

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

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

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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

Tuesday, May 21, 2013

*The House met at 1:30 p.m.*

**Mr. Speaker:** Good afternoon, colleagues and guests. Please be seated.

## ROUTINE PROCEEDINGS

## INTRODUCTION OF BILLS

**Bill 45—The Competitive Drug Pricing Act  
(Various Acts Amended)**

**Hon. Theresa Oswald (Minister of Health):** I move, seconded by the Minister of Conservation and Water Stewardship (Mr. Mackintosh), that Bill 45, The Competitive Drug Pricing Act (Various Acts Amended); Loi sur les médicaments à prix concurrentiel (modifications de diverses lois), be now read a first time.

*Motion presented.*

**Ms. Oswald:** The Competitive Drug Pricing Act will give Manitoba Health officials new tools to negotiate even more competitive and fair prices for generic drugs in Manitoba as well as support our government's efforts to work with other provinces collaboratively to reduce the price of generic medications. This legislation will also help to protect the supply of drugs for Manitoba families.

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

Any further introduction of bills? Seeing none, we'll move to—

## PETITIONS

**Provincial Sales Tax Increase—Referendum**

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

These are the reasons for this petition:

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

And, Mr. Speaker, this is signed by D. Trueman, D. Trueman, C. Comte and many other Manitobans.

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

**St. Ambroise Beach Provincial Park**

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

And these are the reasons for this petition:

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

This petition's signed by D. Stoyko, P. Hawk and S. Hawk.

### Provincial Sales Tax Increase—Referendum

**Mr. Wayne Ewasko (Lac du Bonnet):** I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

This petition is signed by V. Hrechkosy, C. Neurenberg, B. Hodgson and many, many other fine Manitobans, Mr. Speaker.

### Bipole III Routing

**Mr. Blaine Pedersen (Midland):** I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

Manitoba Hydro has been directed by this provincial government to construct its next high-voltage direct transmission line, Bipole III, down the west side of Manitoba.

This decision will cost Manitoba taxpayers at least \$1 billion more than an east-side route, which is 500 kilometres shorter and more reliable.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to build the Bipole III transmission line on the shorter, more reliable east side of Lake Winnipeg route in order to save Manitobans from a billion-dollar boondoggle.

And this petition is signed by R. Schultz, S. Schultz, P. Philippot and many, many more fine Manitobans.

### Provincial Sales Tax Increase—Referendum

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

And this is the reason for the petition:

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

And this petition is signed by B. Singbek, P. Dixon and T. McClelland and many, many more fine Manitobans.

### Mount Agassiz Ski Area—Recreation Facility

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

And this is the reason—these are the reasons for this petition:

For several decades, the Mount Agassiz ski area, home to the highest vertical between Thunder Bay and Rocky Mountains, was a popular skiing and snowboarding destination for Manitobans and visitors alike.

The operations of the Mount Agassiz ski area were very important to the local economy, not only creating jobs but also generating sales of goods and services at area businesses.

In addition, a thriving rural economy generates tax revenue that helps pay for core provincial government services and infrastructure which benefits all Manitobans.

Also, although the ski facility closed in 2000, there remains strong interest in seeing it reopened and Parks Canada is committed to conducting a

feasibility study with respect to the Agassiz site and future opportunities in the area.

We petition the Legislative Assembly of Manitoba as follows:

(1) To request the appropriate ministers of the provincial government to consider outlining to Parks Canada the importance that a viable recreation facility in the Mount Agassiz area would play in the local and provincial economies.

And (2) to request that the appropriate ministers of the provincial government consider working with all stakeholders, including Parks Canada, to help develop a plan for a viable, multiseason recreation facility in the Mount Agassiz area.

This petition is signed by B. Bonnez, R. Christiansen, H. Bell and many, many other fine Manitobans.

#### **Provincial Sales Tax Increase—Referendum**

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

And these are the reasons for this petition:

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

And this is signed by J. McMillan, D. Lockhead, M. Resch and many others, Mr. Speaker.

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

And these are the reasons for this petition:

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

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

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

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

\* (13:40)

We petition the Legislative Assembly of Manitoba as follows:

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

And this is signed by L. Clark, H. Carroll, J. Christianson and many, many other Manitobans.

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

These are the reasons for this petition:

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

This petition is signed by D. Jones, M. Smyk, J. Harrison and many other fine Manitobans.

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

These are the reasons for this petition:

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

Through Bill 20, the provincial government wants to increase the retail sales tax, known as the

PST, by one point without the legally required referendum.

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

Submitted on behalf of E. Vergie, C. Mohr, E. Rupps and thousands of others, fine Manitobans.

**Mr. Cameron Friesen (Morden-Winkler):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

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

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

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

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

Therefore, we petition the Legislative Assembly of Manitoba as follows:

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

And this petition is signed by G. Minaker, G. Minaker, P. DeSmedt and many, many more fine Manitobans.

**Mr. Reg Helwer (Brandon West):** I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

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

(2) Through Bill 20, the provincial government wants to increase the retail sales tax, known as the

PST, by one point without the legally required referendum.

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

Signed by M. McCarthy, W. Zillman and E. Vanhieuwtmenger and many other Manitobans.

**Mr. Larry Maguire (Arthur-Virden):** I wish to present the following petition to the Legislative Assembly of Manitoba.

And these are the reasons for this petition:

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

And this petition is signed by J. Klassen, A. Fehr and L. Janzen and many, many others.

#### **Municipal Amalgamations–Reversal**

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

And these are the reasons for this petition:

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

(2) The provincial government did not consult with or notify the affected municipalities of this

decision prior to the Throne Speech announcement on November 19th, 2012, and has further imposed unrealistic deadlines.

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

Signed by B. Maccooh, A. Kluge, L. Popoff and many other Manitobans.

#### **Provincial Sales Tax Increase—Referendum**

**Mrs. Heather Stefanson (Tuxedo):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

And these are the reasons for this petition:

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

And, Mr. Speaker, this petition is signed by L. Wiebe, G. Poiron, D. Penner and many, many others.

#### **TABLING OF REPORTS**

**Hon. Stan Struthers (Minister of Finance):** I'm pleased to table the Supplementary Information for Legislative Review, 2013-14 Revenue Estimates.

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

#### **MINISTERIAL STATEMENTS**

##### **Elijah Harper**

**Hon. Greg Selinger (Premier):** I have copies for distribution.

Mr. Speaker, I rise today to speak about a man who has left an indelible mark on Canadian history with his resounding stance, unwavering ideals and commitment to improving the lives of our Aboriginal population.

The former Member of Parliament for Churchill, Member of the Legislative Assembly for Rupertsland and honorary chief for life of Red Sucker Lake First Nation, the Honourable Elijah Harper passed away this Friday, May 17th.

Born at Red Sucker Lake First Nation and forced to attend a residential school as a child, Elijah returned to his community as an adult and eventually served as chief when he was just 29 years old. He joined the Manitoba Legislature when he was elected as the member for Rupertsland in 1981. Elijah was the first treaty member of the Manitoba Legislative Assembly and the first treaty Cabinet minister. He was re-elected three times and later served one term as Member of Parliament for Churchill.

Elijah's firm stand during the constitutional debate of the 1990s put Aboriginal rights on the national and international agenda as never before. We also knew him for his ongoing dedication to ensure First Nations communities had the kinds of services and infrastructure taken for granted by most Canadians. Though Elijah was soft-spoken, his words always resonated well across the province and beyond.

\* (13:50)

In Manitoba, the east-side road network that he helped plan will serve as a tangible, lasting reminder of his life's work. I will never forget the two days I spent in March 2010 travelling with him to Red

Sucker Lake, Garden Hill and St. Theresa Point to discuss the building of the all-weather road in the area. The esteem with which he was held by residents and local leadership was truly remarkable. I learned a lot about northern conditions and challenges from him.

Elijah leaves behind him an unmatched legacy as a gifted public leader and tireless advocate for Aboriginal people, and his contributions to the advancement of Aboriginal rights have changed Canadian politics forever. Canada is a stronger country for his contributions.

Yesterday, I was deeply impressed by the hundreds of people who came to the Legislative Building to honour his life and work. It was truly a remarkable and fitting tribute to him that people from all walks of life came out to support him and his family. It was a gathering of young and old Aboriginal and non-Aboriginal Manitobans who had been touched by his courage and his humility.

Mr. Speaker, I invite all members of this House to join me in sending our condolences to the family of Elijah Harper. His wife, Anita Olsen Harper, his children Bruce and Holly, stepchildren Karen Iolford-Lawford and Dylan, Gaylen and Grant Bokvist are in our thoughts and our prayers.

Ekosani. Thank you.

**Mr. Brian Pallister (Leader of the Official Opposition):** I rise today to address the passing of a former member and colleague of this House, the first Aboriginal Member of the Legislative Assembly in Manitoba, Mr. Elijah Harper.

Elijah was the second child of Allan and Ethel Harper, and he was one of 13 in his family. And he's perhaps best known for his opposition to the Meech Lake Accord, but he advocated for many other causes, not only during his time in public office but also before and certainly after as well, Mr. Speaker. While a student at the U of M, he was a founding member of the first Aboriginal student organization in Canada, a group that at the time actively worked to fight the racism of that era. After a lengthy career in this House, he moved on to the federal House, as the Premier mentioned, representing the riding of Churchill from 1993 to 1997. In recent years, Mr. Harper's been doing international work to promote human rights in Taiwan. He supported initiatives to improve transportation networks for First Nations communities in our province.

As the Premier noted, there was a wonderful tribute to him and to his life's work yesterday here, tremendously well attended and, I think, a clear expression of the affection with which Manitobans view Mr. Harper and the respect they have for him and his work. Certainly, not everyone agreed with Elijah's point of view on every issue, but there was never any doubt that he was inherently dedicated to improving the lives of First Nations people and he was inherently dedicated to contributing to a dialogue of mutual respect between Aboriginal and non-Aboriginal peoples.

On behalf of the entire PC caucus, I offer my sincere condolences to his family and to his many friends, the friends of Elijah Harper.

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

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

**Mr. Gerrard:** Mr. Speaker, I join others in the Legislature in paying tribute to the extraordinary career and the contributions of Elijah Harper.

I had the extraordinary privilege of being able to work closely with him for four years, from '93 to '97, when we both served as a Member of Parliament in the Liberal government of Jean Chrétien. And it was very impressive what Elijah Harper in those four years was able to accomplish in working with Manitoba on the framework agreement in self-government, on working with others to get in place a National Aboriginal Day, which we celebrate each June 21st, in passionately raising concerns for Aboriginal people, First Nation, Metis, Inuit people across Canada and, indeed, for his passionate concern for Canada, for working with others, his ability to get along and achieve results in a consensus-building way that was very, very effective.

Yesterday, Mr. Speaker, I had the chance to be at the Legislature. I was one of what I understand was about 1,500 people who came to pay respects to Elijah. And, again, yesterday evening, I joined the Deputy Premier (Mr. Robinson) and others at the funeral and listened to tributes by many: the Grand Chief Derek Nepinak; MKO Chief David Harper; Chief of Red Sucker Les Harper; Darcy Wood, who was a friend and who spoke of Elijah's sense of humour, his ability to go out and speak to children in

classrooms, to speak to many different audiences and always begin with some light remarks which got people smiling.

And I think that that's one of the things that we can remember today, that he left us with a lot of memories, some major accomplishments, including Meech Lake, and some good smiles. Thank you.

### Introduction of Guests

**Mr. Speaker:** Before oral questions, I'd like to draw the attention of honourable members to the public gallery where we have with us today from École Selkirk Junior High 19 grade 9 students under the direction of Ms. Joan Clooney. This group is located in the constituency of the honourable member for Selkirk (Mr. Dewar).

And I believe also in the public gallery we have with us today from the Manitoba Civil Service Commission Nadine Bedoret, Brooke Bunn and Jo-Anne Neaman, who are the guests of the honourable Minister of Culture, Heritage and Tourism (Ms. Marcelino).

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

## ORAL QUESTIONS

### PST Increase Legality

**Mr. Brian Pallister (Leader of the Official Opposition):** Well, Mr. Speaker, if you needed evidence of a government in decline, I think you have that. The government seems totally preoccupied with defending itself but not so interested with defending Manitobans' best interests. It's a government that's been unable to keep its hands off others' money, whether it's the money of flood victims who have been betrayed by broken promises or it's the funds of the horse racing industry endangered by an incompetent Finance Minister or it's the dollars from tapped-out taxpayers deceived by a tall-tale-telling Premier.

So I understand and I have seen, as we have in this House, that this government will descend to very low depths in defence of its own interests. But they will descend to a new low on July 1st if they raise the PST without a referendum that gives Manitobans a say.

Would the Premier admit that if he proceeds in that manner on July 1st he would be putting himself above the law?

**Hon. Greg Selinger (Premier):** Mr. Speaker, we will proceed according to the law, as has been past practice in the House.

We will follow exactly the same procedures that the Leader of the Opposition followed when he was a member of the government and they applied sales tax to children's clothing and when they applied tax as well to a variety of products for women, when they applied tax to a variety of items that were considered essentials to the people of Manitoba.

That's the way we'll proceed, according to the law.

**Mr. Pallister:** Well, there's hardly a precedent there. The taxpayer protection act wasn't in force at the time that the Premier refers to. It is now, and it is the law of our province. A judge in a decision recently commented that legislators can make the laws but cannot put themselves above the laws.

Now, the taxpayer protection act actually says shall; it shall be that there is a referendum held, shall be that Manitobans have the right to vote, and we here understand the strength of that word, Mr. Speaker.

But this continues a slide to the bottom by this government. It goes way beyond deceptive bookkeeping or phony electioneering or pathetic prevarications. It is a law-breaking act. It is illegal. It is an illegitimate abuse of power.

Now, the Premier has recourse to various options which are legal to raise revenue. Why resort to an illegal one on July 1st?

**Mr. Selinger:** Mr. Speaker, I have put this on the record before, but it bears repeating.

On over-October 16, 1995, the Leader of the Opposition said the following about the legislation: Granted there are restrictions in this legislation that members have talked about, that they suggest are unreasonable or that would handcuff future legislators. I do not believe this is true. I believe the legislation can be, by any subsequent Legislature, withdrawn or repealed. So I do not believe the hands-being-tied argument. He said, I do not believe that the hands-being-tied argument is one that has any validity at all.

\* (14:00)

I only can refer him to his own words of October 16th, 1995.

## HST Possible Implementation

**Mr. Brian Pallister (Leader of the Official Opposition):** Well, while the back-to-the-future Premier is citing past irrelevant information, perhaps he'd be interested in this relevant piece of information from September 14th, 2009, Winnipeg Free Press, in which he says and suggests that if he becomes Premier, he will not implement the HST without consulting Manitobans in some fashion, including the possibility of a province-wide referendum.

Now, if the Premier believes it's okay to remove the referendum requirement and to not allow Manitobans to vote on a PST increase, does he take the same position on him introducing an HST to this province? Will he or will he not put himself above the law in the case of an HST being introduced to this province?

**Hon. Greg Selinger (Premier):** Mr. Speaker, the only person that stands up to 'voche' for HST budgets is the Leader of the Opposition. That was—that's his track record as a Member of Parliament. He voted for every federal budget that implemented the HST, and Canadians all across Canada that bought into it, and the only provinces that have refused to do that start in Manitoba and go west.

Only the Leader of the Opposition believes in the HST. We on this side of the House have rejected it. The Leader of the Opposition keeps the door wide open for HST implementation in Manitoba, and I do not remember a referendum when it was imposed on Canadians.

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

### Minister of Finance Ministerial Immunity

**Mr. Brian Pallister (Leader of the Official Opposition):** Well, of course, any initiative, federally, allowed provinces to make the decision which the Premier seems unwilling to do or unwilling to commit to. The fact of the matter is the Premier also has said that he himself is above the law.

And now, with Bill 43, the amalgamation of the departments of vice, of booze and gambling, the bill should actually be renamed, Mr. Speaker. It should be the no-one-can-sue-the-MLA-from-Dauphin bill, because what the judge—what Judge Dewar stated in

his decision was that the minister broke the law. What this bill says is he gets immunity from breaking the law, from facing the consequences every other Manitoban must face. Unlike every other Manitoban, the minister won't be able to be sued, he can't be made to testify, and even though he's tried to shut down the horse racing industry in a clumsy effort, it's retroactive, so it lets him off the hook for doing that.

Now, why should the Finance Minister of Manitoba get his own stay-out-of-jail-free card when no one else does?

**Hon. Greg Selinger (Premier):** What the Leader of the Opposition fails to inform the Legislature about, and, indeed, all Manitobans, is the provisions that he's referring to were provisions in the previous legislation. In intent and in substance they are exactly the same, Mr. Speaker. The same exact provisions that he served as a minister under 'friebious' government under did not allow exactly what is not being allowed in this legislation. And the reality is there has been no change other than minor wording changes for modernization purposes.

The Leader of the Opposition really needs to do his homework a little better. If he looks back at the legislation that he operated under, the provisions are exactly the same in substance and intent, Mr. Speaker.

**Mr. Pallister:** So the court stated in its decision on the parimutuel levy issue on the minister's ham-handed handling of the—of his attempt to shut down the horse racing industry, on page 17—if the Premier would like to read this, it's on page 17—page 7, paragraph 17, it says, quote: Governments are not immune from judicial oversight. Governments and ministers cannot do anything they please.

Yet this minister withheld nonpublic funds that were not his. He attempted to threaten and intimidate volunteer groups, he put at risk 500 jobs in an important Manitoba industry, and a justice of Queen's Bench found him guilty. But now the Premier says, it's okay, it's all right, my buddy gets out of hock; it's not a problem, because on page 116 of a 147-page bill, there's a clause there that says that's okay.

So I have to ask the Premier: Does he plan after breaking the law on July 1st to put himself above the law, or does he plan to have a retroactive immunity clause brought in later?

**Mr. Selinger:** Mr. Speaker, we will, of course, follow the laws of Manitoba and we will follow what judicial—what our judicial counsel advises us, Legislative Counsel advises, but the member likes to quote from judgments.

He should quote from the budget. In the budget, it said we will reduce public subsidies to horse racing and direct resources to priority services through legislative changes to The Pari-Mutuel Levy Act and the Manitoba Jockey Club VLT site-holder agreement.

And then the judge goes on to say, after noting what was in the budget, the Legislature can pass any law it wants so long as it has jurisdiction and the law does not contravene the Charter. I see no reason why a minister who decides to place a bill before the Legislature for it to consider cannot do so, page 10, section 25, same judgment referred to by the Leader of the Opposition.

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

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, the Premier has no credibility because their track record as an NDP government is not very good on obeying the laws.

Mr. Speaker, Manitoba families are now paying the price for NDP tax and fee hikes. In fact, the latest report from Stats Canada shows that Manitoba is tied for the highest annual inflation rate in Canada.

So I'd like to ask the Minister of Finance to finally admit that his tax and fee hikes are hurting Manitoba families.

