla Anne gave a very good presentation, and she talked about how she—when she was a young person, how she was bullied because of how she dressed—because of how she dressed. We know in surveys that that's not an uncommon thing for people to be bullied. And she said, you know, one day during class when the teacher stepped out of the room for a minute, a girl offered to teach me how to dress like a real girl, and the class erupted in laughter. The comments hurt, and although I held back the tears until I got off the bus that afternoon, I spent the time between then and supertime in my room crying.

And she said, why won't this bill have protected me or kids who are now going through that kind of bullying today? She said why wouldn't we have an antibullying bill that would protect her, and she said it was like being victimized a second time because first she was victimized by the bullies and now there was this false hope brought forward by legislation that didn't provide protection from hurt.

We heard from David Grienke, who talked about how he was bullied as a result of his height and the fact that he wasn't as tall as the other kids. Body type, body image—one of the most common reasons for being bullied. And he was representative of many, many young kids who came forward and adults who were bullied for this reason as young people. And he said, why can't we have a bill that would protect someone like me? And he felt that he was being victimized again because we had an antibullying bill that wouldn't have made a difference for him, Mr. Speaker.

We heard from Brad Kehler, who provided a presentation that talked about his son, Graeme Kehler, who's in middle school in grade 8, and his son is smaller than many of the other kids. And he said, why is there no protection in Bill 18 for my son? As a parent, why does he not have that protection, Mr. Speaker? And that's a good question, and I'll be—it'll be interesting to send him the amendments that we put forward and to tell him that the minister thought that those amendments were gutting this bill.

We heard from Charles Kehler, who came forward and talked about his experience of being bullied in school. And he said that one day his head was slammed into the thermostat in the locker room and the kids were kicking his groin because he just didn't fit in. And he was very emotional as he said, why is it—why is it—that you didn't bring forward a bill that would've included me, that would've protected me, that would've had measures in there that would've protected me? Now, he also felt that he was being victimized again because there was a bill that was purported to have done something to help him but wouldn't have, Mr. Speaker.

We know in looking at some of the different presentations, one of the most emotional ones we heard was from Marianne Curtis. I believe she is a constituent of the member for Dawson Trail (Mr. Lemieux). And she works for the Dawson Trail Dispatch. She's a reporter. She's an author; she wrote a book. My colleague from St. Paul is reading, it's called, Finding Gloria. Very emotional presentation. And in the presentation she talked about—and she wasn't speaking about any of the other issues of the bill; she wasn't talking about the issues of the GSA at all. She was talking about how she was abused as a young person, Mr. Speaker.

\* (17:10)

Now, I just want to read a little bit of the presentation, and I can't do it justice in terms of how she presented it, but I want to read what she said. She said: I was punched. I was hit. I had my hair cut off. I had my clothes torn or stolen. I was stripped naked by my classmates and mocked for being bruised and skinny. I was bullied off a high diving board and almost drowned. There were boys who got sadistic pleasure out of punching me until I cried every single day. They'd steal my meagre lunch and stomp or spit on me; once, it was swapped out with dog feces. I've been deliberately pushed down stairs at school. I was locked in a closet and I'd miss the bus. I was

pushed into traffic. I had school projects, textbooks, homework, library books destroyed by classmates because they could get away with it.

And all she wanted—all she wanted—was the Minister of Education (Ms. Allan) to put forward a bill that would have not protected her—you know, the amazing thing about her and so many others was they said, you know, my school years were awful. So many of them said that it was terrible for them to go to school, but they wanted—they came forward and told stories that they'd never told before, many of them, because they wanted the Minister of Education to listen, to actually listen, and to put something and to build a bill that would protect not them—because it was too late for them—but people like them. I mean, that takes the ultimate courage and that takes the ultimate heart, because their torment, in terms of their school years, was over. They came for somebody else. They came because—for people they didn't even know, for faces they'll never even see. They came to try to help somebody like them.

And I think they came believing that the Minister of Education might listen, and I didn't raise the issue about how she refused to come to a information meeting because she wasn't allowed to speak and wasn't allowed to direct people and tell them why they were wrong, because I was hoping—I was still hoping—maybe I'm naive sometimes, Mr. Speaker, but I don't mind being a little naive. I was hoping that maybe she was—*[interjection]* Well, I'm sorry that the member for Thompson (Mr. Ashton) doesn't think that Marianne Curtis's story is serious, but I think that it's a very—*[interjection]* Well, you know, it's 'terrib'—*[interjection]* It's unfortunate to experience bullying—

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

I'm pretty sure honourable members know my feelings with respect to having a respectful workplace, and I have said this, I'm sure, a dozen times if I've said it once. And we were doing exceptionally well today, which I am really proud of, but I'm asking for the co-operation of the honourable Minister of Infrastructure and Transportation (Mr. Ashton)—in fact, all members of the House—to allow the debate to proceed in a respectful manner.