**Hon. Stan Struthers (Minister of Finance):** Mr. Speaker, the member for Charleswood can try to cut it any way she likes; the facts of the matter are that we live in one of the most affordable provinces in this country. We live in one of the most affordable provinces in this country because we have engaged with the people of Manitoba in terms of \$1.4 billion in tax credits over the last number of years.

Mr. Speaker, we also have the lowest auto insurance rates in the country. We have the second lowest provincial taxes on fuel, and I will add, every nickel of that fuel tax goes back into infrastructure in this province, the roads and bridges.

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

**Mrs. Driedger:** Mr. Speaker, the inflation rate went up because of what the NDP did. They increased vehicle registration fees last year. They added PST to home and mortgage insurance. So not only does Manitoba have the worst inflation rate in Canada for two months now, it was the—it was four times the average national rate, so it is hurting Manitoba families.

So, Mr. Speaker, I'd like to ask the Minister of Finance to finally admit that his tax and fee increases are hosing Manitoba families and hurting the bottom line for Manitoba families.

**Mr. Struthers:** Well, the member for Charleswood is incorrect, Mr. Speaker, and furthermore, the—what would really hurt Manitoba families is if members opposite had their way and we cut into health-care services and we cut into education services, privatized home care like they tried to do in the '90s. Indiscriminate, across-the-board, foolish cuts that members opposite would foist upon the people of Manitoba would definitely hurt Manitoba families.

We're going to stick to our balanced approach where we protect those services in combination with support through the tax system and keep Manitoba one of the most affordable provinces in which to—

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

**Mrs. Driedger:** Mr. Speaker, that Finance Minister has absolutely no credibility with any of his answers in the House.

Mr. Speaker, Manitoba has the highest inflation rate in Canada already, and this is even before the PST comes in on July 1st. Once that PST hike comes in, things are going to become even worse for Manitoba families.

So I'd like to ask the Minister of Finance to finally admit that his spending addiction is hurting Manitoba families who are going to have to pay for his spending addiction and his financial mismanagement.

**Mr. Struthers:** Mr. Speaker, I'll put our balanced approach of protecting services along with supports for Manitoba families and taxation up against their proposal to indiscriminately, across the board, provide tough love, as the Leader of the Opposition says. I'll put that up against their vision any time, any place.

\* (14:10)

Mr. Speaker, we will continue to build Manitoba. We'll continue to pay for infrastructure. We'll continue to build schools and highways and hospitals in this province, unlike members opposite, who don't have the courage to go before Manitobans and tell them that they would do the same thing.

**Bonnie Guagliardo  
Call for Inquest**

**Mr. Cameron Friesen (Morden-Winkler):** Mr. Speaker, the Finance Minister talks about a balanced approach, but what he doesn't say, it's that same balanced approach that results in a \$500-million deficit each and every year in this province.

Mr. Speaker, last week I informed this Chamber about Bonnie Guagliardo. Ms. Guagliardo suffered head trauma, she went to ER, and after waiting for six hours without being seen by a physician, she left. She died shortly thereafter.

And since this tragic event, the family has not received any response in writing to account for this tragic lapse in care except for a one-page note from the minister's office saying that the hospital's looking into it. This family deserves answers, Mr. Speaker.

Mr. Speaker, will the Minister of Health acknowledge that the family deserves answers, that Manitobans deserve answers, and will she today call for an inquest into the death of Bonnie Guagliardo?

**Hon. Theresa Oswald (Minister of Health):** I thank the member for raising the issue.

I can indeed inform the House that, clearly, there are tragic circumstances in the works here, and so an investigation has taken place with the hospital, Mr. Speaker. The Winnipeg Regional Health Authority has made contact with the family for a second time to further answer any questions or concerns that they have about the process.

I can inform the member once again that the Chief Medical Examiner is reviewing this issue. The CME does, of course, have the ability to call an inquest in the presence of all the facts. That work is still under way. He has not made that determination as of yet.

**Conference Board of Canada Report Card  
Manitoba Ranking**

**Mr. Cameron Friesen (Morden-Winkler):** Mr. Speaker, what's clear here is that Manitoba's health-care system continues to fail Manitobans, and

the evidence of that failure continues to come to light.

Just last week, the Conference Board of Canada issued its first set of findings benchmarking Canada's provincial health systems, and Manitoba got a D. Manitoba was at the bottom of the list in dozens of key indicators that note the overall health of the population. This report card measured life expectancy and incidence of disease, and we failed.

Will the minister today admit that our health-care system continues to fail Manitobans every day just as it failed Bonnie Guagliardo?

**Hon. Theresa Oswald (Minister of Health):** Indeed, Mr. Speaker, the Conference Board of Canada report has not yet been released. I can inform the member there have been media summaries of the report. I believe the report summary that he's referring to concerns health status across the nation, and, indeed, we're well aware that we have much work to do on the front of improving our health status.

We know, Mr. Speaker, as we wrote in our report last year, protecting what matters most, focused on Manitoba families, trying to protect universal health care, we know that, of course, we have work to do, but the social determinants of health—clean water, education for all Canadians—is something that we each need to be invested in, and this is an important component in all of the work that we do.

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

**Bonnie Guagliardo  
Call for Inquest**

**Mr. Cameron Friesen (Morden-Winkler):** So, Mr. Speaker, in the past few weeks, we've heard about a woman who sat in a waiting room at St. Boniface ER for five and half hours even though she was suffering from a stroke. Then we heard about a woman who waited six hours at Victoria Hospital's ER and finally left without being seen by a physician because no one would attend to her and she died at home.

We showed how the number of people walking out of ERs across Manitoba is skyrocketing. No wonder the Conference Board of Canada's new report gives Manitoba a failing grade in life expectancy and years lost to disease.

Mr. Speaker, this minister says there is much work to do. I would tell this minister the work starts today.

Will the minister admit that's there's a problem, that we have a system that is failing Manitobans, and will she take the first step by calling an inquest into the death of Bonnie Guagliardo?

**Hon. Theresa Oswald (Minister of Health):** Yes, again, I will remind the member that the CME is reviewing this case, and he will be in possession of all of the details, many of which cannot be discussed—*[interjection]*—nor should they be discussed on the floor of a—he'll make that determination.

Further, Mr. Speaker, I will say clearly that one surefire way to improve our emergency rooms is to not close all of the community ERs at night like the members opposite did when they had their hands on the wheel.

Further, Mr. Speaker, I can tell you very clearly—

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** We were doing really, really good there. So I'm going to ask for the co-operation of all honourable members. Please allow the Minister of Health to respond to the question posed by the honourable member for Morden-Winkler.

The honourable Minister of Health, to conclude her answer.

**Ms. Oswald:** Well, thank you, Mr. Speaker. Clearly, I seem to have struck a nerve, and they don't want Manitobans to be reminded that the Conservatives closed all of the community ERs in Winnipeg and they shut Misericordia outright.

So it's hard to take a lecture from them on this front, and further, I can say one surefire way not to improve health care is to have a net loss of doctors every year you're in office and fire a thousand—

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

### **Violent Crime Gang Activity**

**Mr. Reg Helwer (Brandon West):** Well, obviously, this government has failed Manitobans in health care. They continue time and again to fail how Manitobans deserve to have better health care. Indeed, we need to have that—better response from the minister there, Mr. Speaker, much like spring has failed to come to Manitoba.

But as it arrives we do seem to have a rise in gang warfare and in homicides. This NDP government's failed promises and policies have made Manitoba again the 'wunder'—murder capital of Canada, the violent crime capital of Canada. Manitobans are afraid to leave their houses. They're afraid to drive anywhere as they might be shot just sitting on a light when you look next to your neighbour. Isn't that sad?

Mr. Speaker, this NDP government continues to fail keeping Manitobans safe from crime. Enough talk—

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

**Hon. Andrew Swan (Minister of Justice and Attorney General):** Well, at the end of the 22nd question period this year, it's nice to finally have a question on public safety from the opposition.

And I'll tell you, Mr. Speaker, we know that the right approach to battling crime is not a one-dimensional, ridiculous position put across by the Conservatives time and time again. It involves putting the right supports in place to support our police, and we've done that by continuing to increase the number of police officers in Winnipeg and across Manitoba each and every year, and, of course, each year we bring in a budget that does that.

Progressive Conservatives and the Liberals vote against those additional resources for the police. I'm not sure how they can sleep at night, Mr. Speaker.

**Mr. Helwer:** Well, obviously, Mr. Speaker, Manitobans are afraid to sleep at night with the violence that's in Manitoba here.

Mr. Speaker, the Minister of Finance (Mr. Struthers) continues to throw money at the justice system, yet people are afraid to leave their homes. They're afraid due to the violence and due to the shootings. What are we now at, failed gang strategy No. 12, 13? Pick a number. Have we lost count?

Enough talk, Mr. Speaker. Isn't it enough time— isn't it time to deal with this issue?

**Mr. Swan:** Well, Mr. Speaker, in my second response I'll talk with the second pillar, and that's having the right laws in place.

Of course, we don't make criminal law, although Manitoba has for the past 13 years been a strong voice at tougher laws. We've convinced the federal government in Ottawa, whether it's a Liberal or

Conservative government, to change the laws. That's why there's tougher penalties for gang-involved shootings, for drive-by shootings, for criminal harassment, for a entire number of things to take on negative impacts in our communities.

And within our Province's control, of course, we have a safer community neighbourhoods act which has closed down more than 600 premises where there's drugs taking place, a booze can, sexual exploitation.

We also have a Criminal Property Forfeiture Act, which the Conservatives said would never have an impact, that has now shut down gangs across—

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

**Mr. Helwer:** Mr. Speaker, if they've shut down gangs, why do we continue to see the violence?

You know what? One time, I conducted business in Detroit, and I saw the effects of crime and random shootings that we now see in Winnipeg. People are afraid to leave their homes and not even safe in their homes.

Is Winnipeg now the Detroit of Canada?

**Mr. Swan:** And it gives me an opportunity to put on the record the first use of new legislation, groundbreaking legislation, here in Manitoba to take on criminal organizations.

Now, I know when the Conservatives were in power they sat on their hands when the Hells Angels and other criminal organizations rode into the province and started carrying on their activities. The Progressive Conservatives, including the Leader of the Opposition, who sat around the Cabinet table, didn't just do nothing; they sat on their hands.

And, of course, Mr. Speaker, we know that the Hells Angels clubhouse on Scotia Street is now padlocked because of the efforts of the Criminal Property Forfeiture Unit. People in this city, people in that area of town have security.

And now, as you know, there is an application that's going forward to have the Hells Angels declared a criminal organization—

\* (14:20)

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

### **Elmwood NDP Association Health of Democratic System**

**Mr. Kelvin Goertzen (Steinbach):** Well, Mr. Speaker, that was a weak answer by the Minister of Justice, but I've got some sympathy for him; he's been dealing with all the lawbreakers in his own caucus, so he's been a busy guy.

You know, Mr. Speaker, according to the Elmwood NDP association, the health of our democratic system is failing because of extremely low voter turnout. And yet the democratic system isn't being served very well by a Premier (Mr. Selinger) who refuses to allow a referendum.

The democratic system isn't being served very well by a Premier who invites people to come to legislative—a committee and then says he's not going to be there to listen to them. It's not served very well by a democratic—the democratic system isn't served well by a committee that's going to be ran through the night by the Premier.

Mr. Speaker, the Elmwood association has it wrong; the greatest threat to the health of our democratic system is the Premier himself.

**Hon. Jennifer Howard (Minister of Family Services and Labour):** I'm always heartened by the interest of the MLA for Steinbach in our convention, and I hope one year he takes me up on my offer to come. I will sit with him. I will explain to him what a democratic convention looks like; people get to put forward resolutions, have debate, and the doors are open for the media to observe it.

So he's welcome. I'll even drive him out to Brandon, Mr. Speaker.

### **PST Increase Referendum**

**Mr. Kelvin Goertzen (Steinbach):** You know, Mr. Speaker, the member for Elmwood (Mr. Maloway), through his NDP association, is promoting a resolution that would require mandatory voting, yet his leader is breaking the law to prevent people from voting in a resolution.

Perhaps the Premier and the member for Elmwood would like to have a caucus together, Mr. Speaker, so they can get their differences set aside—there's room in the loge, they could speak there—because, clearly, Manitobans are interested in voting. They protested here in the front steps of the Legislature, begging for a vote, begging for a referendum.

So I want to ask the Premier: Will he agree with the member for Elmwood that voting is important, Mr. Speaker, and will he ensure that there is a referendum before he increases the PST?

**Hon. Jennifer Howard (Minister of Family Services and Labour):** Well, I didn't hear him take me up on my offer in that answer, but I'm going to stay hopeful, Mr. Speaker.

You know, this is interesting question coming from the member who last session used his ability to put forward legislation to put forward voter suppression legislation, the same kind of legislation that is now in the courts of the United States. He put forward a bill in this Legislature that would prevent people from voting by putting onerous requirements on voters to show ID, the same kind of legislation that we have heard discussed in the States and rejected by the States.

Those are the tactics—well-worn, time-worn tactics—by the members opposite to suppress democracy in Manitoba.

#### Legality

**Mr. Goertzen:** And so the minister's solution to any of those problems is to just stop people from voting, Mr. Speaker, and not allowing them the right to vote.

Mr. Speaker, we've already had an NDP Cabinet minister found to have broken the law this session, and now they're looking to have another one. They're going to have to expand the courthouse across the street just to deal with all the cases with the NDP.

Now listen, the law as it currently stands currently says there must be a referendum before the PST can be increased. You can change the law, but you can't have the increase before you change the law. By July 1st, I believe that law will still be in place.

Is the Premier going to break the law—is he lawyering up—or is he going to invoke closure and go for another undemocratic process, Mr. Speaker?

**Ms. Howard:** You know—do you know, Mr. Speaker, we started today with some very moving tributes to Elijah Harper that we all talked about in this House. And it's interesting to me, as we reflect on what he meant to his community, it's interesting to me to note the worst abuse of democracy ever in this province occurred when the Leader of the Opposition sat around the Cabinet table and dreamed up a 'scweme' to rob Aboriginal people of their vote by trying to split the vote in election. That resulted in

a public inquiry and I will quote the chief justice in that public inquiry, who said he had never seen so many liars in his life.

So we'll take no lessons from the members opposite about democracy.

#### Shelter Rates Increase Request

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I ask my questions today in memory of Elijah Harper, who publicly expressed concern about Aboriginal children in our province being apprehended by CFS.

Under the NDP, the number of children in care has almost doubled to approximately 10,000, with the majority, sadly, being Aboriginal children living in poverty. Make Poverty History Manitoba and more than 140 organizations have approached the NDP to raise the shelter rates, which would protect more children from being apprehended by CFS, and yet the NDP have refused.

I ask the Minister of Family Services: Will her NDP government raise the shelter rates for those on social assistance to 75 per cent of market rates, as many have asked?

**Hon. Greg Selinger (Premier):** Mr. Speaker, it is a good question.

The first thing we did when we came into government is we stopped the clawback of the National Child Benefit. That is worth about 48 to 50 million dollars in benefits to families, particularly lone-parent families of Manitoba, no matter where they live. That puts an additional \$500 a month into the hands of people on social assistance raising children, and that has lifted about 28 per cent of those people out of poverty, Mr. Speaker.

That's the kind of policy we're pursuing, as well as building more housing so people can have stable housing while their children go to school. And we all know that the great equalizer has been mentioned on this side of the House is the opportunity to get an education when you live in a stable neighbourhood, which is why we continue to fund education at the rate of inflation, when members opposite every single year vote against that budget increase for children, for families, for housing and for education.

#### Child Apprehensions Impact on Aboriginal Families

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, on May 26, 2005, the previous minister of Family

Services, the MLA for Riel, said that Manitoba's child welfare system developed out of the residential school system, a system which apprehended so many children. Today, sadly, there are more children in Manitoba who've been apprehended by CFS than there were children in the residential school system.

I ask the Minister of Family Services (Ms. Howard): Why is the NDP going down in history as apprehending and separating Aboriginal children from their families in higher numbers than were apprehended and put into Manitoba's residential schools?

**Hon. Greg Selinger (Premier):** Mr. Speaker, there has been a pattern in this province and in other provinces where children were taken into care, both from residential schools and the child welfare system, by people not of those communities, and the big change that was made was in respect to the Aboriginal Justice Inquiry which said there should be a partnership with First Nations communities to run the child welfare system. And we have entered into that partnership and put unprecedented funding into that, more than double than what existed when members opposite were in government, including money into prevention, including money into schools, including money into education, and there is more progress to be made and we will get recommendations out of the Hughes inquiry.

But I can tell you this: We have put more money into the hands of families that need support, we have put prenatal benefits and home visiting for young families and expectant mothers, we have removed the clawback of the National Child Benefit and we are building record amounts of housing and we are doing it in partnership with our First Nations citizens of Manitoba, Mr. Speaker.

#### Support for Families

**Mr. Gerrard:** Mr. Speaker, recently the former Children's Advocate Billie Schibler said at the Phoenix Sinclair inquiry, and I quote: Children who came through the residential school system and the children who come through the child welfare system come away with the same wounds. We all know that apprehending a child and taking the child from its parents can be extremely traumatic to both the child and the parents.

I ask the Minister of Family Services: What is the NDP doing to end the cycle of trauma and apprehended-child experiences and to provide the type of support which would ensure that a child in

the CFS is well equipped to raise his or her own children?

**Mr. Selinger:** Mr. Speaker, this is an important question because it's often said that it takes a village or a community to raise a child, which is why we are committed to providing supports to young families right in the communities where they exist. An additional \$11 million of prevention funding has been provided in our budget. We are working very closely with those communities to create jobs, to ensure that they have proper services, to ensure that they have supports.

From the very date of inception of the new child, Mr. Speaker, there's the potential to have access to a nurse. There's access to a home visitor that will work with the young family. There's access to prenatal benefits and postnatal benefits and additional supports.

The northern living allowance has been raised in Manitoba over seven times to provide support to those families and we will continue to do that.

\*(14:30)

We will continue to find a way to grow economic opportunities, create schools and jobs and healthy communities in northern Manitoba, which is one of the reasons—just one of the reasons—why we're going forward to build Manitoba Hydro as we put more resources into those communities.

#### New Recreational Facilities Government Initiatives

**Ms. Melanie Wight (Burrows):** Mr. Speaker, we know that investing in recreation for our children is an essential part of instilling in them the need for an active lifestyle. Our investments in this area contrast with the cuts made by the previous governments to YMCAs.

Can the Minister of Children and Youth Opportunities please inform the House of our continuing commitment to recreation?

**Hon. Kevin Chief (Minister of Children and Youth Opportunities):** It's an honour to be able to share a few words for the record here, Mr. Speaker.

As part of our Building Communities Initiative in partnership with the City of Winnipeg, 34 projects in total in this phase, over \$7.6 million in community improvements. I was able to share with the students and teachers and families of a new playground at King Edward School where children will now have a

safe place to play and participate in their own school grounds and in their neighbourhood.

Today, just this morning at Teen Stop Jeunesse community kitchen where youth and seniors are coming together, Mr. Speaker, to provide training, nutrition and a healthier community one meal at a time, our government's proud to partner with the City, members of the community to build healthier and safer, stronger communities.