We may have our disagreements in this House, but I am sure honourable members would want to be able to hear the speeches that are ongoing, and then they, too, will have their opportunities to add comment to the bill that's before us.

The honourable member for Steinbach, to continue with his comments.

**Mr. Goertzen:** Thank you, Mr. Speaker.

And so Marianne Curtis and others like Marianne came to committee hoping that the Minister of Education (Ms. Allan) was listening, and they did so for others, as I said, others that they will never meet, others that they will never know, but because they were hoping that what they experienced was something that could be prevented in the life of another young person. And I think that they came forward with—hope might be too strong a word, Mr. Speaker, but I think they felt they needed to do all that they could to try to convince this minister that this bill wouldn't have helped them. And so they presented very emotionally, they presented very respectfully, and they presented in a way, I think, that moved so many of us. But at the end of the day, all they wanted was a bill that would've protected them but, looking forward, would protect kids today. And that's the missed opportunity, because that's not what we have—that's not what we have.

And so, Mr. Speaker, in a year from now, we will hear from kids like Marianne or like Carla or like Brad's son, and they'll be coming to us and saying, we're still being bullied and we thought that there was something in place, their thought that there was something for us.

And, as legislators, we can have this division between them and us, and the minister can try to play her politics of division, but at the end of the day, Mr. Speaker—at the end of the day—in a year from now, when those kids are still being bullied—and she knows they're still going to be bullied—she knows that. All members know that, and we'll bring the examples and we'll have that discussion, I guess, in a year from now.

But, Mr. Speaker, the problem is it's such a missed opportunity. We had such a good chance to put forward a bill that would've actually helped kids, that would've actually included all kids. It would've been inclusive and protected all of these kids who say they are getting bullied for language; because they're getting bullied for dress; because they're getting bullied for academic performance, either they're doing too well or they're not doing well enough; or those who are getting bullied because of height or weight; or some of them who are getting bullied and they don't even know why they're getting bullied, they're just getting bullied; some of them are just new to a school, and yet the government didn't



see fit to try to work and do something to protect them, and they victimize them a second time.

I want to say—before I conclude, I want to say a special thank you to those teachers who did come to committee, because we know that they were under pressure not to. We saw the emails—we saw the emails. You know, I'd be happy to show them to you. And we know that they were encouraged, if they were going to speak against the bill, not to come. Now, that's not democracy in my estimation and that's not what we would encourage for our education system. It's not right. But some of them did. Some of them came despite that, and each of them—when I talked to them after, each of them said, this is hard, because they didn't know if they would face repercussions for coming to speak. It shouldn't happen that way.

In fact, we had to have one individual who spoke as a proxy. We had a teacher who had made it clear that they were going to come and do a presentation, and they were discouraged from doing that. They said, you shouldn't come because it might not look well for you. So they had somebody go and do it as a proxy and speak.

And I want to give credit to a lot of those teachers who did come out and who, like Ed Hume, who said he was a teacher for 39 years and said, this isn't going to protect kids; Jennifer Kramer, both a parent and an educator, and said, ultimately, this isn't going to protect all kids; Cheryl Froese, who came out and said, it's not going to protect all kids, it's not going to protect teachers. I want to give them special credit because they, in some ways, were being bullied themselves. But they decided to take a stand for all those kids that they care about in their schools and in the education system, and I am proud to say we will stand with those teachers—those teachers who wanted to have a voice, those who came and those who weren't able to come because they thought that they were being intimidated not to. And we'll stand with those kids who came and said, this wouldn't help me, and those who couldn't come for whatever reason or were too scared to come.

And we'll stand with the adults who came and gave their story and said, we want something that would've helped us. We're willing to do this for people we've never seen, people we've never met, people we may never know, but we're willing to tell a story we've never told before, that we held in our hearts for 20, 30, sometimes 50 years—they were willing to do that. And all they wanted was a

Minister of Education (Ms. Allan) who would listen to them; that's all they wanted—that's all they wanted—was a Minister of Education who would listen. And they didn't get that, and many of them feel that they've been victimized again.

But we will stand with them and, given the opportunity, somewhere down the road, we'll bring forward legislation that will protect all kids, that will do things like we've talked about this afternoon and do more, because kids, Manitobans who've been bullied in the past and who are brave enough and teachers, deserve that, and they're not getting that from this government. So I will proudly stand with them and all those brave men, women, children, teachers—those who came and poured their hearts out to a government that turned their ears off to them.