### **Highway 326 Dust Suppression**

**Mr. Cliff Graydon (Emerson):** Mr. Speaker, Vidir, Diemo and Pro-Fab are businesses employing 500 people at Okno near Arborg. They're located on Provincial Highway 326, a gravel road that has traditionally had dust control for many years. The government has informed Vidir and other businesses along this stretch that they will no longer be providing dust suppression on this road, putting their employees and residents of Okno at risk of a fatal accident. Last year the NDP raised the gas tax, money that was supposed to go to providing dust suppression work on Highway 326.

Can the NDP government explain why they have broken their promise to the people of Okno?

**Hon. Steve Ashton (Minister of Infrastructure and Transportation):** Well, Mr. Speaker, I welcome the opportunity to talk about the investments we're making in our highway system across the province. Of course, I know members opposite not too long ago voted against that budget.

But I would point out, Mr. Speaker, the member may want to check on how much money was invested in the 1990s when the Leader of the Opposition was a Cabinet minister in the Filmon government. At that time they invested about \$85 million in capital. This year it's a record \$468 million. That's where the gas tax is going.

**Mr. Graydon:** In the 1990s, they drove 1990 cars. Today, we have 2013 cars.

Mr. Speaker, providing dust suppression to this road would not only benefit the growing businesses of the Interlake but would also make gravel highways safer to travel on. With 17,000 big trucks driving on that highway, this is a real safety concern.

It's simple. The NDP government promised to provide dust suppression to this road. Now they're no longer doing so. They're putting lives at risk.

Why are they breaking their promises to Manitobans and risking lives at the same time?

**Mr. Ashton:** Well, Mr. Speaker, member opposite made some reference to 1990 vintage model cars. I mean, every day is the 1990s for members opposite. They haven't learned a thing. Their agenda in the 1990s was to cut. They cut expenditure on highways. They actually increased the gas tax and they cut the expenditure on highways.

I want to explain to the member again, Mr. Speaker, we have invested in our highways. We put \$468 million into highway capital; they voted against it.

**Mr. Graydon:** Mr. Speaker, the NDP decided to raise the gas tax to pay for work like this, and now they decided to raise the PST in what they claim is a way to fund infrastructure projects. This isn't happening. They broke their promises then. They're breaking their promises now.

And to add insult to injury, the member for the Interlake says it isn't the NDP's fault. He says the businesses shouldn't have built in his constituency in the first place.

Mr. Speaker, when will the NDP stop breaking their promises to Manitobans and create safer highways for the people of Okno and the employees of Vidir, Diemo and Pro-Fab?

**Mr. Ashton:** Well, Mr. Speaker, I'd welcome, you know, taking the member opposite on a tour of our highway system. We can start, by the way, with his constituency. Highway 75 in the 1990s, it was an embarrassment; we brought it up to interstate standards. I could take you out to Westman. He can check out the work we've done on four-laning Highway 1. I can take him to my constituency through the Interlake—the work we've done on Highway 6, and I could end up taking him to the Interlake, Highway 68 east-west connecting the Interlake.

Again, why? We're investing in highways. They continue to vote against those investments.

### **Highway 10 Repairs**

**Mr. Reg Helwer (Brandon West):** Well, Mr. Speaker, the minister's welcome to come drive down No. 10 and see how bad it is.

This was a tough weekend for us in western Manitoba, Mr. Speaker. This was a deadly weekend.

It was deadly weekend on roads in western Manitoba with three fatalities, two on No. 10 Highway, and a very, very tragic weekend for several families and their friends.

Mr. Speaker, this NDP government promised to fix No. 10 Highway time and time again, and they pave little pieces of it and they make a little bit wider, but they don't fulfill their promise. They need to come and see how unsafe this highway is, because Manitobans pay for this NDP's broken promises every day with their lives.

**Hon. Steve Ashton (Minister of Infrastructure and Transportation):** Well, Mr. Speaker, as Minister responsible for Infrastructure and Transportation, I'm sure I speak for every member on this side of the House in saying that we take the safety of our highways very seriously. And I want to say to the member opposite that any time there's a fatality, it impacts on Manitobans, family and friends. It certainly impacts on everyone on this side.

But I want to stress that the way you make highways safer is you invest in them, and, Mr. Speaker, since the 1990s we've gone from \$85 million a year in capital to \$468 million in highway capital. It's improving all our highways, including Highway 10.

I wish, Mr. Speaker, that the member opposite would support—

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

**Mr. Helwer:** Well, Mr. Speaker, we've waited time and time again, and we've seen broken promises. They were going to go around Forrest, and then they just kind of repaved a little bit. I even understand they bought some land to go around Forrest, but the bypass isn't there. And we heard all these promises time and time again, and it's not done.

Manitobans pay for these failed promises with their lives, Mr. Speaker. It's time to fix it.

**Mr. Ashton:** Well, Mr. Speaker, I made an offer to take members opposite on a tour. Perhaps I'll invite the member opposite when we're doing the work on Victoria Avenue, because the investment, the record highway investment—maybe he'll come out.

I remember he asked that question before the budget. Mr. Speaker, the budget put in place and announced that work. What did he do? He voted against it. He voted against putting money into Brandon.

**Mr. Speaker:** Time for oral questions has expired.

### Speaker's Ruling

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

Following the delivery of a ruling by the Speaker on May 13th, 2013, the honourable member for Portage la Prairie (Mr. Wishart) raised a matter of privilege contending that his ability to do his job as an MLA had been impaired by the matter of privilege raised by the honourable Minister for Infrastructure and Transportation in relation to a protest held at the Portage water diversion.

The honourable member for Portage la Prairie stated that his ability to meet with groups and his constituents had been impaired and that this impairment reflected on all MLAs. He concluded his remarks by moving, in quotations: "THAT this House direct the member for Thompson to apologize to all victims of the 2011 flood and particularly to this group of protesters that are my constituents." 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 the 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?

\* (14:40)

The honourable member for Portage la Prairie indicated that he was raising this—his matter of privilege at the first available opportunity, that is, immediately after the ruling on the matter of privilege raised by the honourable Minister of Transportation and Infrastructure had been given.

It is evident that the honourable member had waited until the Speaker delivered a ruling on the matter that—taken under advisement, and I thank him for his patience in waiting to raise the matter as this is in keeping with the practices of this House.

On the second issue whether sufficient evidence has been provided to demonstrate a prima facie breach of privilege has occurred, there are a number

of considerations that must be taken into account. As always, when dealing with privilege, the Speaker is only considering the procedural aspects and does not rule on the substance of the issues involved.

First, in order for a breach of privileges of the House to have occurred, Joseph Maingot advises, on page 222 of the second edition of *Parliamentary Privilege in Canada: The activity in question must involve a proceeding of Parliament. This concept is supported by rulings from Speaker Rocan in 1988 and 1991, by rulings from Speaker Hickes in 2003 and 2008, and in a ruling I delivered to this—to the House on May 13th, 2013.*

As noted in my May 13th ruling to the House, while debate in the Chamber does constitute a proceeding of Parliament, events taking place outside of the Chamber such as a protest do not fall within that purview.

Also on page 117 of *O'Brien and Bosc, second edition of House of Commons Procedure and Practice*, specifies complaints—are—constituency-related in nature do not constitute a violation of privilege. Further, *Beauchesne citation 92, sixth edition*, states, in quotations: A valid claim of privilege in respect to interference with a member must relate to the member's parliamentary duties and do not—and not to the work of that member—and not to the work that member does in relation to that member's constituency.

Speaker Parent of the House of Commons ruled in 1997, in quotations: In order for a member to claim that his privileges have been breached or that a contempt has occurred, he or she must have been functioning as a member at the time of the alleged offence, that is, actually participating in a proceeding of Parliament.

The activities of members in their constituencies do not appear to fall within the definition of proceeding in Parliament. This finding is supported by rulings given by Speaker Rocan in 1991 and Speaker Hickes in 2004.

Maingot additionally advises, on page 14th of—on page 14 of the second edition of *Parliamentary Privilege in Canada*, in quotations: To constitute privilege generally there must be some improper obstruction to the member in performing his parliamentary work in either a direct or constructive way as opposed to expression of public opinion or of criticisms of the activities of members. End of quotation.

It is also quite clear that parliamentary privilege offers protection for MLAs, but is not extended to persons outside of the House who are not MLAs, and this includes constituents.

Speaker Fox identified in a 1972 ruling that civil servants do not come within the purview of parliamentary privilege, which was the same finding in a 2004 ruling by Speaker Hickes and in a 2012 ruling by the current Speaker.

I can appreciate that the honourable member for Portage la Prairie (Mr. Wishart) has strong disagreement with the comments and characterizations by—made by the honourable Minister of Infrastructure and Transportation (Mr. Ashton). However, I must respectfully rule that in accordance with the procedural authorities referenced and precedents cited, a prima facie case has not been met. This does not preclude the member from raising his objections or defending his actions in the House during debate or during oral questions.

Members' statements—honourable Opposition House Leader?

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

#### Voice Vote

**Mr. Speaker:** The ruling of the Chair having been challenged, all those in favour of sustaining the ruling of the Chair will please signify by saying aye.

**Some Honourable Members:** Aye.

**Mr. Speaker:** All those opposed, please signify by saying nay.

**Some Honourable Members:** Nay.

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

**Mr. Goertzen:** On division, Mr. Speaker.

**Mr. Speaker:** On division.

#### MEMBERS' STATEMENTS

##### James Campbell Menzies

**Mr. Cameron Friesen (Morden-Winkler):** Mr. Speaker, it is with great pride, but also sadness that I rise today to celebrate the life and honour the passing of Dr. James Campbell Menzies, committed husband, dedicated father and dedicated physician.

Following the footsteps of his father, Dr. A. F. Menzies, Jim studied medicine at the University of Manitoba before returning to Morden in 1950. Here, Jim and his wife Hazel raised their family while Jim continued the legacy of his father, dedicating himself to his medical practice and working tirelessly to improve the quality of patient care and level of health-care services available in the Morden area.

Dr. Jim received Canada's physician-Family Physician of the Year award in 1972, recognized for his work in improving palliative care, rehabilitation and increasing the attendance and influence of the Manitoba Medical Association and the College of Family Physicians.

A man of faith and family and good humour, Jim was well-known in Morden, holding countless roles within the community, including positions with the St. Paul's United Church, the Boy Scouts and the Kinsmen Club; furthermore, Jim was the driving force behind the creation of the Morden Friendship Centre, was at one time the chair of the Morden Consolidated School District.

In 1967, as part of Canada's centennial celebrations, Jim started a fitness and wellness group that would bring men together to exercise early in the mornings, and after—and in later years, they would get together for breakfast as well; this exercise club went on for 45 years.

For his many contributions to the community, Jim received Morden's Citizen of the Year Award as well as many scouting awards, like the Silver Wolf and Silver Acorn medals. His volunteer spirit would continue to be recognized with a posthumous receipt earlier this year of a Queen Elizabeth II Diamond Jubilee Medal, with granddaughter Heather accepting on his behalf. This ceremony also saw Jim's son, Dr. Bob, recognized with a Diamond Jubilee award.

Loved by family and friends, co-workers and patients and the citizens of Morden, Dr. Jim Menzies will forever be remembered by his four sons, Bob, Bruce, John and James, their spouses and his grandchildren. It is my honour to pay tribute to his memory today.

Thank you, Mr. Speaker.

**Elijah Harper**

**Hon. Steve Ashton (Minister of Infrastructure and Transportation):** I rise today to pay tribute to

my former colleague and a colleague of other members of this House, Elijah Harper.

As I thought of Elijah this past weekend, I reflected on being elected in 1981, getting to know Elijah, many—at times we had the opportunity to travel throughout northern Manitoba with the veteran, Jay Cowan, with Jerry Storie and the late Harry Harapiak. We knew that Elijah was all about history. He was the first treaty MLA, the first First Nations Cabinet minister in this province. Much has been said about the history he made when it came to the Meech Lake Accord in 1990, but one thing I would reflect on is the fact that I can speak, having been the NDP House Leader at the time, on how Elijah Harper not only spoke for Aboriginal people, but he also spoke for the traditions of our parliamentary system of this Legislature. And I think in retrospect we should all, as Manitobans, regardless of our view of the debates of the day on Meech Lake, be proud of the fact that we did the right thing.

I also, Mr. Speaker, had the opportunity to visit with Elijah after his career in provincial politics. Many people, I don't think, realize how much of an icon Elijah was, not only here in Canada, but in places as far away as Taiwan where he visited, I believe, on upwards of a dozen times. And what really strikes me is we have an opportunity to reflect on Elijah, his incredible humility, his inner strength, that anyone that knows Red Sucker Lake will know why with—from his experience from that community.

What does strike me, Mr. Speaker, as time goes on, I think a lot of people will be looking to Elijah's impact, but I will point not just to his having said, no, in 1990, but the degree to which he said, yes, to a vision of hope for Aboriginal people. And when I see the new generation of leaders, both Aboriginal and non-Aboriginal, when I see grass movements like Idle No More, I see and hear the vision and the words of Elijah Harper.

Elijah will be missed by many Manitobans, many people across this country. Mr. Speaker, I want to join with them in passing on our condolences to his family.

\* (14:50)

**Mary Ellen Clark**

**Mr. Stuart Briese (Agassiz):** Mr. Speaker, volunteers are the heart of community organizations, and today I would like to recognize one of Neepawa's finest, Mary Ellen Clark.

Mary Ellen is a dedicated leader in community volunteering. She has dedicated her life to helping people in need. Mary Ellen and her husband farmed and raised a son and daughter. They also raised another child who was in need, from the age of 10 to 18.

She started volunteering when her son and daughter became involved in sports and school activities. Fast forward approximately 40 years, and Mary Ellen's accomplishments are remarkable. She's been involved with the Neepawa United Church for many years and was chair of the committee that built the new church in 1992. She's been involved with the Yellowhead Centre—that's Neepawa's hall and arena—and was chairperson of the Yellowhead board.

In 1995, Mary Ellen was diagnosed with breast cancer. She went through surgery, radiation and chemotherapy, and even though that took a huge toll on her, she never quit touching the lives of others. She's been chair of the Neepawa Cancer Support Group ever since.

In 1997, she gave back to her community by getting involved and developed a volunteer program for cancer patients. It was through this involvement and the palliative care program in Neepawa was formed. From 1998 till present, she has been the volunteer co-ordinator and gets very involved in the local and provincial cancer community.

In 2005, Mary Ellen lost her husband to a brain tumour. It was after that that Mary Ellen became very involved with the Neepawa Natives hockey club. She took over the role as a billet co-ordinator along with being a billet mom herself. She has billeted close to 40 players and treats every one of them as someone special to her. She receives many Mother's Day cards and stays in touch with them all.

In 2009, she was rediagnosed with breast cancer, but once again this did not slow her down.

In 2010, she was named RBC Local Hockey Leader. She was flown to Toronto where she was recognized in the Hockey Hall of Fame and awarded the \$10,000 cheque. She promptly gave this cheque to the Neepawa Natives hockey club. Also in 2010, she received the Manitoba citizenship award and the Neepawa Chamber of Commerce Community Service Award.

This past year, Mary Ellen was awarded Sportsman of the Year for outstanding work with Neepawa Natives hockey organization. She was also a recipient of the Queen Elizabeth II Diamond

Jubilee Medal. She was nominated twice by two separate organizations. Mary Ellen has also received the YWCA Woman of Distinction Award. She has been a huge part of the success of three community farm and leisure lottos, the Neepawa Personal Care Home, the community medical clinic, and the Neepawa Natives.

Mary Ellen has made a huge difference to the community in which she lives. Mr. Speaker, it gives me great pleasure to recognize Mary Ellen Clark in promoting healthy living, supporting a variety of community groups and being a dedicated volunteer. Thank you.

### Logan Constituency Job Fair

**Hon. Flor Marcelino (Minister of Culture, Heritage and Tourism):** On April 27th, the Logan constituency office hosted its second very successful job fair at Hugh John Macdonald School. I was pleased to be part of this advantageous event for the youth and adults of our communities.

Hugh John Macdonald School is located in the heart of Winnipeg's inner city. The junior high school for grades 7 to 9 is home to many talented students representing cultures from around the world. This diversity rich school is focused on providing its young people with as many opportunities for self-development as possible. Committed to global thinking, technological innovation in learning, and community activism, Hugh John Macdonald School is working hard to give its students the best possible start for their future.

The Logan constituency job fair was a great success. During this day-long event, over 500 people made their way through the school gymnasium, interacting and meeting with the 12 participating employers from across the province. Everyone was thrilled that the Premier of Manitoba (Mr. Selinger) was in attendance and greeted the students, job applicants, school staff and employers.

Learning about potential careers and job opportunities available in Manitoba helps students plan for their future. Our government is committed to providing more opportunities for youth, and we continue to work closely with employers to make that a reality.

Local events like the Logan constituency job fair are an important way to connect young people with opportunities. For example, Epic Opportunities, a local non-profit organization, received over 100 resumés from this job fair alone.

Mr. Speaker, I would personally like to thank the following employers for being a part of this exhibition: Pulford Community Living Services Inc., Standard Aero, The Fairmont Winnipeg, the Manitoba Civil Service Commission, Manitoba Hydro, Winnipeg Transit, Epic Opportunities, Russell Inn, Asessippi Ski Resort, Manitoba Lotteries and Liquor, the RCMP, and Steinbach Dodge and Chrysler dealership.

Thank you, Mr. Speaker.

**Mr. Speaker:** The honourable member for Agassiz.

### **BSE Effects on Cattle Industry**

**An Honourable Member:** Ten years ago, Manitoban and Canadian cattle producers and the 'beeket'—market for beef both in Manitoba and Canada were devastated. The reason for such was a case of BSE had just been discovered—a discovery that tested the economy of Manitoba, the livelihoods of producers and the government's resilience at a provincial level. We needed leadership more than ever, and this NDP government failed our cattle producers.

Within minutes of discovering the findings and holding a national press conference, over 30 countries closed their borders to Canadian exports, no longer receiving Canadian beef. Upon hearing the news the international markets tightened, Canadian markets immediately collapsed. Over the next 18 months, farm receipts for cattle plunged to almost \$5 billion.

For a province where producers account for 1.3 million cattle, or 10 per cent of the Canadian total, it was clear that swift action was required to protect upwards of 11,300 Manitoban producers. Unfortunately, for these producers, meaning results never materialized due to the provincial government's mismanagement and inactivity. In Manitoba, the government's response was so slow, in fact, the government was seen as being so idle as the industry response for a made-in-Manitoba solution to the address the NDP's forgotten industry. In fact, the provincial inaction led to Manitoba producers being effectively shut out from slaughter and processing facilities in Ontario and Alberta, causing cattle numbers to soar only to later be slaughtered indiscriminately by the promise—by prices to plummet.