**Hon. Jennifer Howard (Minister of Family Services and Labour):** I'm going to put very few words on the record regarding this, and I wasn't going to speak because I think that the Minister of Education (Ms. Allan) said everything that—

\* (17:20)

**Mr. Speaker:** I forgot to indicate—or interrupt the minister. You—the—you've introduced the motion, so you've, in essence, spoken to it already, so you'd need leave of the House to be able to continue with additional remarks.

**An Honourable Member:** I would ask leave of the House to continue to speak. I'm only going to speak for about five minutes.

**Mr. Speaker:** Is there leave of the House to allow the minister to speak for a few moments to this matter? *[Agreed]*

**Ms. Howard:** I've learned a new rule every day this session, and the last day should be no exception.

But I just want to briefly say a few words, and I wasn't going to, and it turns out probably I shouldn't have, but I do want to commend the Minister of Education (Ms. Allan). Few people know what a long and difficult road this has been, and few people will ever know, for those of us, I think, in elected life, sometimes, the challenges that we face when we're bringing forward legislation that we feel passionately about and that is controversial, and that takes courage.

And, Mr. Speaker, one of the things during the committee debates that I was reminded of is in some ways a similar discussion, in some ways a different

discussion that I was involved with about 15 years ago at the first—at Winnipeg School Division No. 1 in—when, in all the optimism of youth, I worked with Kristine Barr, who'd have been—just been elected, and she brought forward a resolution to start having some discussions in classrooms about antihomophobia education. And we were, I guess, in our 20s and so we thought, hey, this makes sense, no problem, Bob's your uncle, we'll introduce this motion and everything will be great.

Well, after that, there were months and months and months and months and months and months of public meetings where people came out to oppose this idea, and people came out to support it. And they were hard meetings, and they were hard discussions. And I remember one day that—when we went back to our car, being followed back to our car by somebody who—I don't know what their intent was, but certainly was not supporting us. And I hustled Kristine into the car as she was continuing to try to engage in debate and convinced her that this was probably time to leave.

So many of us in this Chamber, I think, have known times in our life when we've been afraid to do the right thing, and that's okay. It's okay to be afraid. But it's not okay to stop because you're afraid. And this Minister of Education (Ms. Allan) has never for one moment stopped her fight so that all kids can be safe in school.

And, you know, as a House leader, some of my members are spicier than others, and that can be a challenge, but I always have known that the Minister of Education, where her heart is on this matter.

And I know that members opposite know this, despite what they say: this bill protects all kids, it protects every kid. It's going to protect my kid when he goes to school and it protects their kids who are in school now. It protects all kids. I know that they know that and in a different day and a different time, maybe we could have a less partisan discussion about it, and I look forward to that day. They know it protects all kids, and that's what this Minister of Education is about, is trying to protect all kids.

Is this the last word ever on this issue? No. There's much more to do—there's much more to do—to prevent bullying. But I know now, as I knew 15 years ago, that part of preventing bullying is creating a safe place for all kids.

And right now we have kids in our schools who are coming together with tremendous courage. I have

seen few things as moving as when Evan Wiens came to speak to us about starting a gay-straight alliance in his school and the opposition he went through and, at 17, showing the kind of courage that he did. There are students in every school in this province, and you know what they want to do? They want to come together and have a meeting in a classroom and talk about how to fight bullying, and that's what this bill will ensure. And how anybody elected to any Chamber, any office in this country could say they're opposed to kids coming together in a classroom to fight bullying is beyond me.

So I'm looking forward to this vote, Mr. Speaker. It's been a long, long journey. But I wanted to say personally how much I've appreciated the Minister of Education's (Ms. Allan) tenacity on this, her courage on this, her perseverance and her never giving up for a moment.

We heard at committee from several people who told us that had this bill in place when they went to high school, they would have had an easier time. We had somebody come to committee and put on the table the suicide note that they wrote at age 16 and tell us that they were saved because they had a teacher who had the courage to take on homophobia in that classroom. And this bill will make that a little bit easier.

And I can't think of what I got elected to do that is better than the vote that we're about to have. Thank you very much.

**Mr. Speaker:** Any further debate on this matter?

**An Honourable Member:** Question.

**Mr. Speaker:** House ready for the questions now, so we'll now proceed to the consideration of the defer—*[interjection]* Okay. My apology to the House.

We'll call Bill 18 now, The Public Schools Amendment Act (Safe and Inclusive Schools).

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

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

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

**Voice Vote**

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

**Some Honourable Members:** Aye.

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

**Some Honourable Members:** Nay.

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

#### Recorded Votes

**Mr. Kelvin Goertzen (Official Opposition House Leader) :** Recorded vote, Mr. Speaker.

**Mr. Speaker:** Recorded vote having been requested, and as previously agreed, we'll add Bill 18 to the matters that had been deferred, and we'll now proceed to consideration of the deferred votes for concurrence and third reading motions.

As was also previously agreed, the bells can ring for up to one hour on the first concurrence and third reading motion, and the following—and following completion of that recorded vote, all subsequent deferred recorded votes are to be completed without further bell ringing.

To advise members, we have five recorded votes on the following concurrence and third reading motions: Bill 33, Bill 31, Bill 34, Bill 37, followed by Bill 18.

#### **Bill 33—The Municipal Modernization Act (Municipal Amalgamations)** (Continued)

**Mr. Speaker:** We will now proceed to the recorded vote on the first deferred concurrence and third reading motion, for Bill 33. Call in the members.

Order, please. We'll now proceed to the deferred votes on concurrence and third readings of Bill 33, The Municipal Modernization Act (Municipal Amalgamations).

#### Division

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

#### Yeas

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

#### Nays

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

**Clerk (Ms. Patricia Chaychuk):** Yeas 35, Nays 17.

**Mr. Speaker:** I declare the motion carried.

#### **Bill 31—The Workplace Safety and Health Amendment Act** (Continued)

**Mr. Speaker:** We'll now proceed to the next deferred vote on concurrence and third readings, Bill 31, The Workplace Safety and Health Amendment Act.

#### Division

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

#### Yeas

*Allan, Allum, Altemeyer, Ashton, Bjornson, Blady, Braun, Caldwell, Chief, Chomiak, Crothers, Dewar, Gaudreau, Gerrard, Howard, Irvin-Ross, Jha, Kostyshyn, Lemieux, Mackintosh, Maloway, Marcelino (Tyndall Park), Melnick, Nevakshonoff, Oswald, Pettersen, Robinson, Rondeau, Saran, Selby, Selinger, Struthers, Swan, Whitehead, Wiebe, Wight.*

#### Nays

*Briese, Driedger, Eichler, Ewasko, Friesen, Goertzen, Graydon, Helwer, Mitchelson, Pallister, Pedersen, Rowat, Schuler, Smook, Stefanson, Wishart.*

**Clerk (Ms. Patricia Chaychuk):** Yeas 36, Nays 16.

**Mr. Speaker:** I declare the motion carried.

#### **Bill 34—The Property Registry Statutes Amendment Act** (Continued)

**Mr. Speaker:** We'll now proceed to the next deferred vote on concurrence and third readings, Bill 34, The Property Registry Statutes Amendment Act.

#### Division

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

**Yeas**

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

**Nays**

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

**Clerk (Ms. Patricia Chaychuk):** Yeas 35, Nays 17.

**Mr. Speaker:** I declare the motion carried.

\* (17:40)

**Bill 37—The Emergency Measures  
Amendment Act  
(Continued)**

**Mr. Speaker:** Now proceed to the next deferred vote on concurrence and third readings, Bill 37, The Emergency Measures Amendment Act.

**Division**

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

**Yeas**

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

**Nays**

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

**Clerk (Ms. Patricia Chaychuk):** Yeas 36, Nays 16.

**Mr. Speaker:** I declare the motion carried.

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

*(Continued)*

**Mr. Speaker:** We'll now proceed to a deferred vote on Bill 18, on concurrence and third reading of Bill 18, The Public Schools Amendment Act (Safe and Inclusive Schools).

**Division**

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

**Yeas**

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

**Nays**

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

**Clerk (Ms. Patricia Chaychuk):** Yeas 36, Nays 16.

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order, please. Order, please. I declare the motion carried.

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**Hon. Greg Selinger (Premier):** Yes, Mr. Speaker, if I could just have leave, I'd like to make a few comments about this being the last session where the current member for River Heights (Mr. Gerrard) is the Leader of the Liberal Party of Manitoba.

**Mr. Speaker:** Does the honourable First Minister have leave to add some comments? *[Agreed]*

**Mr. Selinger:** And I know some comments were made earlier today, but this is the last session where the member from River Heights will be in the Chamber as the Leader of the Liberal Party. I'm sure he'll continue to be in the Chamber for a while yet and will ask us his usual wide array of interesting questions which keeps us working on this side of the House to come back with reasonable answers for him.

Mr. Speaker, the member from River Heights has been a person who has served the public in many roles over his career, first and foremost as a doctor, where he received his medical training not only at McGill University but in the United States, returned to Canada where he specialized in care of children, particularly with blood disorders and cancer.

And I can tell you that, in my own experience, I had some very close friends who lost a child to cancer, and Mr. Gerrard—Dr. Gerrard was their physician and he provided excellent care and they felt very well treated by him. So I think that speaks volumes about the public service he offered in that part of his career.

He did enter politics in 1993 and served as a Member of Parliament for Portage-Interlake and also played roles in the Cabinet as Secretary of State for Science, Research and Development as well as for Western Economic Diversification.