As such, the provincial government's inaction and mismanagement of the 2003 BSE crisis is something that the current NDP government should

still be embarrassed over. Mr. Speaker, their lack of consultation and engagement with rural constituents and producers is reminiscent of the attitude today, and we all saw the devastating results that followed post-2003. In fact, I know the Dauphin processing plant that was proposed, when they sold the proceeds for the equipment they got less than a pickup price—a used pickup price—for the loss of that equipment. It was a shame.

**Mr. Speaker:** My apologies to the honourable member for Lakeside; I had introduced him as the honourable member for Agassiz. I just want the record to show it was the honourable member for Lakeside that had concluded the members' statements.

Now, we'll move to—

### **GRIEVANCES**

**Mr. Blaine Pedersen (Midland):** On a grievance, Mr. Speaker.

**Mr. Speaker:** On a grievance.

**Mr. Pedersen:** Yesterday—as my colleague for Lakeside mentioned, yesterday, May 20th, was the 10th anniversary of the discovery of bovine spongiform encephalopathy, otherwise known as BSE or more commonly, as coined by the media, mad cow disease.

It was one of those life-changing events for those of us who were in the agriculture business on May 20, 2003. I remember very vividly where I was and what I was doing when we learned the unimaginable news about one cow in northern Alberta being diagnosed with BSE.

This event marked a watershed moment for the cattle industry across Canada and throughout North America. Since May 20, 2003, cattle numbers have plummeted, and a great deal of equity has been lost by cattle producers across Canada. Markets in Canada have never regained their potential. Compulsory identification programs initiated since the discovery of BSE while having provided market access have not produced addition financial returns. Over-regulation by all governments, especially this NDP government, has severely hampered the ability of—for the cattle industry to rebuild.

A sincere lack of appreciation of the cattle industry in Manitoba by this NDP government has especially contributed to the severe decline of the cattle industry in Manitoba. Now, the cattle industry

has not been immune to changing markets since 2003, nor should it be. Grain prices have surged in the past few years increasing the competition for land use, which has also increased the cost of beef production. An aging farm population coupled with low returns has made the cattle industry less attractive with its labour-intensive needs in comparison to returns from that of a straight grain operation.

\* (15:00)

This NDP government has failed the cattle industry on so many fronts in Manitoba. A totally botched checkoff system intended to build slaughter facilities has failed miserably. The only result of this checkoff system is a couple of well-paid jobs for NDP insiders, a failed attempt at a slaughter facility in Dauphin costing Manitoba taxpayers millions of dollars and an empty parking lot over on Marion Street here in Winnipeg. Typical of NDP mismanagement is the millions of producer dollars unaccounted for in the Manitoba Cattle Enhancement Council, or otherwise known as the MCEC.

Mr. Speaker, the negative impact on the environment by the loss of the cattle industry is something members opposite cannot or will not comprehend. Grasslands and forage production provide a natural carbon filter thus reducing greenhouse gas emissions, but you must harvest these grasses to maintain its full potential of reducing greenhouse gases. Also, livestock manure is a natural fertilizer. It's not nuclear waste, as members opposite believe. This is a cycle of production: you harvest the grass; the cattle spread the manure; and you have production of beef. It's really very simple.

The deliberate flooding of Lake Manitoba in 2011 hit the cattle industry significantly at a time when the industry was beginning to rebuild. Thousands of acres, productive forage lands were lost in the 2011 deliberate flooding—not only lost production, but lost livelihood for ranchers and their communities. The area deliberately flooded had some of the highest concentration of beef cattle production left in Manitoba, and as bad as the flooding was, the treatment of cattle producers by this government has been nothing short of disgraceful.

But then we have learned a lot about this NDP government by the actions of the current Finance Minister. This is the same minister who stood up in

the hall in Langruth in 2011 and promised multi-year help to flood victims, only to turn his back and blame the feds, blame the opposition and he even blamed flood victims themselves. Remember, it was the member for the Interlake (Mr. Nevakshonoff) who told flood victims it could've been worse, and this is the same Finance Minister who has gone on to break the law while threatening the Jockey Club and now intends to break the law again in order to achieve a 14 per cent increase in the PST.

Flood victims and Manitobans in general are a gracious lot, but they don't deserve the treatment they have received by this Finance Minister and this NDP government.

Mr. Speaker, the cattle industry was good to me and my family for over 30 years. We sold and shipped cattle to four Canadian provinces, from Alberta in the west to Québec in the east, as well as seven US states as far south as southern Kansas and southeast into Wisconsin and Michigan.

Over the years that I was involved in the cattle industry, Manitoba was a significant player, and Manitoba has a potential to be a competitive player once again in the cattle industry both in North America and world markets.

Recognition by this government of the environmental and economic benefits of a thriving cattle industry would be a monumental step in the right direction.

On this 10th anniversary it would certainly be refreshing to see this government finally recognize how their ignorance, their arrogance has hurt the cattle industry. It would be a refreshing change for this government to actually sit down and consult and listen to the cattle industry to begin rebuilding of a once mighty cattle industry in Manitoba.

Cattle producers are the original and true stewards of the environment. So whether it's a hamburger on the barbecue, a Sunday pot roast or a sizzling steak, Manitobans are assured that they are supporting a sustainable, environmentally friendly industry. Manitobans know this. It's just too bad this NDP government doesn't.

Mr. Speaker, it's time to aim higher.

**Mr. Speaker:** Any further grievances? Any further grievances? Seeing none—

**ORDERS OF THE DAY***(Continued)***GOVERNMENT BUSINESS****House Business**

**Hon. Jennifer Howard (Government House Leader):** Pursuant to rule 31(8), I'm announcing that the private members' resolution to be considered next Tuesday will be one put forward by the honourable member for The Maples (Mr. Saran). The title of the resolution is Observance of Funeral Customs.

**Mr. Speaker:** It has been announced that in pursuant to rule 31(8), that the private members' resolution to be considered next Tuesday will be the one put forward by the honourable member for The Maples, and the title of the resolution is Observance of Funeral Customs.

**Ms. Howard:** Mr. Speaker, would you please canvass the House to see if there's leave that at 5 o'clock you interrupt debate and call second reading of the following bills: Bill 33, 22, 21, 23, 25, 36, 38 and 43.

Is there further leave that the House would then sit until 6 o'clock or whenever the business listed above is concluded, whichever comes first?

Lastly, is there leave that while considering these matters after 5 o'clock there be no quorum calls, and any recorded votes are deferred?

**Mr. Speaker:** So we'll start with the first. Is there leave of the House that at 5 o'clock that the Speaker interrupt the debate and call second reading of the following bills: Bill 33, 22, 21, 23, 25, 36, 38 and 43? Is there leave? *[Agreed]*

Also, is there leave that the House would sit until 6 o'clock or whenever the business listed, as I've just indicated, is concluded, whichever comes first? *[Agreed]*

And, lastly, is there leave that while considering the matters after 5 o'clock that there be no quorum calls, and any recorded votes are deferred? Is there leave? *[Agreed]*

**Ms. Howard:** Mr. Speaker, please move us into debate on second reading of Bill 20.

**DEBATE ON SECOND READINGS**

**Mr. Speaker:** We'll now resume debate on the proposed motion of the honourable Minister of Finance (Mr. Struthers), Bill 20, The Manitoba Building and Renewal Funding and Fiscal

Management Act (Various Acts Amended), and the debate is open for members of the Assembly.

**Bill 20—The Manitoba Building and Renewal Funding and Fiscal Management Act  
(Various Acts Amended)**

**Mrs. Bonnie Mitchelson (River East):** It is not my first opportunity to put comments on the record on Bill 20 or amendments to Bill 20, and I'm sure, Mr. Speaker, that it won't be my last opportunity yet to comment on Bill 20.

And, you know, Mr. Speaker, you just have to look at the name of the legislation and shake your head when it says, The Manitoba Building and Renewal Funding and Fiscal Management Act. What a sham and what a play on words, when we have a government that couldn't manage its way, fiscally, out of a wet paper bag.

Mr. Speaker, we have seen year after year and time after time a government that isn't able to manage its resources, the income that it takes in and away, where it's had to increase the deficit and spend more year after year than what Manitoba taxpayers have provided for this government. And it hasn't been because there's been a lack of resources provided by Manitoba taxpayers.

Taxpayers have been asked again, year after year, to contribute more to a government whose spending is absolutely out of control, and we've seen many, many examples. But you know, the irony of all this, Mr. Speaker, is, you know, the commitment that was made back in 1999 in order to get this NDP government elected, and then, the Leader of the Opposition, Gary Doer, made some very significant promises to Manitobans, and he said that today's NDP, at that time, will keep balanced budget legislation and hold taxes down.

\* (15:10)

Well, that's what Gary Doer said at the time, and that was one of the reasons that his party was elected to government in 1999. But what have we seen? We've seen the erosion of the balanced budget legislation and several amendments to make that piece of legislation almost defunct. And now we see the final blow, the final nail in the coffin to bill-to-balanced budget legislation that's been brought in by the present Minister of Finance (Mr. Struthers) and the present Premier (Mr. Selinger).

Now, you know, Mr. Speaker, I honestly believe that Gary Doer would not have led his party down

the path that they are going today. I honestly believe that he would have had more common sense and more respect for hard-working Manitobans than what we're seeing today by a government that has lost touch with Manitobans, with working Manitobans who are finding that they've been squeezed and squeezed by a government who promised on the one hand not to raise taxes, but has done the complete opposite in budget after budget. And we saw last year what happened and, you know, I—it's only been a few short years since Gary Doer has left the helm of the NDP government, and we've seen the credibility and the accountability of a government deteriorate since he's been gone. And I'm not sure that those that were elected under Gary Doer as the leader and the Premier of this province are necessarily happy with the direction that their own party is going under the new leadership; the new Premier who used to be the Minister of Finance and the new Minister of Finance.

Mr. Speaker, I believe that there was a little more principle established when Gary Doer was at the helm. And we've seen the arrogance and we've seen a government whose values have deteriorated and have—they have stooped to a new low—a new low—in the province where we have a government that lies every step of the way. We saw evidence of that during the last election campaign. I saw evidence in River East where the candidates and the support workers that were going door-to-door were outright lying in order to get votes, and it didn't work. People of River East didn't buy into that, into those lies.

But, Mr. Speaker, it was the worst campaign that I have ever experienced, and I don't know whether it was because of new leadership and new direction of the governing New Democratic Party or whether it was something that was more local. But we saw a Premier during the last election campaign who indicated before the election that he wasn't going to raise taxes. It was clear. As matter of fact, it was clear when he said we're not going to raise the PST, that's just nonsense, and I think those were his actual words or a quote.

Well, Mr. Speaker, that was what he said then, and this is now and Manitobans are not going to be fooled by a Premier that says one thing to get elected and then does something completely different, a complete about face after he's re-elected to government. And, I guess, I'm not sure whether it was the Premier or whether it was the new Minister of Finance since the last election that sort of led the

charge on trying to figure out how they could deceive Manitobans and change their opinion and change their minds after the election. Whose idea was it? And now I believe that there were many that were sitting around the Cabinet table that were completely blindsided by the Premier and the Minister of Finance. I mean, they were caught in a situation where they were spending out of control. They were not managing the resources of the province, the hard-earned tax dollars that were given to them by hard-working Manitobans.

And, you know, governments don't just get money from thin air. Mr. Speaker, it's real people with real jobs that are paying taxes and working hard to support their families that are providing the resources required by governments to do their jobs. And there is a need for government to balance their spending with the social priorities like health care, education and the social services that are needed by those that can't manage to work or to provide a living for their families—those balances have to be there.

But, Mr. Speaker, we have to ensure that there's respect for Manitobans, for hard-working Manitobans, and we have to ensure, as members of this Legislature, that we hold governments accountable to the way they are spending their money. And we see more and more money going into programs without measurable outcomes, without knowing what positive impact those programs are having. And we know every time we get—this government stands up to answer a question in this Legislature, they talk about how much more money they're putting into social services and into child and family services and into health care and into education; we're pouring more money in.

Well, Mr. Speaker, are we seeing better results as a result of all of that additional money going into those programs throughout health and education and social services and justice too? You know, their standard answer when they stand up in question period is, well, we're putting all this more money in and we've created all of these new programs and everything is just wonderful.

Well, Mr. Speaker, we see by the results that things aren't wonderful. We're seeing more children in Child and Family Services today than ever before, over 10,000 children having to be apprehended and taken into care. But the answer is, well, we're putting more money into it.

Well, Mr. Speaker, if we're putting more money in, why isn't it getting better? Why aren't we seeing

results? Why aren't we seeing healthier families? Why aren't we seeing less children in care? We've got a party that's been at the helm in this province for 14 years, and they keep going back to the '90s and saying, well, this is how terrible it was then, and we put all this money in and look how wonderful it is now. Well, it's not wonderful; it's not wonderful for those families that are still living in poverty; it's not wonderful for the increased number of families that have to use food banks today as a result of this government's mismanagement and misspending.

There are more people living in poverty today than there were in the '90s despite all the money that this government brags about putting into social programs and into housing and into health care. And we heard one of the members of the government stand up this morning in a private members' hour and talk about how terrible things were under the Conservative government in the '90s and how terrible our health-care system was and if we got into power again, people would be dying in the health-care system. Well, Mr. Speaker, what's happening today in the health-care system after millions and millions of dollars more have been poured into it by this government? What's happening?

We know what's happening; people are dying today under the New Democratic Party in government in this province. So for them to stand up and say people would die in the health-care system if the Tories were in government, Mr. Speaker, is absolutely ludicrous. How can they stand and have any credibility and talk about health care and the wonderful things they're doing, when they should be ashamed of what we're hearing?

Our Health critic has brought forward specific cases of individuals who were waiting to be seen, left the hospital after waiting for six hours and died very shortly after. That's not under a Tory government; that's under the NDP's watch that these things are happening today.

\* (15:20)

And I say, Mr. Speaker, shame on members of a government that can stand up and say that things would be worse under a Tory government. People are dying today under their watch, and we have seen time after time a government that makes all kinds of excuses and uses the arrogance of a government that has been in power for a long time—many Manitobans are saying, today, a little bit too long. People are enraged and the more—the longer we have the opportunity to go out into our communities after this

budget was presented, the more we are hearing from people that are very disappointed, are outraged at the fact that they're having to take more money out of their pockets to support a government who doesn't have the ability to manage or control. And we on this side of the House will continue to listen to Manitobans, we will continue to support a referendum as is in place right now under law to ensure that Manitobans have the ability to vote and say yes or no on any major tax increases.

And, you know, we've got a Minister of Finance (Mr. Struthers) who believes he's above the law, brought in legislation. They had a plan, Mr. Speaker, to put in place the increased PST to 8 per cent on July the 1st without looking at the legislation that presently exists and ensuring—now, they could've done two things. They could've brought in two pieces of legislation. They could've brought in a piece of legislation that said we will repeal the need for a referendum before we raise taxes, and they could've brought in another bill then to raise the PST. But they've tried to combine them, and I believe that we're not going to see this legislation pass before the beginning of July.

So how can they put in place a date for the increase in the PST to begin when they haven't even repealed the legislation that calls for a referendum before an increase in the PST? They are breaking the law, trying to circumvent the law, and believe that they are a government that's above the law. And we know that there should be consequences for anyone that breaks the law, and I'm hopeful that Manitobans will ensure that there are consequences for this government as a result of the arrogance that they have displayed.

And, again, Mr. Speaker, I'll go back to the days when Gary Doer was in charge, and I know that he had made some announcements and some decisions and they were looking at—under his tenure—taking money from MPI and putting it into education, post-secondary education, I believe it was. And there was major public outrage at the time, and do you know what Gary Doer did? He took a sober second thought, and he said we're not going to move in that direction. There was major public outcry. Well, why, since Gary Doer has been gone, has this government changed so very much? Why now are they prepared to toss Manitoban's wishes aside when Manitobans are outraged about changes to the PST? They are saying, enough is enough. We pay enough in taxes. Get your fiscal house under control. They're saying

that to the government. They are as outraged or more outraged than they were at the time when they talked about taking money from MPI, and yet this government just snubs their noses at Manitoba taxpayers and says, we know what's best for you. We know how best to spend your hard-earned tax dollars.

Well, Mr. Speaker, Manitobans really do deserve more respect and more leadership from a government that has been in power and yet continues to spend year after year more than they take in, and especially when they—we have—we see unprecedented revenues coming from the federal government into this province. We shouldn't be proud to be a have-not province, but it seems like this government just continues to go cap in hand to Ottawa and say, give us more. We need more. We need Canadians right across the country to support us as Manitobans because we can't support ourselves. We're a welfare state.

Well, Mr. Speaker, I take a little more pride in our province and I would like to see us be a have province where we could share with others the largesse that we have because we are doing well as a province, that we're attracting investment, we're encouraging businesses to come here to set up, we're creating jobs in the private sector—not in the public sector but in the private sector, because those are the jobs that we need to ensure that we can maintain our health-care system, our education system and the social services that Manitobans who can't support themselves need.

So, Mr. Speaker, I'm looking forward to the day when we can be self-sufficient and independent, and we're never going to get there under a government that spends more every year than it—what takes in, that racks up the debt and the deficit to a point that future generations are going to be hampered in their ability to live or to even want to stay here, and it's going to be a sad day, Manitoba.

And I know a lot of my colleagues have young children. I know I have young grandchildren, Mr. Speaker, and I would want my grandchildren to have the opportunity to stay here in Manitoba and work and create wealth and opportunity.

I know that my colleagues who have young children want their children to stay here, right here in Manitoba, and to be able to get good-paying jobs that can help to support our economy.

And I'm afraid, Mr. Speaker, if we continue down the path that this government is taking us on that we are going to be in a situation where no one is going to want to stay here to work, that the grass is going to be greener and the opportunities are going to be brighter and better elsewhere across the country or south of the border, and that will be a very sad day for Manitoba and for Manitobans.

So I would like this government, Mr. Speaker, to take a sober second thought, and it's not too late to say we made a mistake; it's not too late to say we will try to get our financial house in order; it's not too late for this government to do the right thing for the taxpayers, for the hard-working Manitobans that are being asked once again this year to dig into their pockets. They were asked last year to dig into their pockets for \$188 million more in taxes and user fees. They're being asked to dig into their pockets for an extra 8 per cent on their hydro bills this year alone—in one year, 8 per cent.

And I would venture to guess that not—most Manitobans didn't get an 8 per cent increase in their salaries this last year. Mr. Speaker, I know that we didn't and I don't think many others did. And then, to add insult to injury, on top of that they're being asked to pay another 1 per cent in the PST. Well, it's time for the government to say, I'm sorry, Manitobans, we made a mistake; we will not increase the PST, we will keep some semblance of order to the balanced budget legislation. And I think it's the kind of thing that Gary Doer would have done, and I'm kind of hoping that there's some leadership over there on the government side of the House to ensure that it's Manitobans that are protected, not the NDP. Thank you.

**Mr. Ron Schuler (St. Paul):** I do wish to put a few comments on the record in regards to Bill 20. The genesis of my comments start in the 2011 election campaign where we had a Premier (Mr. Selinger), the member for St. Boniface, who went out and campaigned on a commitment. He campaigned on a promise, on a statement where basically he said, read my lips: no new taxes. He went so far as to say that a PST increase would be nonsense, and we have 57 MLAs in that campaign who went door to door, campaigned on a commitment, on a promise that they would not raise any taxes, in fact, that they would live within the budget that they had, that all the commitments that they had committed to, they would be able to pay with the amount of money coming in.

\* (15:30)

And I just want to point out for the record this was not a party looking to achieve power. This is a party that had already been in office for almost 10 years with a Premier who'd been Finance Minister during that time, knew what was facing him, knew what was coming at him, knew the books, was not new or green to this, had complete knowledge to what was coming in the next years as a province.

So this Premier, the member for St. Boniface (Mr. Selinger), told his candidates, all 57 of them that ran in that election, every NDP candidate, went door to door, including the member for Concordia (Mr. Wiebe), the member for Dawson Trail (Mr. Lemieux), the member for Dauphin (Mr. Struthers), each and every one of them went door to door and said: No new taxes. Read my lips. And they went so far as to say that never would they raise the PST. And each and every one of the NDP MLAs basically got elected on a lie. They misled the electorate. And how unfortunate—how unfortunate.

In fact, they went even further than that. If you go back to the 1999, 2003, 2007 and the 2011 campaign, each and every one of those ran on a commitment, and I'd like to read it for this House. I feel it's important to read directly from a primary source, and it has Mr. Guy Smiley, Premier Gary Doer, on the front of it, and it says: Today's NDP will keep balanced budget legislation and hold taxes down. And they went even further. They went on to say: Today's NDP will balance the budget and continue paying down the debt—and listen to this, Mr. Speaker—without raising people's taxes. It's all in their commitment. In fact, it was No. 5 of their five commitments for you and your family. That's what each and every one of them got elected on. Not just did they get elected on not raising the PST, not raising a tax, they went so far as to say that they would keep balanced budget legislation.

And therein—therein lies the rub that people in this province have with the NDP: that it's a doubleheader. The NDP got elected on a doubleheader lie. They misled the public, not just on raising taxes and the PST but also misled people on the fact that they had no intention of keeping balanced budget legislation. In fact, balanced budget legislation isn't really the right term. It's called the taxpayer protection act, which is a beautiful name. It lays it out very clearly that legislation that the NDP supported—they voted for it when it first came forward.

The taxpayer protection act was voted for by the NDP. They supported it; they ran on keeping it, and now we find out they are going to gut it. The one thing that stood between the people of Manitoba and a government that couldn't live within its means, a government that was going to go to the electorate and force them to pay for their error of their ways, that referendum is now going to be stripped out with Bill 20.

And I think that's—when you walk from event to event, whether you're walking in your community, you're downtown, in a shopping centre, if you're in a sportsplex, if you're at some kind of a music event, or you're just generally hanging out with friends or family, maybe even at a restaurant, maybe the member for Kildonan (Mr. Chomiak) went out to a restaurant, and I know that people come up to him and say: How could you do this to us? How could the member for Kildonan have run in the 2011 campaign, went door to door, went down Leila and all those wonderful streets that we love and we cherish, and the member for Kildonan went door to door and he said: Read my lips. No new taxes. And when somebody said, oh, but member for Kildonan, you might have to raise the PST, and he shouted at them: Nonsense, nonsense. We will not raise the PST, he said. And now he sits in his seat and won't even speak to Bill 20, and even worse, is probably going to vote for it, which is going to strip the people from Kildonan of their right to have a vote on the referendum.

Now, I want to talk about the member for Dauphin. The member for Dauphin gave a most enlightening speech about referendums. And I would encourage him to perk his ears. He spoke about a referendum for the Wheat Board. In fact, he helped—him and his caucus helped to fund the Wheat Board for a referendum for \$80,000 they gave them because they felt so strongly about it. And I'd like to go back into Hansard and read for the Chamber a few things that he actually put on the record in regards to a referendum. And it is really, really telling because the member felt very strongly about referendums. And I quote from June 13th, 2011—this is the member for Dauphin, the Minister of Finance, yes, his very words. And he says, and I quote: "For crying out loud, Madam Acting Speaker, the Prime Minister of this country offered Canadians an opportunity to vote on the name of his cat. They voted on the name of his cat. Why can't that same Prime Minister let farmers vote on their economic future? What's the difference?"

Mr. Speaker, maybe we could put the argument forth if it's good enough for the Prime Minister's cat, if it's good enough for the Wheat Board, why isn't it good enough for all Manitobans? Why isn't the referendum good enough for all Manitobans? Why are we even debating Bill 20, which undercuts the protection of taxpayers, which undercuts democracy? Why can't we—if it's good enough for a cat, if it's good enough for the Wheat Board, why isn't it good enough for Manitobans? And I want to read a little bit more, because I think the Minister of Finance (Mr. Struthers) makes the best case for a referendum for Manitobans. He goes on to say: "I'll tell you what the difference is. The Prime Minister doesn't care what the name of his cat is, and I got to say they picked a good name for the cat. I like the name of the cat; Stanley's a fine name," he says. That's a direct quote out of Hansard.

What the Minister of Finance was saying is that the Prime Minister at the day didn't care that much what actually the name of the cat was. I guess, then, by reference—by inference we could say that the members of the NDP don't care what Manitobans think. They don't care what they think. That's why they won't give them a referendum. I would go so far as to say—I would go so far as to say—that I think they fear the result. In fact, there was a former member of this House, the member for Lakeside, Harry Enns, used to say don't ask the question unless you already know the answer. And I would say the NDP don't want to ask the question, because they already know the answer and they don't want the answer. They are not going to listen to Manitobans.

Now, the Minister of Finance goes on to say—after he compliments the Prime Minister on the name of his cat, he goes on to say, and I quote: "I'm not quibbling with the results; I'm quibbling with the process." Oh, so what he's saying is that—what he's saying is when it came to naming the Prime Minister's cat, when it came to a referendum for the Wheat Board, it wasn't that he was scared of the process, he wasn't scared of the results; he just wanted to make sure that people had the right to vote. Why would that apply in two other cases and not to this one? Why would not the Finance Minister actually get up and say, you know, I'm not going to quibble with the process? Why wouldn't he embrace the results?

He goes on to say: How could you—this is the Minister of Finance, our Minister of Finance, recently, Mr. Speaker. We're not reaching back 10 years or 20 years for a quote here. This is in 2011.

We're not talking historical stuff here. This is just recently. Minister of Finance says, and I quote: "How could you be against having farmers vote on an issue? How can you even stand in this Legislature and talk about what you call is a vote tax and not stand up for farmers' right to vote on their economic future?" Well said.

\* (15:40)

Why wouldn't you be in favour of a referendum where Manitobans would have the right to vote—and I quote from the Minister of Finance—on their economic future. Why would anybody on the NDP benches be against Manitobans voting on something that will affect their economic future?

You've ran on it—they ran on balanced budget legislation, taxpayer protection act. They ran on it multiple times: '99, 2003, 2007, 2011—they ran four times on the balanced budget legislation, on the taxpayer protection act. Each time they would keep it, they would honour it, and the Minister of Finance said—as late as 2011, June 13th, said that you should have the right to vote on your own economic future.

And we come to this point, Bill 20, and Bill 20 does exactly the opposite of what they ran on, each one of those NDP members. I'd like to ask member for Kirkfield Park (Ms. Blady), who ran and got elected on saying, read my lips: no new taxes. The member for Kirkfield Park ran on keeping the taxpayer protection act. The member for Kirkfield Park didn't even have the courage to go to the PST rally, slunk out the side doors and ran away as quickly as she could, ran away as quickly as possible.

The member for Assiniboine—the member for Assiniboine, who not just has turned his back on all the people that work so hard at Assiniboine downs—has turned his back on them, so I guess it only stands to reason that he would stand—turn his back and not stand with his constituents in the—on the front steps, fighting the PST.

And what about the member for St. Norbert (Mr. Gaudreau)? The member for St. Norbert has all kinds of stuff to say, but never would you have him say a thing about the PST increase and the fact that he ran in this last campaign and he went door to door in St. Norbert and said, read my lips: no new taxes. And when somebody said, what about a PST increase? The member for St. Norbert said, nonsense, never would we increase the PST. Why didn't he go to the PST rally? Why didn't he stand with his constituents,

instead of slinking out the side or back doors and running away from people who actually have a legit—a grievance.

Where are all these individuals? Where are they? Instead of standing up with the member for Dauphin, the Minister of Finance (Mr. Struthers), who said on June 13th, 2011, that you have the right to vote on your economic future and that would include a PST increase. Why did he run, the member for Assiniboine—why did he run on no tax increase and then came into this House and now says nothing about it?

In fact, when you listen to the—all the NDP members right now, their government is running ads on the radio and television and they don't even mention the PST increase. They talk—those ads talk about absolutely everything else but a PST increase. Never once do they talk about all the taxes that they're increasing.

Why, if they're so proud about what they're doing, why'd if they shout from the rooftops that they're so proud of this budget, why don't they advertise the PST increase? Why don't they have a referendum if they feel it's such a good idea? Do it; do what the Minister of Finance says, the member for Dauphin who says that you have the right to vote on your economic future. And he goes on to say—and I would say this to every member on the NDP benches, these are the Minister of Finance's own words—how can you do that, how can you be so hypocritical?

I'm wondering if the member for Dauphin, the Minister of Finance, was clairvoyant. He was actually speaking these words before he was going to do what he did. And you have to wonder if he already had a premonition that this was coming. I suspect he did, Mr. Speaker, that he knew that they were going to be bringing in something that was going to go contrary to what they ran on and was going to gut balance budget legislation.

He goes on to say: It is almost beyond words how hypocritical, how phony, how ridiculous the position of members opposite is. Why don't you grow a backbone and stand up for Manitobans? Do that. Do that, he said, and hold the referendum.

There you go, the Minister of Finance, the member for Dauphin, lays bare exactly what most Manitobans feel about this NDP party and about the NDP government. Each and every one of them who

went door to door and said, read my lips: no new taxes.

The member for Seine River (Ms. Oswald), door to door, knocking at the door, open your door. I want to tell you about how I stand for no new taxes. Read my lips. And when they said, oh, but member for Seine River, I think you might have to raise the PST. Nonsense, she said. And over her shoulder, talking, is the Minister of Finance who says, you know, how could you be so hypocritical? How phony. How ridiculous. The position of members—because they knew already what was coming—that the position the NDP took in the last election was ridiculous and it was phony—what they took—that position. Where was the member for Seine River?

The member for Dawson Trail (Mr. Lemieux), door to door, peddling his story. Read my lips, the member for Dawson Trail said. No new taxes. And when people said to the member for Dawson Trail, oh, but you're going to have to raise the PST; you're going to have to raise the PST 'pu-fay' all—to pay for all this, he said nonsense—nonsense. No, no, no. And ringing in his ears should already have been the words from the Minister of Finance saying, how phony, how hypocritical that is. That should've been ringing in his ears as he was making that statement.

And, by the way, Mr. Speaker, none of these—none of these words are our words. It's their words coming back to haunt them.

And what about the member for Riel (Ms. Melnick)? She went door to door, knocking at the doors. Open up, please. I want to tell you our position on taxes. And people said, where do you stand on taxes? And she said, read my lips; no new taxes. And they said, well, how are you going to pay for all these promises? Are you going to raise the PST? And she said, ridiculous. We would never—never raise the PST. That was the member for Riel. And then she walked into this Chamber, and we haven't heard her voice since. Never once has she gotten up and said, you know, I was a little naïve. We could've dealt with that. Maybe I was a little naïve when I made that statement—you know, read my lips; no new taxes. Maybe as her Finance Minister went on to say that it was a ridiculous position and that it was hypocritical and it was phony. And maybe if she'd have got up in this House and said, you know, we've gone with this PST broken promise. Maybe it was phony and ridiculous, and perhaps I backtrack on it. Why wouldn't the

member for Riel do that? Oh, because she hasn't been heard at all on this issue.

And it's sort of like their government ads. It's kind of like their advertising for a budget from a different province. It's completely devoid of what the budget's all about. The—this provincial budget is all about broken promises. The provincial budget is all about lies and about how they're raising PST and raising taxes and when you see those ads, you think they're actually advertising for somebody's budget from a different Province or maybe one of the American states. You got to wonder—maybe they got a deal. Maybe they got canned ads for a budget, and they just brought them in here and they got them at a good price. And perhaps that's what they did.

I mean it has no relevance to the budget that was presented, you know, but that's okay. In NDP la-la land, that's fine, Mr. Speaker. That's fine, because you know what? They don't want to ever—you've never heard New Democrats run a word from three little letters. You've never seen them run like they run right now. I don't think any one of them ever uses the letter P or the letter S or the letter T in any speech. Never—never—would they do that. Not one of them now says the letters PST ever. I think it's been banned. I think maybe their House leader has said, don't you ever use those letters, PST.

But during the election, the member for Riel—oh, the member for Riel, going door to door, read my lips; no new taxes. We'd never raise the PST. That's ridiculous.

\* (15:50)

And then we have the—I'm a MLA one time, then he's an MP another time and then he's back being an MLA. He's the member from mandatory voting. Oh, now he wants mandatory voting. I wonder if that includes referendums. Maybe he could get up on a point of order. We'd be fine with that. The member for Elmwood (Mr. Maloway) could get up on a point of order and interrupt my speech, and perhaps he could tell us, does that include referendums? Because we would like to know. *[interjection]* No, he says from his seat.

He—you know what? I remember the member for Elmwood used to stand proudly. In fact, you know what? I'm going to read from the Minister of Finance (Mr. Struthers). I'm going to read some advice to the member for Elmwood. This is the member for Dauphin, who says how ridiculous the position of members opposite is: Why don't you grow a

backbone and stand up for Manitobans? That's my advice to the member for Elmwood. There was a time when he used to have a backbone. He used to stand in this House. Now he's been whipped. Why doesn't he stand up and say, you know, it was wrong to run in the election and say, read my lips. He ran up and down Talbot Avenue, and he ran up and down Watt Street, and he ran up and down Larsen, and he said to every door, let me in. I got to tell you our tax position. Read my lips, he said, no new taxes, no PST. And he barely got back into this Chamber, and now besides pushing mandatory voting which doesn't include referendums, he's slashing—which he ran on in 1999, keeping the taxpayer protection act. Where is the member for Elmwood? I will read the—his Finance Minister's advice to him, and it's from June 13th, 2011. The Minister of Finance speaking, of all people, I think, to the member for Elmwood, and he said, and I quote: How ridiculous a position of members opposite is. Why don't you grow a backbone? That would be advice for the member for Elmwood.

And what about the member for The Maples (Mr. Saran)? Where is he on this? You know, we don't hear much of—from him on the PST. We don't hear much from him on much of anything, but we would like to know where he stands. The member for The Maples, the member for Concordia (Mr. Wiebe) went door-to-door and said, let me in. I have to tell you about our tax policy. Our tax policy is: read my lips, no new taxes. That was the member, and the member for Tyndall Park (Mr. Marcelino), the same. Member for Tyndall Park, he was the worst one. He ran door-to-door and said, read my lips, no new taxes. Where does he stand on this bill? Why doesn't he get up and speak? In six and a half minutes he will have the opportunity to get up and speak and say his piece.

Now, there's also the member—and I want to make sure I get all these members on the record. We wouldn't want to, you know, leave anybody out here.

How about the member for Southdale (Ms. Selby)? Now, she went door-to-door in Southdale. She went canvassing: open the door, I have to tell you my party's position. Let me in. Let me in. I want to tell you my party's position on taxes. And she went door-to-door and said, read my lips, no new taxes. And they said, well, how are you going to pay for all your promises? Are you going to raise the PST? And the member for Southdale said, raising the PST. Now that's nonsense, she said, and walked into this House as a member of the Cabinet and the first

thing they did was raise taxes in the first budget, and by the time they got around to the second budget, raised the PST; \$500 million more in taxes picked out of people's pockets year after year in a community where there are a lot of parents that are struggling trying to pay for sports and music and dance and all the rest of it. And I can attest to how expensive that is, Mr. Speaker, and what does she do? Does she stand up for his—constituents and say to her Cabinet colleagues, no, this isn't the right thing to do? In fact, she should listen to the advice from the Minister of Finance from 2011. This is his advice to the member for Southdale, and I read: How hypocritical. How phony. How ridiculous the position of members' opposite is. Why don't you grow a backbone? That's his advice to the member for Southdale. Why doesn't she grow a backbone and take a stand against Bill 20 and against the PST increase?

And it goes on, what about the member for the Interlake (Mr. Nevakshonoff), Mr. Speaker? The member for Interlake, besides going to Twin Beaches and basically offending everybody there by—as people were standing absolutely shocked after the storm that decimated their community—were standing in hip waders in three and four feet of water as he floated by on his flotilla shouting as much encouragement as he could, he said: It could've been worse. That's the kind of advice from the member for Interlake.

Maybe he should listen to some good advice. The Minister of Finance (Mr. Struthers) gave him some advice and said, how hypocritical, how phony, how ridiculous the position of members opposite is; why don't you grow a backbone? And that's his advice to the member for Interlake, who besides going around and dishing out some of the most appalling advice, telling business people the reason why they have problems is they shouldn't have built there in the first place. You built in the wrong place, he basically told them. Mr. Speaker, what a disgrace.

The member for the Interlake should take advice from the Finance Minister and grow a backbone and come into this House and start fighting for his constituents, (a) from Twin beaches, (a), and (b) from the businesses that need his help and all Manitobans and all of his constituents who would like him to stand in his seat for once and take a stand against this government that got elected on not raising taxes, on not raising the PST and then came in here and budget after budget has raised taxes. And then, insult of injury, not just do they raise taxes and

the PST, but then they strip people of their right to have a referendum, the kind of thing that the member from Dauphin, the Minister of Finance, helped fund even just a couple of years previously, and talked about, you know, oh, how phony, you know, having a referendum for a cat's name; we should at least have it so that people can have their voice.

Yes, Mr. Finance Minister, and that should apply to a PST, the thing that you ran on. The Minister of Finance ran on giving people the right to have a vote on a PST increase and has come in here and has stripped the taxpayer protection act away from Manitobans, the thing that they rely on, the buffer between them and irresponsible politicians from the NDP benches.

And I'd like to ask, where's the member for Fort Garry-Riverview (Mr. Allum)? St. Vital? Selkirk? St. James? Gimli? The member for Gimli (Mr. Bjornson), the—you know, he's been known from time to time as being the pensionator, the individual who took a little bit of a tack on the 40,000 retired teachers and denied them a fair pension. Why doesn't he stand up? He went door to door in Gimli. Knock, knock, knock, knock, knock: Oh, let me in, let me explain my party's position on taxes. Read my lips, the member for Gimli said, no new taxes. And when they said, how are you going to pay for all of these promises, he said, never would we raise the PST. Why does he not grow a backbone, like the Minister of Finance said? Why doesn't he stand up to his Premier (Mr. Selinger) and to his Cabinet and say, this is the wrong thing to do.