As Secretary for—of State for Science, Research and Development, he played a leading role in the Chrétien government's strategy for the Internet—which is something we take for granted these days, but in '94 it was an idea that most people really hadn't wrapped their mind around, let alone experienced—then to move that forward to help Canada become fully capable in that very important piece of infrastructure for communications that we know today.

As federal Secretary of State for Western Economic Diversification, he oversaw the expansion of the Community Futures development corporation network, which still exists in many parts of Manitoba and has played a very important role in creating economic opportunities at the community level, whether in the north or in rural Manitoba or, indeed, in some of the cities. And he also worked with Foreign Affairs Minister Lloyd Axworthy to ensure a secure transition of the Port of Churchill when it was put in the ownership of OmniTRAX, which is now still operating that facility in Manitoba.

\*(17:50)

He entered provincial politics in 1999 as the MLA for River Heights and has served continuously in that role as a member of the Legislature as well as the leader since that day. That is a long record of service. We have seen questions in this House on—with respect to the needs of children, poverty, environmental issues including the Experimental Lakes Area, and he's gone as far afield as dealing

with issues with respect to bees and apiarists, which we take seriously on this side of the House.

He brought forward The Apology Act in 2007, which allowed a person to make an apology without it constituting admission of legal liability, which has been an instrumental part of the way we've organized disclosure within the health-care system and critical incidents, to allow people to come forward and be able to acknowledge that errors have been made and then to find a constructive way to ensure that they don't happen again. And this is an important cultural change within our health-care system. He's brought forward bills dealing with greenhouse gas emissions, phosphorus removal from our waterways, tenants' rights, workplace health and safety, and many other health-related resolutions.

He introduced an amendment in 2010 which made it to second reading, calling on the Assembly to allow MLAs to communicate with their constituents through mail or other methods of delivery, something we still haven't fully dealt with. The member for River Heights (Mr. Gerrard) and I share a passion for academic material and evidence to help us inform public policy from time to time, and I would always—and still will—have many questions from him, and I think I will be receiving some volumes of information on certain subjects when I ask for it. And I haven't fully read all that material yet, but I will keep it and I will work my way through it, including some of the seminal writing on the impact of pests on the environment and the impact of pesticides, as well.

Throughout his time as leader, the honourable member for River Heights has fought tooth and nail for what he's believed in. He has been known for conscientious and principled opposition, as well as advocacy for certain positions. He has played the role as a public representative for well over 15 years now and he will continue to make an active interest in the cultural, political and social affairs of our community. And I can say this for sure, he's one of the most regular attenders at events around this city; he pops up everywhere. He may be a caucus of one, but his presence at community events would suggest that there are many member—more members of that caucus in terms of the number of events I've seen him at, including events in my constituency, for the Laotian community, for example. A small event, but a very important event for that community.

So, in conclusion, I'd like to commend the member for River Heights for his 15 years of service

as party leader and the contribution he's made and his family, his wife Naomi and his children, for the support they've offered him over that time. And we look forward to the remaining time he has in the Legislature and the contributions he can make to public life in Manitoba and the quality of life of all Manitobans. Thank you.

**Mr. Brian Pallister (Leader of the Official Opposition):** Having made earlier comments, Mr. Speaker, I would simply add to the Premier's (Mr. Selinger) well-worded comments and voice my admiration and respect for the gentleman who I referenced earlier. And I neglected to mention Naomi, and I should have, because I'm sure she'll have the benefit of a little bit more attendance at home from you, Jon, because, as the Premier had said, I noticed in a recent by-election approximately a year ago your presence just about every night at the doors.

And, of course, I admire, as we all do, hard work, and we all have respect here for the fact that you have worked in a challenging environment within your party and within the organization, and reorganizational challenges you've faced as the leader, and that is something to be admired as well. Your perseverance, your dedication, your sincerity, something we all respect, and we have the benefit of seeing it here on an almost daily basis, certainly over the last five months.

So I wish you all the best in the years ahead, and I would reserve—the opportunity, I hope, will come again where we'll have the chance to, in more detail, express our feelings for you, sir. I don't want you to confuse the brevity of my comments with the depth of my respect for you.

Thank you.

**Hon. Jon Gerrard (River Heights):** I want to begin by thanking the Premier and the Leader of the Opposition for their kind words, for, you know, it's been 14 years in the Chamber, 15 years as leader, and one of the wonderful things has been the, well, the camaraderie that's in here. We talk often about the divisiveness, but we don't always remember the camaraderie, and there is a lot of that here in one way or another.

This is, of course, the last time I will speak as the Liberal leader. It—I will be passing the torch on October the 26th to the next leader of the Liberal Party but staying on here as the MLA to support the new leader.