Bill 20 is a disgraceful document because the NDP got elected in '99, 2003, 2007, 2011—they got elected on keeping balanced budget legislation. It's in writing. They got elected on promising not to raise taxes and they got elected on not raising the PST knowing full well what was coming at Manitobans, knowing full well what was going to happen in their next mandate, but made the commitment. It was an attempt to get elected at any and all cost.

And, Mr. Speaker, I dare say that Manitobans will not forget the betrayal that—the kinds of things that members said to them, the fact that the NDP got elected on nothing but a bunch of lies and have betrayed them and have let them down, because not one of them will take the advice of the Minister of Finance and grow a backbone and stand up for the people of Manitoba, stand up for what's right and oppose Bill 20 like they all should do, like we're going to.

**Mrs. Heather Stefanson (Tuxedo):** And I patiently waited to get up from my seat because I was waiting. I was sure the member for Riel (Ms. Melnick) was about to jump up and rebut what the member for St. Paul's has been talking about in the last while. And I think it's unfortunate.

I know that she wants to get up and have her say in this Manitoba Legislature. I know that she wants to defend the fact that she went door to door in the last election and knocked on those doors and wanted to give her advice on the PST, Mr. Speaker. I know that she wants to get up today, she wants to get up tomorrow, she wanted to get up last week and set the record straight from her standpoint on this.

But why doesn't she? I think it's extremely unfortunate that she refuses to stand in this Manitoba Legislature and stand by her constituents, many of whom who were at the rally, at the PST rally outside the front steps at the Legislature the other day. We've heard from many of her constituents and we know that they're concerned about this PST hike. Not only did she promise not to—when she went door to door in the last election—not only did she promise not to raise the taxes, Mr. Speaker. She made that promise in the last election.

\* (16:00)

We know that her first available opportunity, she came in, and members opposite came in, and raised those taxes. In fact, raised them—in the highest in 25 years that we've seen in the history of this province, and they hiked them. It was the biggest hike in 25 years, and that's the first thing that they did as soon as they possibly could.

But we know, Mr. Speaker, that she refused to be out on the front steps of the Manitoba Legislature the other day because she knew her constituents were there, and she knows that they're very upset about this PST hike. And she knows that many of them will probably come out to committee and, hopefully, have a say at committee if it's not in the wee hours of the Manitoba Legislature, where they try and slam this thing through in the dark of night. We know how members opposite work when it comes to these kinds of things, and we know how—that it's going to be very unfortunate, that that's probably the way they'll choose to do things.

*Mr. Tom Nevakshonoff, Deputy Speaker, in the Chair*

And it's unfortunate for the member from Riel, from her constituents, that they won't have the opportunity to necessarily come before committee

and have the opportunity at a reasonable hour, to give their 10-minute presentation in front of our committee, to let us know how they feel about a PST hike that they were promised would not happen in the next—in the last election. They will come forward in front of a committee man—Mr. Speaker.

And they came forward in front of the Manitoba Legislature the other day to speak out against this Bill 20, and we know that the members opposite refused to listen to them the other day. We know that they'll refuse to listen to them probably at committee, but I still have hope; I still have hope that perhaps people will be given the opportunity, that their democratic right to at least come and stand before committee and have their say at committee—hopefully they won't shut down that right for Manitobans, Mr. Speaker, as well.

We know that they love to shut down the rights of Manitobans when it comes to votes, Mr. Speaker. And unlike the member from Elmwood who stood up and was in favour of mandatory voting—it seems he's the only member opposite that believes in that. And it's unfortunate that the rest of the members opposite see that it's easier just to strip Manitobans of their right to vote, because that's the only way they can get through their legislation, it's the only way they can get through their agenda which—their agenda to raise taxes, because they've got a spending addiction.

So it's extremely unfortunate, again, for the member from Riel, that she didn't get up and put a few words on the record today or yesterday. Hopefully, she will see fit to do so tomorrow and stand for her constituents.

And I want to say the same for the member from Kirkfield Park, who I know is—she had many constituents out in front of the Manitoba Legislature the other day, who were attending at the rally at the same time that she was heading out the side and back doors of the Manitoba Legislature. They were looking for her, they were wondering where she was, why she wasn't there to answer to them.

Well, I'll tell you that members on our side of the House were there, Mr. Speaker. We were there because we're there to listen to Manitobans, even when members opposite are not there to listen to their own constituents. We will stand by their constituents, we will make sure that they have a voice in the Manitoba Legislature because the voice of their MLA is nowhere to be seen.

And I'll say, Mr. Speaker, that if they do have something to say on this, if they want to stand in this Manitoba Legislature, they can. They have every right to stand up for their constituents here. And we, in fact, are encouraging them to do so. We wonder why they're sitting silent and I bet it's because they are somewhat embarrassed because when they went door to door in the last election campaign—and again, the member for Kirkfield Park (Ms. Blady) did this as well. She went door to door in Kirkfield Park and she told people that she—when she talked about their policy on taxation, Mr. Speaker, she said, oh, there'll be no new taxes—they'll be no new taxes coming forward in the next little while. Oh, no, we don't believe in that. Oh, oh, you know what? Oh, those Conservatives, they're trying to scare you, they're trying to say that we're going to raise taxes, but it's nothing but nonsense. And that's what she said to those people going door to door in Kirkfield Park.

And I think it's unfortunate because her first available opportunity, she came in the Manitoba Legislature, she didn't stand for her constituents. Instead, she chose to stand by the Minister of Finance (Mr. Struthers) who proceeded to make a historic increase in taxes, in fact, the largest increase in 25 years since the Howard Pawley government in the 1980s. So I think it's unfortunate that the member for Kirkfield Park refuses to stand in the Legislature as well, and speak on behalf of her constituents.

And I know the member for Southdale (Ms. Selby), I know that she was—I sort of saw that she was getting up to say a few words earlier. I'm sure she wanted to get up and stand by her constituents as well. I bet she—I know that she wanted—I know that she was saying some things from her seat when the member for St. Paul (Mr. Schuler) was speaking in this House and talking about her going door to door, and she looked like she just wanted to get up and say a few words about, you know, about what she believes in when it comes to this Bill 20. But, unfortunately, she too has been silenced by members opposite and told that she is not allowed to get out of her seat on this bill.

It would be interesting to just see what her take is on this. Is she going to stand with her constituents, many of whom again were on the front steps of the Manitoba Legislature the other day during the PST rally? They came in droves to this Manitoba Legislature because they believe strongly that the NDP not only broke their promise, Mr. Speaker, and when they promised not to raise taxes, and we know

the member for Southdale went door to door and she promised, when she talked about her taxation policy, she promised not to raise taxes then. We know that she did that, and we knew that her first available opportunity she came into the Manitoba Legislature into this very Chamber room and stood by her Minister of Finance, who proceeded to make the largest increase in taxation in 25 years in the history of this province. So it's unfortunate that she has chosen not to stand by her constituents who were on the front steps of the Legislature the other day. Instead, she chose to run out and sneak out the back or side doors of the Manitoba Legislature to avoid her constituents who were there.

And I received several emails from constituents of hers as well, many people who are extremely concerned about the direction that this government has taken, and we know, Mr. Speaker, that they're not only concerned about promises that are made during an election campaign. In a desperate attempt to get re-elected in this—in Manitoba, the NDP made a claim and a promise that they knew they wouldn't ever going to keep. And I think it's unfortunate that members opposite in areas like Southdale—indeed every constituency that the NDP holds in this Manitoba Legislature—they went door to door in those constituencies and they told people in their constituencies; they said, we will not raise taxes. We know the Tories are trying to scare you. We know they're trying to scare you by saying that we're going to raise taxes. Well, that's nothing but nonsense, the Premier said. And members opposite said, it's nonsense, is what they said, and I think it's extremely unfortunate.

So rather—I think that I'd like to, you know, if we could at least hear from a few members opposite about what's going on here. I think you owe it—I think members opposite owe it to their constituents, Mr. Deputy Speaker. They owe it to their constituents to at least stand in this Manitoba Legislature and explain to them why they broke their promise that they made in the last election because they—the constituents of members opposite deserve to understand why they stand by the Premier and the Minister of Finance when they have made the decision that they have made to raise the PST.

But not only is it a decision just that—where they broke their promise in the last election, Mr. Speaker, one of the things that we heard loud and clear at the rally on the front steps of the Manitoba Legislature was this egregious attempt by members opposite to strip Manitobans of their right—their democratic right

to vote. It is the law, the existing law in Manitoba as it stands right now in this province that if the NDP wants to introduce—first of all, they can't introduce legislation in the Manitoba Legislature that calls for an increase in the PST; that would be illegal. So they've done that. They've already broken the law.

But not only have they broken the law there—they're also breaking the law if this bill—Bill 20—does not pass by July 1st. They are also breaking the law where they are going to just implement a PST increase without even having the laws in place to allow them to do so. So they're going to break the law again, and we know the Minister of Finance has already broken the law.

\* (16:10)

There was a judgment made by Justice Dewar, who found him guilty of not passing on the parimutuel levy money that was required by law, and I think it's unfortunate that we have a Minister of Finance, (Mr. Struthers), when we asked questions of him the other day he circled around the questions. He wouldn't answer the questions. And the fact of the matter is he broke the law there, and Justice Dewar found him guilty of not passing on that money—that was not his, by the way, it is money that is—rightfully goes back to the Jockey Club in the way of—under The Pari-Mutuel Levy Act. And it was—it is required by him. He is not to withhold that money, and I wonder if—even to this day—if that money has flowed back to the Jockey Club or if he is still holding it and still thereby breaking the law as it stands today.

Mr. Speaker, and I know the Premier (Mr. Selinger) and members opposite got up and they said, oh, well, here's a quote that Dewar says, that Justice Dewar says on page 8 of the ruling. Well, I challenge members opposite to perhaps read the ruling past page 8, past page 9, past page 10 and read it to the very end, and I think it's about 24, 25 pages long. And I think around page 21 or so it talks about the parimutuel levy, and this is exactly where the Minister of Finance, in fact, broke the law, an existing law.

And so we know that members opposite like to play fast and loose with the law in this province. We know that they like to make promises to Manitobans in a desperate attempt just to get re-elected to save their own political behinds, Mr. Speaker. We know that they are desperate to just remain in power because they care more about themselves than they do about Manitobans.

So, Mr. Speaker, I would say that—oh, I know members opposite. They like to go back and talk about the 1990s, and we're talking about broken promises here and so on. And I'd like to talk about a broken promise that was, in fact, made by members opposite, all, again, going door-to-door in the 1999 election campaign and promising to end hallway medicine in six months was \$15 million. Well, fast-forward 13 years, billions of dollars later, people are not only in highways, in our—sorry, in hallways in our hospitals, but they're also on highways travelling to other provinces, having babies on highways to other provinces. It's abysmal. They haven't—they've broken their promise from back to 1999. Again, they like to go back to the '90s, so we'll take them back there a little bit there.

But—pass—you know, I have to just say because I—we're going back to—as legislators in this Manitoba Legislature, Mr. Speaker, we have many schools and students who come and—into the gallery—and they listen to us debate various pieces of legislation. Sometimes they come during question period. Sometimes they come during these times and they're here when we're debating pieces of legislation in this Chamber. And I know that there were a couple of students that were up in the gallery the other day that asked me, well, why is it only people from your side of the House who are debating in this—in the Manitoba Legislature? Why is there no one from the other side? And so I said, well, you see, it's because they broke their promises. It's unfortunate, and they—they're perhaps maybe a little bit embarrassed about it and embarrassed to stand up and speak for their constituents.

And I think it's unfortunate because this is supposed to be a free and democratic society that we live in. It's supposed to be. And, of course, living in a free and democratic society we're teaching our students, again, many of who come and listen in this gallery about various debates that are going on. And, you know—you see, the unfortunate part about this is we have a government that wants to shut down democracy in Manitoba.

And I really urge members opposite to think twice about what they're doing with this Bill 20, and I want them to really listen to their constituents, listen to themselves and understand what it is that they're doing here, because essentially they're trying to shut down democracy in this province by dictating to Manitobans about what they think is right for Manitobans, not what Manitobans believe is right for themselves, okay? And during—in a free, in a truly

free and democratic society people should have the right to have a say. And we know, under the laws, the existing laws in Manitoba, as they exist today that Manitobans are to have the right to a vote if there is a PST hike in this province. Those are the existing laws, and in a free and democratic society Manitobans would be allowed to have that right to vote, but the problem is we have an NDP government here in Manitoba that likes to act more like a dictator than uphold democracy in this province.

And I would suggest that if they are not afraid of what Manitobans have to say on this very issue, Mr. Deputy Speaker, then what are they—why are they so afraid to have a referendum on this debate? What are they afraid of? Are they, in fact, perhaps, just afraid that they may hear something that they don't want to hear, and that is that Manitobans don't want a PST hike? Well, if they don't want it then it shouldn't be happening.

In a free and democratic society, we listen to the people. We're elected by the people. There's a referendum that's held for the people to listen to the people and see whether or not the people really want this. And I would suggest that if members opposite really wanted to live in a free and democratic society, rather than the current dictatorship that they seem to be running this Province under, that they wouldn't have had a problem with hosting—with holding a referendum here in the province of Manitoba on the PST hike.

But I think this goes back to the Minister of Finance (Mr. Struthers) and his original budget consultation meetings that he hosted across our province and across Winnipeg. And in those budget consultation meetings, he had—and I know members opposite may have heard me talk about this before, but it's very important. But across Manitoba he had a slide show, a presentation, that he brought before people that he was consulting and people who took the time, effort and energy out of their lives to come out and listen to this Minister of Finance try to—on his budget consultation. So they listened and they saw him go through his 24-page slide-show presentation, and not one of those slides had anything on it that resembled anything to do with an increase in the PST, Mr. Speaker. So no wonder there were not people at the budget consultation meetings making comments about what they felt about this PST hike, because it wasn't even on the table for them to discuss. If something's not really on the table for them to discuss, people often won't

discuss it. So this is what happens at these budget consultation meetings.

And so, of course, members opposite, I guess they were waiting for people to come forward with this PST hike and waiting for members from the community to come forward with it. Well, when I asked the Minister of Finance how many people at these meetings came forward and requested a PST hike, he didn't answer the question, which left us to believe that there was nobody that in fact came forward and asked for this PST hike. So we keep searching around Manitoba. We keep asking every day in the Manitoba Legislature. We keep asking every day in the members for Kirkfield Park (Ms. Blady) and Seine River and Southdale's ridings, in our own ridings, in Gimli. [*interjection*] Yes, we did. I was—matter of fact, I was out there this weekend—and Gimli is a wonderful place to be—and I was asking people in the coffee shop in Gimli, in fact, did you ask for a PST hike? And none of them were saying that they did. Fancy that. Not one of them in the coffee shop in Gimli were asking for a PST hike. And, you know, I—and I would suggest the member opposite spend a little bit more time in Gimli and then he would maybe understand that there's no one that's really asking for this PST hike, Mr. Deputy Speaker. So we continue to go around.

We will continue to do our work around this province, and we will continue to ask Manitobans what they think about this PST hike, because we know that they're not being adequately represented by members opposite. Members opposite are refusing to stand up in this Manitoba Legislature to let their constituents know where they stand on this issue. And by silencing themselves it means that they are in favour of this PST hike; it means that they are in favour of this anti-democratic way of life—this dictatorship way of this government running this province; that they are in favour of stripping Manitobans of their right to a referendum when it comes to a PST hike in this province. And I think it's unfortunate, and I would encourage each and every one of them that if that's not what they think they have an opportunity today, tomorrow and for the next few months in this Manitoba Legislature to stand up for the rights of their constituents in this Legislature, to make sure that they are heard in this Legislature, because, again, if they're not going to stand up for their constituents, we will.

Thank you very much, Mr. Speaker.

\* (16:20)

**Mr. Ralph Eichler (Lakeside):** Mr. Deputy Speaker, I do want to put a few things on the record in regards to Bill 20, and first I'd like to bring forward the issue of—way the government went about raising the PST.

When they brought in the budget of 2013 was our first notice that the government actually had an intention of doing this. In fact, every member of this House, at least on this side of the House, was shocked to say the least. What we did find out—there was some people that were actually asking for the PST increase. It was 37 members opposite. That was the only people that actually asked for a PST increase. And what we found—a result of that, they're losing faith within their own party. We've been seeing very clearly supporters that's been with the NDP forever are now saying they're never, ever going to support this government once again.

When they went out and campaigned, they went to the—their supporters and told them, look, we're not going to do this. Their leader went out and said, we're not going to raise taxes. We're not going to be the ones that would raise the PST without a referendum. Fact, the First Minister, the member from St. Boniface went out and made deliberate comments to the public and said, very clearly, it's nonsense; we will not raise the PST without a referendum.

It's very clear this government cannot be trusted. It's very clear what this government intends to do with any legislation. In fact, Bill 43—they just introduced last week—they're finding out that what this government puts in writing means absolutely nothing. They want to make sure that they can be stroked off the list from being sued, to make sure that whatever they do, they're not held for account. I can tell you, Mr. Deputy Speaker, every member in this House is accountable, no matter whether you're in opposition or whether you're in government. The general public will hold each and every one of us to account.

It's unfortunate that what the NDP has done to this Assembly is mark every politician as one that cannot be trusted. It's a shame that whenever governments go out and misrepresent what their true values are is 'irregrettable' for all members of this House and disgraceful for all members of this House.

Whenever we stand up—and I've talked about this time and time again—whenever we do anything in this House, we need to make sure we have consultation. There was no consultation on the PST.

There was no consultation in regards to public input. I have not found one Manitoban that's come forward, other than the members opposite, saying this is a great idea—not one—not one.

In fact, if you go back and look at the AMM and you back and look at the Winnipeg chamber, you go back and look at the Business Council, you go back and look at Manitoba chamber, they all ask for a PST for infrastructure dollars only. There is no evidence—there is no evidence other than for the general public to assume, until they table it, what really is at risk here. What is at risk is \$277 million, based on the current dollar-of sales we have in Manitoba. That's what it's going to take out of every Manitoban's pocket in this province, and it's going to become a slush fund. It's going to become a slush fund for this government to be able to spend however they wish, however they see need, whatever they decide. Like, just a couple of weeks ago, announced a school that's been announced three times—four times, at least, that I know of, and it's unfortunate that they've decided that this will now be part of the infrastructure budget of what they call building Manitoba and renewal funding.

What we've also learned in the past through other government programs that whenever a government makes decisions such as this, to bring forward changes in legislation—in fact, they have it in place, but we've made it very clear on Bill 20 that we're opposed to that, but what the government has said is it doesn't matter what you think. It doesn't matter what Manitobans think. It doesn't matter what laws are in effect. Doesn't matter—we're doing it anyway, with or without your approval. It doesn't really matter. We will do what we want to do and we will be the ones that make sure our policies are followed. It's regrettable—it's regrettable—that all Manitobans suffer as a result of what this government's actions are going to be. So we know very clearly as we've moved forward, what are the changes that are going to come forward next? Well, the minister's never said that he wouldn't increase the PST again next year, or the HST. Where are they going with that?