I want to pay a tribute to the Speaker, the Clerk, all the members of the Legislative Assembly staff, the pages, staff at Hansard, the library, staff in the finance department, who make sure that we're spending money wisely or as well—at least according to the rules, and the staff in human resources, who—and the security staff, who really make this a wonderful and marvellous place to be.

I want to pay a tribute, began earlier, to all of you as MLAs. You know, as the single representative for a fair bit of the time, and part of the time, of course, with Kevin, you know, for me to be able to do the job that I do depends on help, and from time to time, from many of you, in one way or another, reminding me about the rules and all sorts of other things, so I appreciate that. And it could be a much lonelier place if there wasn't some level of co-operation, and next door to me, I'm always getting advice; I don't always [*inaudible*]. There is a lot of co-operation that goes on here to organize the agenda, to, you know, get bills passed—sometimes faster, sometimes slower—to address resolutions, to address the major issues of the day, to have votes. And all this is vital and important for a democracy that we are in, and we need to be very thankful, when you look around the world at many places where they don't have the kind of democracy that we have here, that we're extraordinarily lucky to have this kind of democracy.

It's important that, as I speak, I pay some attention to my own staff. A lot of what I have done here would not be possible without them—at the moment, Mie Larsen, Bob Axworthy, Peter Koroma, Liz Gonsalves, Trudy Lavallee, Sonia Charran. You know, being able to talk on all the bills, to give member's statements, attend all the committees, get to various functions outside, be prepared for question period, you know, would not be possible without their efforts. You know, I believe that I've got the best staff anywhere. I'm sure that others would say the same, but I think that most people here who see what I do on a regular basis will recognize, and many have said that, that, you know, I've got a staff who's done an extraordinary job. And I want to thank them.

I also want to thank the Liberals around the province. I mean, one of the wonderful things about the Internet, of course, together with other forms of communication, is that it's very easy to stay in touch with people all over the province.

And, you know, the comments that I make every day here really depend critically, in many respects,

on the knowledge that Liberals in different parts of the province have. I mean, it's true that I visit and I get out to different parts of the province on a pretty regular basis, but, you know, when you're working with legislation, the expertise that I and my staff have is nothing to the cumulative expertise of people around the province who, many occasions, I've called up and sought advice from, and it's been tremendously useful.

\* (18:00)

I want to recognize, particularly this session but every session that I've been in, the House leaders, the MLA for Steinbach, the MLA for Fort Rouge, the Deputy Premier. I want to wish the Minister of Family Services (Ms. Howard) well in her wedding coming up and all the best for the future. I want to wish the member for Steinbach (Mr. Goertzen) all the best. I'm glad that he's decided to stay here instead of going to Ottawa.

There's, you know, a need to enable the work of this Chamber, and it happens and it happened well. It took a long time for us to get the agreement that we did, but I think, out of that agreement, you know, all of us in the Chamber got some particular things that we were concerned about. And, you know, I think that that speaks to the kind of agreement that we got.

And as a Liberal, you know, I was very happy to see Bill 18 passed this session. I think that's a step forward. But I was very happy to work with Conservative members on other bills, in opposition, for example, to Bill 33, the amalgamation, but at the same time be able to work on one particular area, making sure that Victoria Beach and Dunnottar were not subject to amalgamation, and for that I thank the minister.

I think we all can celebrate the success for Manitoba's children with the bill to achieve universal newborn hearing screening, you know, a bill introduced by a Conservative, seconded by a Liberal and which only happened because of the Minister of Health (Ms. Oswald) and the House leader in making it happen, so thanks to everybody.

You know, that bill has a special meaning and feeling for me as a pediatrician who cares for kids, but it also has a special meaning for me personally because my brother, Chris, was hearing deficient. And, you know, he—his hearing problem was identified earlier enough that it never became a speech impediment for him and—but at the same time, he has struggled all his life with, you know,

having to have, early on, hearing aids and he's got very good at lip reading and managing. He's had an amazing career. He's currently with the World Bank in Washington in a fairly senior role and doing some wonderful things for people around the world. But it's personal for me and, I think, for a surprising number of people who've got friends or relatives who've had hearing issues that we have succeeded in getting this bill passed.

I think the discussion which we've had today on some of the other issues, the—contributes to, you know, the progress. We may not agree with everything, but out of this mishmash of democracy comes the advancement of society.

You know, my concern, as I think people are well aware, as leader has been really, first and foremost, for children and families. I've talked on children's issues, probably, and health issues more than anything else, and this has been a fundamental issue.

It has been good to be able to work with others on various task forces. We had one on agriculture, we had—which we travelled the province when there were a lot of concerns. We had one that dealt with environmental tobacco smoke, and out of that came the banning of smoking indoors. We had one on healthy kids out of which came a lot of good things, didn't—I felt we should have gone further. You know, it was partly a plea from one presenter, Lisa Kehler, who was impassioned and pushed me to say that we need to go even further.

It's been rewarding being here. You know, I never expected to be alone so much of the time. It was wonderful to have Kevin here as a dogfighter beside me for at least two terms—or for most of two terms. I'm happy he's happy being a Member of Parliament now, and he's really enjoying that, but I miss him here.

You know, once I was—became leader, it was important to me to represent the Liberal Party and Liberals around the province, to represent a balanced position emphasizing entrepreneurship and jobs and the economy on the one hand, and financial management and wise spending, but on the other hand, social concerns, social well-being, epidemics of things like diabetes, nutritional deficiencies. It seems simple, but pretty important. The building, at the same time, on and strengthening human rights, we've been dealing with some of that this session. Caring for kids and families, being effective in raising the social well-being of all our province.

I believe in bridging some of the divides that we've had in the province. I spoke on one of the bills earlier about trying to bring people together, but north to south, east to west, people, immigrants, people from our indigenous population, we have a great province and it is this diversity which is one of the things which makes it really great.

You know, one of my great mentors—I took when I was in medical school, a short three-month period at a hospital, a pediatric hospital, children's hospital in London, and I learned from a professor, Dr. Soothill, and, you know, he was an amazing individual. He was a physician who had struggled all his life to become a physician because he was dyslexic, and he could understand and comprehend very easily something that he learned in oral communication, but he had extreme difficulty in reading anything. And for him to become a doctor, a physician, and very well known in his profession—he had done—and, amazingly, he actually sat on the entrance board at Oxford University, and he deliberately went through looking for people who were dyslexic because he thought if they got that far they should deserve to be in.

But the interesting thing was that he was a very creative scientist and he worked simply, but one of his real passions was this: at—you know, look where everybody else is going and then look in the other direction, because sometimes in the other direction are some clues and important things that others have overlooked that you can learn from and that you can benefit from, and sometimes those help you get to where you want to go.

I learned from many others. Sometimes looking where others are not going is not always good politics, but I think it can be important in paving a better way for the future.

I entered politics originally because I see—I saw then, and I still see the political arena as the place where some of the most important decisions affecting our whole society are made. I'm often asked why I gave up a respectable profession as a doctor to become a politician. But it was and is because the laws that we write here, the decisions which are made at the political level are so fundamentally important to everything else in our province and our world.

This is a place for improving the future for all. It is a place for showing leadership, whichever side of this Chamber you are on. It is a place to influence the

future of our community, our province, our country and our world.

I thank you all for what you do. In spite of what some people think, you know, the profession being a politician is really one of the noblest professions in the world, and one of the most important ones.

\* (18:10)

I'm going to back in this Chamber November 12th. I won't be the Liberal leader, but I do want to say thank you for what you do day in and day out, all of you, and for making my time here, as Liberal leader, possible. *[Applause]*

**Hon. Jennifer Howard (Government House Leader):** Oh, let's just keep going. Let's—I believe we're ready for royal assent, Mr. Speaker.

**Mr. Speaker:** All right, we'll now prepare for the arrival of His Honour.

#### ROYAL ASSENT

**Deputy Sergeant-at-Arms (Mr. Ray Gislason):** His Honour the Lieutenant Governor.

*His Honour Philip S. Lee, Lieutenant Governor of the Province of Manitoba, having entered the House and being seated on the throne, Mr. Speaker addressed His Honour the Lieutenant Governor in the following words:*

**Mr. Speaker:** Your Honour:

At this sitting the Legislative Assembly has passed certain bills, and I ask—that I ask Your Honour to give assent to:

**Clerk Assistant (Mr. Claude Michaud):** Bill 2—The Highway Traffic Amendment Act (Respect for the Safety of Emergency and Enforcement Personnel); Loi modifiant le Code de la route (sécurité de personnel d'urgence et des agents d'exécution de la loi)

Bill 10—The Correctional Services Amendment Act; Loi modifiant la loi sur les services correctionnels

Bill 18—The Public Schools Amendment Act (Safe and Inclusive Schools); Loi modifiant la loi sur les écoles publiques (milieux scolaires favorisant la sécurité et l'inclusivité)

Bill 21—The Highway Traffic Amendment Act (Impoundment of Vehicles—Ignition-Interlock Program); Loi modifiant le Code de la route (mise en



fourrière des véhicules—programme de verrouillage du système de démarrage)

Bill 23—The Highway Traffic Amendment Act (Increased Sanctions for Street Racing); Loi modifiant le Code de la route (sanctions accrues en matière de courses sur route)

Bill 31—The Workplace Safety and Health Amendment Act; Loi modifiant la Loi sur la sécurité et l'hygiène du travail