What clearly is at risk here is Manitoba's future. And I know, because I have some grandkids I'd love to see grow up here—I believe in this province, and I remember going back to the leadership debate back in 2009, I believe, when—then the Gary Doer was in office and stepped down. In fact, the—one of the candidates said very clearly they'd have two sets of books: one to get more money out of the federal

government, another one that would show Manitobans we're doing a good job. So, clearly, this government can't be trusted.

What we also found is that whenever we're talking to these groups, and coming back to the PST increase in particular—whenever these groups that I talked about, AMM, Winnipeg chamber, Manitoba heavy construction—when they asked for the PST increase, they were very precise in what they wanted to hear from this government and what they want those dollars to go to. They have now come back and said, truly, truly if you want to do that PST increase the way you've done it, then call a referendum. Call a referendum and let Manitobans have their say. Have that democratic right to be clear on what Manitobans want. And I will guarantee you, those organizations—they say time heals; time heals, but sometimes it don't. Memories go on forever whenever you reach into their back pocket and take money that was not supposed to be going to this government, for their slush fund.

So every MLA on that side of the House is going to be held to account, same as we are for our actions, and I can guarantee you that the Winnipeg chamber, the Manitoba chamber, AMM, Manitoba Business Council, Manitoba heavy construction, have all said very clearly: Do the referendum; do the right thing. Call for the referendum and let the people decide. In fact, whenever we look at the broken promises from last year alone, with the PST increase there on home insurance, I know the insurance bureau was blindsided on that issue as well. There was no consultation with that business, with those folks, and they'd been blindsided. In fact, it's not the first time. Real estate people, lawyers, were also hit with the RST just a few years ago as well.

So we have an endless, endless opportunity to raise money here, but it still only comes with the same person. There's only one taxpayer at the end of the day that's going to pay the bills, that's going to come—and Manitobans are running out of money. Manitoba is not one of those provinces that has oodles and oodles of gobs of money. Each family—and I know a number of families that have reached to their back pocket and said, I got no more to give, I can't afford to live here anymore, I'm going to have to look at other options. And whenever we decide that's what's best for our family, we see people exit this province, we find that people leave the province for greener opportunities. They want to be able to meet their needs; before they buy a new car, they buy a new truck, they make sure things are in place. They

don't just go out and say, look, we're going to raise more money—because they can't. Very seldom can people have more than two jobs, and there's a lot of families that have more than one job, and I know a number of them that I speak to each and every week—in fact, this weekend, I can tell you that we had a number of people that come up to me and said, where is the government going with this? What are they thinking? And these people had never, ever, addressed this—any legislative business with me before in the past, but what they're saying now is, why are we where we are today? Is it because they have a spending habit? Because they have a dictatorship? Is it—what is it? What is it that really makes this government feel they can do whatever they want?

And I can tell you, Mr. Deputy Speaker—*[interjection]* I will *[inaudible]* with the federal government because I know a little bit about that, too, and we will talk about the federal government in time due. But right now I want to finish up with what these families were telling me on the weekend, and I take what they have very seriously, as every member of this House does and should. And whenever we have comments like, what a dictatorship—what a dictatorship. What voice is there, what voice do we have other than the lonely member from Lakeside that they talked to about what this government is actually going to do.

\* (16:30)

Well, I can tell you what they can do. They can vote in the next election. The honourable member from Elmwood brought forward a resolution that we need to encourage more people to vote. But what these people will do, this—probably never voted before—will vote in the next election. They will make sure their voice is heard. They will make sure that dictatorship is not for us in Manitoba. They will make sure that every member of this government will be held to account.

And whenever we look at any issue—at any issue—federal, provincial, municipal, school divisions, we all know—that's had experience in those fields—that whenever you make bad policy you make bad government, and there's only person at the end of the day that's going to be able to answer for that and that is the individual that's put there to represent those interests.

I can also tell you that out of the \$180 million they raised last year, when you look at the budget, just the infrastructure budget alone, that budget

which I'm the critic for is increased only by \$29 million. That's a far cry from the \$280 million that they're proposing in this new increase. In fact, I believe it's \$197 million this year alone in the PST increase, not counting all the other fee increases, all the other costs that the governments back loaded on the backs of hard-working Manitobans.

And whenever we want to make sure those families stay with us in Manitoba—when we talk about our families and grandkids, nieces, nephews, aunts, uncles—they're going to survive. People are survivors. In fact, I watched a show on the weekend, a news documentary about starvation and what it leads to for families to fight back. Families, whenever they get hard up and they get to the point where they go past where they can't provide for their families and start to look at other options, and this is people that are hard-working Manitobans, that reach out each and every day and contribute to society, contribute to government. And what does this government do? They throw a tax at them that they weren't expecting without consultation.

And I know the member from Tuxedo talked about it in her comments earlier, that whenever the Minister of Finance (Mr. Struthers) was asked how many people asked for a PST increase, and we know the answer: zero. Zero folks asked for a PST increase.

And I know members opposite are going to go out and they're going to try and take their 192 spinners and spin this around. In fact, we saw just the other day on another issue—oh, it was brought up in here. Before the media even had a chance to pick up on it the government was out with their spinners saying, oh, this is not what we really intended. This is not what we meant. So they have a huge, huge responsibility to watch after this government and what they're doing in their actions.

Now, I can tell you that as we watch and work with those businesses that do want to come here, they're reluctant. They're reluctant because what they're saying is, really, is Manitoba open for business? We saw what a Conservative government will do in Saskatchewan. You know, it was very simple. After 16 years of the NDP government there—in fact, I sat down and I met with the Minister of Agriculture right after he was elected and it was maybe six months, seven months and the economy started to turn around. And I said, Bob what are you—what's your secret? What did you guys do to turn Saskatchewan around? He said it was simple. We

found very clearly that we're open for business. We return phone calls. We return the emails. We return the letters. We said we want to be open for business. We want to be able to say to every new investor that comes into Saskatchewan, we are open, we are transparent, we are clear.

And they got their second mandate just in 2011 as this NDP government did, and I can tell you very clearly, I know that they'll get another mandate because they're doing the right thing. They're open for business. They're open for part of whatever the general public wants to have a say in. They're not going to go out and be heavy handed in any of their policies. They're making it very clear; they're open for business.

And I know when I also talked to the Minister of Agriculture at the time—whenever he was talking to me about business investments on various—the various different areas of opportunity in rural development, they realized that not everybody wants to live in a major centre. They have several. They have Saskatoon. They have Moose Jaw. They have Regina, Prince Albert, a large number of communities where they're able to go and look at those communities and help them grow and prosper. And every one of those communities—what we've seen—actually, in the very member of Finance's only yard in Dauphin—what we seen is a decrease in the population, a decrease. Whenever we had an opportunity to see a community like Dauphin grow and prosper, it hasn't. It's went back the other way—it's went the other way.

It's unfortunate whenever we look at rural Manitoba, we need to look at things different. We need to look at some of the other examples. In fact, we talked earlier about BSE and what the impact had on the cattle industry in the province of Manitoba. I had shares in it; a number of members on this side had shares in the processing plant. And I can tell you very clearly the government messed up on that big time—big time. They had an opportunity; the federal government was more than willing to open up negotiations with them in regards to the processing plant. In fact, the government went out and bought a plant that was closed up, seized up and wasn't able to make it in the marketplace. But what this government did, they bought the equipment from this processing plant, had it shipped to the border—in fact, the member of MASC went down and delivered a cheque to border services and, when they got back, they said, well, we're not quite ready yet. So they put it in storage. They stored that equipment for a year,

maybe a year and a half, something like that, and it turned into rust. A little more rust, a little more rust, so what'd they do? They sold it; they sold it for the price of a used pickup.

**An Honourable Member:** How much?

**Mr. Eichler:** About \$18,000, if I remember right. Right around—[interjection]—it was 15? I was giving benefit of the doubt, I was allowing for the increase in the PST on it. That'd give us another 1 per cent, another 14 per cent increase. But I can tell you that the public and the beef producers are the losers, because we lost those jobs, we lost the opportunity and we lost the investment.

And what we've seen now, as a result of it through BSE and also through the flood of 2011, a decline in the cattle numbers which is significantly going to impact every Manitoban. And I know that whenever we look at the processing facilities—in fact, the government brought MCEC in, and they have a plant in St. Boniface they invested a bunch of money in, and we really can't have anything to show for that. So whenever we look at anything this government touches, it turns into waste. It turns into another liability where we really have no clear indication about where this government really wants to lead us and what they want to do to move us forward, other than reach into our back pocket and take every last penny—every last penny that Manitobans have to give.

Now, there's other ways of doing it—there's other ways of doing it. They could have said, this is our priorities, this is where we want to go and this is how we're going to get there. They have no vision, no credibility, no true defence mechanism or governance recommendations whenever they're looking at anything, when it comes to looking forward. And whenever we look at the PST increase, what we've asked for time and time again—in fact, I was in Estimates with the member from Charleswood on Friday. She very clearly asked the Minister of Finance (Mr. Struthers) to table a list of those projects that would work out to be the equivalent of what this government actually wanted to spend.

So it's unfortunate to the Minister of Finance doesn't even know, has no idea where this money's going to go, because he hasn't been told by the member from St. Boniface what this slush fund is going to look like, what it's going to be. What is our true vision as leaders, as government, that's going to spend this money? They yell out, oh, it's

infrastructure, it's infrastructure. But as I said before, it's \$29 million in the infrastructure budget. No true indication about where the money is actually going to go. It's a shame—it's a shame, Mr. Deputy Speaker, this government has no credibility when it comes in—to finance to this province. What we've seen is deficit budget, deficit budget, deficit budget; no credibility, nothing more to say than what nobody else wants to hear, and that's more tax dollars. What we will do—what we'll do is what we want, not matter what Manitobans want. It's unfortunate that we brought in the PST when we had a great opportunity—we had a great opportunity to do the right thing, and that's to live within our means.

\* (16:40)

But what we also found is that when government makes mistakes like this—and there is legislation in place, the referendum is very, very clear. But this government wants to look past that because it doesn't matter. What they're going to do, on July the 1st, is bring forward the PST increase, and what they're going to do is, whether or not Bill 20 is passed or not—and we're going to be making sure at committee, whenever we hear these fine Manitobans come forward—in fact, I believe there's very close to 180 of them now as we get closer to the dates of which we're going to be able have the public consultation. In fact, I know the member from Steinbach is ask—has asked the First Minister, the member from St. Boniface, whether or not he's going to be present to hear from Manitobans. Try and find those Manitobans that said, yes, dig deeper; dig deeper into our back pockets; take more money from us; make sure that we have absolutely nothing left and we'll all have to go and beg the government to be on welfare.

Only thing we're missing here is a fence and a military to rule. If that's what we want, then here we go. We're close to it now. We're going say, bring in the military, a provincial military that's going to be able to run this province. What a way to govern. You should hang your head in shame.

In fact, I can tell you, Mr. Deputy Speaker, just in closing, that whenever we look at the deficit that's been growing, growing, growing since 1999, every member on that House should be ashamed. Whenever we have an opportunity—the highest dollar of transfer payments that's came from the federal government. It's high time that we learned to live within our means. It's high time to be able to sometimes say, no. It's time to prioritize what we have to spend our money on. It's time to make sure

that we're doing the right thing—that we're doing the right thing.

Yes, I know the members opposite say, oh, yes, it's all—you guys always ask for more roads, more this, more that. Well, you know what? It is very clear—it is very clear—we don't want a used pickup. We don't want the government telling us what to do, and we don't need the vote tax. We can go out and talk to Manitobans, and yet this government feels they're entitled to a handout, not a hand up, but a handout. Whenever we look at—to Manitobans—the only one that really has an opportunity to do the right thing and that's to withdraw the PST increase. We look forward to the government withdrawing this bill in due course.

Thank you, Mr. Deputy Speaker.

**Mr. Cliff Cullen (Spruce Woods):** Mr. Deputy Speaker, I, too, looked across the way to see if there was any members of the government side going to speak to Bill 20 today, but, apparently, we're not going to see the NDP government in action today.

Certainly, we look forward to a continued debate on Bill 20. And, Mr. Deputy Speaker, I had great opportunity this past weekend to go home and actually talk with constituents and get a sense of what my constituents out in the Spruce Woods constituency are saying, and what they're saying about Bill 20, and what they're saying about a proposed increase in the provincial sales tax, here, in Manitoba.

And I know we get engaged in and debate on various pieces of legislation, and we've been in—pretty engaged in Bill 20 and where the NDP want to go on Bill 20 in terms of taking away people's right to vote on a provincial sales tax hike. And we get caught up in that debate on a daily basis. I think it's incumbent on us, though, as legislators, to go out and make sure that we're actually talking with our constituents and get a real good understanding of what our constituents are thinking across this great province.

Now, we know that the members of the government during the last election were out campaigning door to door saying that they were not going to raise any taxes. The Premier (Mr. Selinger), the First Minister, said, you know, read my lips, no new taxes; in fact, the idea of raising provincial sales tax is nonsense.

Now—and, clearly, within a matter months when the government came back, the NDP government

came back. They provided us a budget and in that budget was just a myriad of tax increases, and pretty much focused on the provincial sales tax and broadening of the provincial sales tax. And then what we see one year later is the idea of adding another point of provincial sales tax to the wide range of goods and services that they are taxing now.

So I think it's incumbent upon us to go out and say—hear what Manitobans have to say, and the message I got loud and clear over the course of the weekend: my constituents are saying, no new taxes. We're taxed to death here in the province of Manitoba. We are one of the highest taxed provinces outside of Québec, and we know where Québec gets a lot of their assistance from. And, clearly, we probably are the highest taxed province outside of Québec—*[interjection]* I stand corrected and I thank the member for Agassiz (Mr. Briese) for pointing that out.

Now, Manitobans are saying enough is enough and they're asking for accountability. They're asking for accountability in terms of how the NDP are spending their money, and I think they have every right to say that. Are you, as a government, spending my tax money wisely? And that's the question they ask me.

You know, we debated a bill today, this morning. We talked about transparency, we talked about accountability and that's really what Manitobans are asking for. And we think there's lots of room for improvement. And I know the member for Lakeside (Mr. Eichler) raised the issue; there's all kinds of ways that we can get better value for our tax money.

Mr. Speaker, we know the NDP can spend money. That's not a problem. We know they can spend money; in fact, they go out and they promote and they say, you know, we're spending all this money in all areas of the province, in every department we're spending money. But Manitobans are saying what kind of value are we getting for the money? That's really what it's about—what value are we, as taxpayers, getting for the money? And that's why they have some issues with where the NDP is going, in terms of spending money.

Now, Mr. Speaker, Bill 20 is really about integrity; it's about integrity of us as elected officials and it's about broken promises. It's about the NDP government going out and saying one things to Manitobans and then coming back a few months later and saying exactly the opposite. And that's the

frustrating part and that's what Manitobans are telling us on this side of the House, that, boy, it's time for change here. These guys—I have—not listening to Manitobans. They're not listening to ordinary Manitobans anymore.

And there's lots of promises being made by the NDP, in terms of where they're going to spend money. Yes, they talk about—announce and announce, you know, a tidbit here, a tidbit there, maybe a school down the road. And how many times will they make those announcements, Mr. Speaker? And it almost appears, and I think there is cynicism out there in the general public, that Manitobans are being bought with their own money. And I think the closer we get to an election, the more announcements you're going to see, and the more things that are promised to taxpayers here in Manitoba. So, that's something that we're obviously going to keep track of, what kind of announcements they're making and whether they're actually fulfilling those promises.

It was interesting, Mr. Deputy Speaker, to hear the minister—the member—fill—Kildonan talk about balanced budgets and talking about all these years the NDP have balanced their budget. Well, I would put to you that nothing could be further from the truth. How do we go from a \$13-billion debt in 1999 to a proposed \$30-billion debt at the end of this fiscal year and still say, with a straight face, that they have balanced their budget? Clearly, they haven't balanced their budget. Well, unless you're using NDP logic, of course.

Now, I want to take you back to the original balanced budget, debt repayment and taxpayer protection and consequential amendments act. This was the document that was put together back in the 1990s. Certainly, there was some interesting topics of discussion and some interesting points of debate, which I hope the members opposite will pick up. In fact, in there, talk about balanced budget requirement and they talked about one particular section. In fact, it was page 2 of the act. This was pretty paramount for a government of the day. They said, subject to section 3 and subsection 4(2), for the fiscal year commencing on April 1st, 1995, and ending March 31st, 1996, and for each fiscal year thereafter, the government is not to incur a deficit. Well, that's pretty clear, that's pretty straightforward to me. Now, obviously, it was something the NDP don't agree with because they were pretty quick to change that law once they found out that there was no way for them to live within their own budget restrictions, their own budget limitations.

I would say the NDP, over the last 13 years, have probably not met one of their budget allocations, that being that they overspent each and every budget since they came into office in 1999, Mr. Speaker.

Now, that—if you can't maintain and contain your own spending within a given year, that's going to lead to problems and that's the problem we're in. And I don't necessarily blame the Minister of Finance (Mr. Struthers) today, though he is—he's got some issues he has to deal with but he's not the master or the kingpin of this situation we're in. We had the First Minister, who was the minister responsible for Finance for the last number of years, he had his hands all over this file, Mr. Acting Speaker, and clearly he was kingpin in terms of going from a \$13-billion deficit to a \$30-billion deficit.

\* (16:50)

Now, I think the red flags came on with the Minister of Finance when he realized that, holy smokes, at the end of this year, I'm going to have a \$30-billion deficit, and even with those increase in sales taxes and increase in fees, I still can't balance my budget year over year. He still, Mr. Acting Speaker, is going to have a \$500-million deficit this year alone, and that's even with the expansion of the public—the provincial sales tax and increasing the PST by another point up to 8 per cent this year. Even with those increase in the provincial sales tax and all the other fees, the Minister of Finance still can't balance his budget.

So what does that tell you? Well, it tells me one thing: they can't contain their spending. They're having a hard time prioritizing where their money is going to be allocated to balance their budget. And clearly that's been a chronic issue that the NDP haven't been able to deal with over the last 13 years, Mr. Acting Speaker.

Now—and again, I know the Minister of Finance, he was out campaigning too. I'm sure he went to his members in Dauphin riding and said, you know, we're not going to increase the PST, that's the farthest thing from our mind. I'm sure he did that. But I'm very curious now what his constituents are telling him, and I'm thinking in particular those constituents that live closer to the Saskatchewan border, his constituents in Grandview and Gilbert Plains and Roblin, which is very close to the Saskatchewan border, where the minister there has gone and made a fundamental difference between

what we pay in provincial sales tax in Manitoba and what their neighbours pay in Saskatchewan.

Now, clearly—clearly—the business community in the town like Roblin is going to be severely impacted by this increase in the provincial sales tax. And I would think those residents of Roblin would probably be pretty upset with their Member of the Legislative Assembly by misleading them in terms of saying that he wasn't going to increase the sales tax, because that is going to have an adverse effect on their bottom line. And clearly, what it's going to do, it's going to drive people out of Roblin to go shopping across the line in Saskatchewan.