Bill 33—The Municipal Modernization Act (Municipal Amalgamations); Loi sur la modernisation des municipalités (fusions)

Bill 34—The Property Registry Statutes Amendment Act; Loi modifiant diverses lois relatives à l'Office d'enregistrement des titres et des instruments

Bill 37—The Emergency Measures Amendment Act; Loi modifiant la Loi sur les mesures d'urgence

Bill 40—The Residential Tenancies Amendment Act; Loi modifiant la Loi sur la location à usage d'habitation

Bill 204—The Manitoba Human Trafficking Awareness Day Act; Loi sur la Journée manitobaine de sensibilisation à la traite de personnes

Bill 208—The Universal Newborn Hearing Screening Act; Loi sur le dépistage systématique des déficiences auditives chez les nouveau-nés

Bill 209—The Special Olympics Awareness Week Act; Loi sur la Semaine de sensibilisation aux Jeux Olympiques spéciaux

Bill 211—The Personal Information Protection and Identity Theft Prevention Act; Loi sur la protection des renseignements personnels et la prévention du vol d'identité

Bill 300—The Brandon Area Foundation Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation « The Brandon Area Foundation »

Bill 301—The Jewish Foundation of Manitoba Amendment Act; Loi modifiant la Fondation dénommée « The Jewish Foundation of Manitoba »

Bill 302—Les Franciscaines Missionnaires de Marie Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation Les Franciscaines Missionnaires de Marie

**Clerk (Ms. Patricia Chaychuk):** In Her Majesty's name, His Honour assents to these bills.

*His Honour was then pleased to retire.*

*God Save the Queen was sung.*

*O Canada was sung.*

\* (18:20)

**Mr. Speaker:** Please be seated.

**Hon. Jennifer Howard (Government House Leader):** Motion to adjourn.

**Mr. Speaker:** Just prior to the motion to adjourn, I'd like to take this opportunity to thank some folks, if you'll indulge me. Speakers don't often get a chance to say much even though we have the title as Speaker, which is—seems strange to me.

But I want to start by thanking our Clerk, Patricia Chaychuk, and Rick Yarish and all of our table officers that we have with us here today.

As well, the Journals Branch folks, who do all of this work behind the scenes to make our lives a lot less complicated, as I know they do for me, every single day that we sit. And so I'd like to thank them very much for their work—so much that goes on behind the scenes.

Of course, a lot of the work that we do here, where, also unknown to us much of the time, for our Sergeant-at-Arms, Deputy Sergeant-at-Arms and all of the Chamber staff that we have here in the gallery each and every day, making sure that members that come to the Assembly to represent the people of Manitoba are safe. I'd like to thank them as well for the work that they do. There are some things that happen behind the scenes, lots of discussion that goes on, but they continue to do their work with a great deal of expertise, and I thank them for that work on behalf of all honourable members.

And, of course, I know that there are folks downstairs toiling away right now as we speak and sit here, in the Hansard branch, that are continuing to do this work, producing the—reproducing the words that we speak in this Assembly. And I'd like to thank the Hansard folks for the work that they do on behalf of honourable members here as well.

And, while this has been a fascinating experience through this legislative session, I have learned a lot through this process, and you've allowed me to continue to grow and to learn new experiences, to make the occasional mistake, for

which I apologize again, but your willingness to allow me to continue to learn is very much appreciated, and I thank all of you for that, this continuing opportunity to continue to serve you and the people of Manitoba.

And I'd like to thank also our House leaders, the three House leaders. I know it has been referenced here, for the work that they do, but I'm not sure if members here will truly ever know how much work they actually do behind the scenes, working with my staff, the table officers and with myself to make sure that this place can function in an organized and respectful manner. And I want to say to them, very sincerely, how much I appreciate their efforts, on behalf of all members of the Assembly, in continuing to serve this Assembly, so thank the House leaders.

And for the honourable member for River Heights (Mr. Gerrard), I know that he'll come back in a different capacity in the fall sitting, and I wish him

well. I thank him for his guidance through these last two years, and I appreciated my time serving with him in this Assembly.

And also to the member for Arthur-Virden (Mr. Maguire) who perhaps will not be returning here. I wish him all the best in his future endeavours as he continues to serve the people of Manitoba as well. I've had a great opportunity to learn from him as well.

And I know that honourable members are anxious to leave here, and I'm inviting all of you to a reception in my office after we adjourn here this afternoon. And I hope we'll have a time of friendship and camaraderie and that we'll have a chance to share some stories and just to relax a little bit after a session that has been filled with much excitement.

And so the hour being 6:25 p.m., this House is adjourned and stands adjourned until November 12th, 2013, or the call of the Speaker.

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Friday, September 13, 2013**

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