And I would think the Minister of Agriculture (Mr. Kostyshyn), who, you know, neighbours to the Minister of Finance in Dauphin, should have sort of the same thought in mind—in his mind as well. You know, when he goes home and talks to the people up in Swan River, which is very, very close to the Saskatchewan border, if he was campaigning last time and said that he was not going to raise provincial sales tax, and then he turned around and did that, I would suggest that his business community and his ratepayers are probably not very happy with the direction the NDP are going, because those people in Swan River rely on their constituents to do business. And, if they have a 3 per cent less tax rate in Saskatchewan, just a few miles down the road, what is to stop them from going to Saskatchewan?

And I'm pretty sure if the member for Swan River, the Minister of Agriculture, picks up his phone and was to phone the Swan River chamber of commerce, I would think he would get a pretty interesting reaction from those people out in Swan River, Mr. Speaker. And clearly—clearly—that's the message that I think they should be listening to, and we look forward to hearing what they have to say about the reaction of their constituents.

*Mr. Speaker in the Chair*

And, Mr. Speaker, the legislation also goes on to talk about a debt retirement fund, and that's quite interesting. You know what, the notion, back in the 1990s—even though, you know, revenues were down, revenues from the federal government were down—the government of the day thought, you know, novel approach, we should try and pay down our debt. We don't want to saddle our children and our grandchildren with an exorbitantly high debt because we have to pay interest on the debt, and any time you're paying interest, that's money that can't be used

for other infrastructure such as roads, hospitals, schools and so forth. So clearly that was the approach at the time.

But something went off the rails when 1999 came along, because the NDP have actually grown the debt here in the province of Manitoba. As I've said, they've gone from \$13-billion debt to a \$30-billion debt. So they've—in all essence, they really tore that piece of the balanced budget legislation up as well.

And I want to talk about the granddaddy that we're talking about here in Bill 20. And Bill 20, basically, is going to take away the right of Manitoba taxpayers to have a say in proposed changes to the provincial sales tax. And it's very clear, on page 8 of what was Bill 2 at the time, a referendum is required for tax changes. And it's very, very clear that a referendum has to be called in terms of the government increasing any major taxes. And it talks about four taxes in particular: they talk about The Health and Post Secondary Education Tax Levy Act, The Income Tax Act, The Retail Sales Tax Act and part 1 of the revenue act.

Now, it's very specific about the process that has to be undertaken in that regard. And it's pretty clear the government is circumventing that legislation already by introducing legislation to change it, to introduce an increase to the provincial sales tax. And it'll be interesting to see how this whole thing unfolds by July 1st. It certainly appears the government is bent on making sure the PST is impacting every Manitoban here in Manitoba by July 1st, and, clearly, if this legislation in Bill 20 is not passed, it will have a fundamental effect on whether or not the law has been broken again.

Now, Mr. Speaker, it's clear we've got a Minister of Finance (Mr. Struthers) that has very little disregard for the laws of Manitoba. You know, we just went through a process here over the last few months where the Minister of Finance took it on his own accord to withhold money from the Manitoba Jockey Club. And, clearly, that money is allocated to the horse racing industry in Manitoba, but the Minister of Finance didn't look to his own legislation. He should have read the legislation, and that's where Judge Dewar told him, you're circumventing the law by not paying the Jockey Club that money. As a result, Justice Dewar said, you know, Minister of Finance, you're basically—you're breaking the law here. You're breaking the law, and that money should be allocated to the Manitoba

Jockey Club. And he issued that warning. He said, you get that money turned over the Manitoba Jockey Club instead of holding it on; it's not your money to hold on to.

So, as a result of that, the Minister of Finance was caught red-handed with his hands in the cookie jar, and forced to turn that money back over to the Manitoba Jockey Club. Now, clearly, the Minister of Finance, you know, he's playing loose with the laws, and he's doing the same thing here in terms of Bill 20 and the existing balanced budget legislation. And, clearly, that gives rise to calls from our constituents about the integrity of the NDP government. And, clearly, that's the message that we're getting across Manitoba. And I would hope that the members on the government side would take the time to spend some time in their constituents—constituencies, listen to their constituents and hear what they have to say.

And we would love to hear from the members opposite get up and talk about Bill 20, and if, in fact, their people are asking for an increase in provincial sales tax, we'd love to hear that. But if you read the newspaper and you look at who's calling for the provincial sales tax increase, it's pretty hard to find. It's very hard to find anybody that's actually called for an increase in the provincial sales tax. Now, we've got lots of organizations here that are speaking out against the proposed increase in provincial sales tax. And the list goes on and on and on.

And, ironically, we had a debate about the Canadian Wheat Board here in the Chamber not that long ago. And the NDP were up in arms that everybody should have a vote—at least the farm community should have a vote in terms of the future of the Canadian Wheat Board. In fact, the government even put money into help sponsor a vote on what should happen to the Canadian Wheat Board. Well, here we are just a couple of years later and this is an increase that is going to impact every Manitoban, and does the NDP want to have a vote on that? No, they don't want to have a vote on that. In fact, what they want to do is change existing legislation to take away that right.

Now, as the member for Lakeside (Mr. Eichler) said, we had—many Canadians have lost their lives just so that we could have the opportunity to vote in a democratic society. And the NDP are taking away that right that Manitobans have. And I think the NDP should be ashamed of some of the things that they are pulling to decrease democracy here in Manitoba.

\* (17:00)

**Mr. Speaker:** Order, please. As previously agreed, I'm interrupting the proceedings.

When this matter, Bill 20, is again before the House, the honourable member for Spruce Woods (Mr. Cullen) will have 12 minutes remaining.

## SECOND READINGS

**Mr. Speaker:** We'll now move on with second readings of bills, as previously announced, starting with Bill 33, the Municipal Modernization Act (Municipal Amalgamations).

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

**Hon. Ron Lemieux (Minister of Local Government):** I move, seconded by the Minister for Entrepreneurship, Training and Trade (Mr. Bjornson), that Bill 33, The Municipal Modernization Act (Municipal Amalgamations), be now read a second time and be referred to a committee of this House.

#### *Motion presented.*

**Mr. Lemieux:** Most of today's municipal boundaries were established more than a century ago. However, since those municipal boundaries were drawn, the municipal environment has changed significantly. Municipalities have been impacted by changing demographics, advances in technology and changes to the rural economy among other things. The global economy also continues to challenge all governments including municipalities.

We all share in the goal of ensuring that Manitoba's municipalities are strong. When municipalities are strong they have the capacity to better deliver essential services and meet new and emerging challenges such as funding much-needed infrastructure. However, strong municipalities also typically have large and diverse populations and tax bases. Large municipalities can better capture economic development, growth and investment opportunities that continue to grow our communities and our province.

Like the black star in many cultures, the guiding light like Brandon University's Rural Development Institute recently completed two studies that examined what it takes to be a strong municipality. RDI's research indicates that strong municipalities comprise larger geographic regions. Also, municipalities of populations of at least 3,000 and a tax base of at least 130 million are best positioned for long-term viability.

I applaud those municipalities that have taken action to build their capacity and meet the challenges they face, including by working together regionally and even by amalgamating. I recognize the hard work of many municipal officials. There is an increasing urgency to reshape and modernize municipalities now. They can respond to the challenge and ensure their viability into the future. The Throne Speech asked all municipalities to consider amalgamation.

I had a chance to address all the municipalities at the Association of Manitoba Municipalities' annual meeting, and at this meeting Olympic medalist Mark Tewksbury talked about the importance of preparing for change and accepting change. That leadership is about understanding the cycles of change. I get that change can be met with nervousness, apprehension and many hypothetical scenarios. The debate on amalgamation is full of emotion and passion because local leadership have basked in community culture, and rightfully so, are concerned about the future of their community.

Amalgamation is not the end of something it is the beginning of something. Something rooted in history and culture of every town and region captured in the municipal structure that has the autonomy and viability to strengthen what works for this town and region. It's the message and dialogue I had with mayors, reeves, chief administrative officers while speaking at AMM district meetings this past March. I had a chance to attend six of these meetings and it allowed the debate to evolve, and the debate will continue to evolve.

Now I've had a chance to introduce Bill 33 this is key in allowing the modernization of municipalities or, if you will, enable them to have a municipal structure that allows them to meet today's economic challenges and plan for the future. Through this bill, municipalities with fewer than 1,000 residents will be required to develop an amalgamation plan jointly with their neighbouring municipality or municipalities. Neighbouring municipalities must work co-operatively to identify the best amalgamation partner. The best partners are typically those that share the strongest communities of interest. For example, are in the same planning district, shared municipal facilities or CAOs or have similar linguistic interests.

Mr. Speaker, the 1,000 population benchmark is consistent with the population required to form as a new municipality under The Municipal Act. The

1,000 population requirement was put in legislation in 1997 after broad public consultation, and based on the consensus recommendation of a review panel that believed a thousand was the minimum population for a new municipality to be viable.

Municipal associations, UMM and MAUM, at the time, were key representatives on the review panel. It is critical to know that amalgamation plans will be jointly and locally designed and will reflect community identity and local interests. This is ensured by requiring public consultation in the development of amalgamation plans.

We also respect the great diversity of Manitoba's municipalities, and, as a result, amalgamation plans will vary. This flexible approach recognizes that one size does not fit all, and it will be a made-in-Manitoba solution.

In this new, expedited process, municipalities will submit their joint amalgamation plans by December 1st, 2013. We do recognize the established expertise of the municipal board in municipal matters, and that is why the bill maintains a key role for the board. The bill enables the municipal board to provide a report and recommendation on any unique amalgamation matter that has been referred to them by the Minister of Local Government. We expect this to be the exception, but it's an important provision: an exception, because we are making assistance available to municipalities.

Such—small municipalities do not have a large staff, and thus we recognize that we must provide proper assistance for this to work well. Municipal services officers have been called, and meeting with municipalities have taken place. We have provided a guidebook and a template for amalgamation. We have about a dozen field consultants, comprising of former CAOs, municipal officers and others who have the expertise in municipal affairs, and these men and women are available upon request to assist municipalities on the ground with any assistance that they may require.

As mentioned, Bill 33 requires amalgamation plans to be submitted by December 1st, 2013, in time for the general municipal election of 2014. This deadline is achievable as many municipalities already have strong partnerships and ties, and given the comprehensive supports being provided by the Province. However, the bill is flexible and recognizes that unforeseen circumstances may arise, such as flooding. In cases, where the deadline can't

be met, the bill enables the deadline to be extended. This ensures that amalgamations meets the needs of municipalities and their citizens, and this will be the exception, but it's an important flexibility to have, as unforeseen situations may happen.

New municipalities will be formally created through a regulation. Regulations will take into account amalgamation plans. This mirrors existing practices under The Municipal Act. Also, consistent with existing practices, regulations can include provisions to the smooth transition to the new amalgamated municipality. As a result, newly amalgamated municipalities will 'refract'—reflect community identity and local interests.

The Province has been working with municipalities for more than a decade to encourage and support regional approaches, including amalgamation. We have several examples of successful amalgamations here in Manitoba, and all the amalgamated municipalities are stronger as a result. The most recent amalgamation was between the Rural Municipality of Shoal Lake and the Town of Shoal Lake in 2011. Just a few weeks ago, a Manitoba Co-operator article reported the reeve of Shoal Lake as saying: The main reason for their amalgamation was to improve services to residents, and this occurred in Shoal Lake as amalgamation resulted in streamlining decision making that enabled new services to be provided and service delivery to be improved.

I want to ensure municipalities that they will not be alone in the amalgamation process. The Province has always had a strong and respectful relationship with municipalities that has been the envy across Canada. We have worked in partnership with the AMM and individual municipalities on many issues, given our common goal of strengthening municipalities. The Province is committed to supporting municipalities throughout the amalgamation process. We have always provided comprehensive supports to assist municipalities, meet legislative requirements, and we are doing so now.

In closing, this bill has been introduced to modernize municipalities, creating the conditions for stronger municipalities and a stronger Manitoba. I look forward to the debate and the passage of this important legislation, and I hope all members of the Legislature will vote with confidence for Bill 33, as we absolutely need every community in Manitoba to be engaged in today's economy. We need modern

municipalities that capture the opportunities that are presented in each region. We need regional plans to renew our infrastructure, enhance our services, capture realities where people travel for work, recreation, school, shopping and other elements of their regular lives.

Bill 33 also acknowledges and is about acknowledging where our communities have naturally evolved in captured—in capturing that in a municipal structure that is sustainable and can plan for the future. Bill 33 is supporting rural Manitoba and supporting the idea that Manitobans, in every region of the province, have the potential to be engaged in what makes our province so great.

Thank you, Mr. Speaker.

\* (17:10)

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I want to put a few words on this—on the record on this bill. First of all, I'll say a word or two about the minister's comments. You know, it's interesting that the minister, in painting a glowing picture, is not taking into account the fact that some of the people in the municipalities have called his bill a bullying bill, that the minister is trying to bully municipalities. It is interesting that the minister would take this approach when, in fact, other members of his government are bringing in an anti-bullying bill. It might have been smart if the members of the NDP Cabinet had talked to one another before they started moving on their two contradictory approaches.

I also note that the minister had some glowing words about the importance of local culture and local institutions and local approaches, and yet one of the things which, in certain areas of the province, is quite threatened by this legislation is the ability of people to maintain their local identity, their local ways of doing things, whether you're talking about Victoria Beach or whether you're talking about RMs in western Manitoba, that it's important that the quality of service to people and the ability to meet the people in the rural municipality, their needs, their wants, their desires in building the province that these are vital and critical issues.

And one of the problems with this legislation is that it makes a mandate of 1,000 people before you can have a municipality. If you're lower than that, you have to amalgamate so that you're now above a thousand. It reminds me—and I believe that the Speaker was at the funeral last night, and he may remember there was a discussion about one occasion

when Elijah Harper belonged to a community that wasn't eligible for up-to-date communication and phone service and things like that. I suspect Internet service too. And, because it was three people below what was required to have such communication in Red Sucker Lake, and there were a number of solutions put forward last time—last night to solving this problem, but Elijah Harper surreptitiously or secretly smuggled in some of the communications equipment and managed to make sure that people got their satellite dishes and that they got the communications that they needed.

I think, Mr. Speaker, that one of the problems that this government has got in this legislation is try to have too rigid a number, that there needs to be the ability to adapt to local circumstances, to consider and ask the question—you know, the question which should be asked: Is, in fact, the quality of service going to be better? Are, in fact, your gravel trucks and your graders going to be farther from people instead of closer to people? What is going to happen in terms of the quality of service? And I think that that's one of the things which clearly needs to be in the documents that the municipalities are submitting to the government, that this issue of, you know, is in fact the quality of service going to be better, and where it isn't going to be better, then the government should listen to those circumstances.

The second issue, of course, is a cost issue, whether, in fact, it's going to be more expensive or less expensive. And it may—it may, in certain circumstances, be more expensive and in other circumstances be less expensive. And rather than trying to amalgamate everybody regardless of whether it costs more or less to operate the new municipality, that this becomes something that the government should clearly take into consideration. The problem with this bill is that they aren't, that they are mandating that RMs and municipalities amalgamate rather than proceeding on a case-by-case basis, which would optimize the quality of service, which would optimize the cost and which would ensure that there is that local identity which is so important for people in communities around Manitoba.

I think that the government, in this legislation, clearly, should have done a lot better work in consulting with municipalities, should have decided to do this on a voluntary basis with the right sort of assistance rather than mandating it and should have made sure that there was a timeline which was going to work appropriately for municipalities.

You know, some cases, we've got people who are farming, who are being asked because their councillors now will spend most of their summer working up this municipal amalgamation process, and it's not respectful of the individuals who are involved and their time availability and their timelines, and certainly this government should have and could have done much better than it has done in this legislation.

This bill, if there was a significant number of amendments to make it voluntary instead of mandatory, to take into consideration the costs, to take into consideration the delivery of services, the uniqueness of municipalities, we might actually end up with something which could be reasonable. There have clearly been examples where municipalities have amalgamated and have found benefit from them, because when they looked at it carefully it was a smart thing to do and it was desirable and people agreed on that, and they worked out the arrangements, often over several years, to make sure it happened in a good way.

With what's happening here with a situation which is rushed, without adequate consultation and with the situation, you know, that we are going into, that I believe that there are likely to be some poor decisions made in terms of amalgamation when people are forced to amalgamate.

I think that, you know, in—put in the context of the situation at the moment, where the government is bringing an increase in the PST, where the government has said, first of all, that this money was all going to go to infrastructure, and when the municipalities have a look at it, the infrastructure dollars, which is \$200 million this year from the PST, those new dollars are not there.

And the problem is that this government has got some real credibility at the moment. You know, if this government was a more credible government, if it didn't have the problem of going into a situation where it had said one thing on the PST in the last election and is now saying something completely different, is refusing to abide by the current law which requires a referendum, and we have a government which, in the eyes of many people in the municipalities, is not nearly as credible as it should be.

\* (17:20)

And clearly the problem, Mr. Speaker, is this—that when you're trying to push things through as

some people in the RMs have said; bullying from the government. Under this kind of environment it doesn't make for a good relationship. It sets up all sorts of problems in many areas between the province and the municipalities. And it's another thing which could easily result in some less-than optimum decisions being made for the government pushing through decisions for municipalities which are less than optimum because we've already got a government which is, you know, making commitments and then breaking them. We've got a government which has said that it was going to use the PST for infrastructure and debt for municipalities—seemed like it was a good thing and then all of a sudden is not.

And so it becomes, in my view, a real problem that this government and this minister have at the moment: a problem of credibility and a problem that is worse because there wasn't the kind of consultation that there should be.

And the minister I don't believe was helping himself when he came in with a speech which was clearly written by somebody else and, you know, I would hope that the minister next time would come in with a speech that he's actually written and he's not being surprised at half-way through the text.

But, be that as it may, Mr. Speaker, I think that the comments that I want to make and I've made them already. I look forward to the presentations by many, many municipalities which I'm sure are going to come forward.

I look forward to some additional discussion, I would hope that the government would listen to some amendments and that they would be ready to look at, you know, appropriate common sense suggestions and hopefully they will be but I'm not very optimistic given their recent track record.

Thank you, Mr. Speaker.

**Mr. Blaine Pedersen (Midland):** Mr. Speaker, I move, seconded by the member for Arthur-Virden (Mr. Maguire), that debate now be adjourned.

*Motion agreed to.*

**Mr. Speaker:** We'll now move on with Bill 22, The Planning Amendment Act (Subdivision Approval).

**Bill 22—The Planning Amendment Act  
(Subdivision Approval)**

**Hon. Ron Lemieux (Minister of Local Government):** Mr. Speaker, I move, seconded by

the Minister of Justice and the Attorney General (Mr. Swan), that Bill 22, The—just a second—The Planning Amendment Act (Subdivision Approval), be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Lemieux:** Our government is continuing its on-going efforts to improve and modernize Manitoba's planning framework. Provincial planning regulation was adopted in 2011 to replace the former provincial land use policies and The Planning Act has been amended from time-to-time to ensure the legislation reflects best practices.

As part of these improvements to the planning framework we have been looking at how we can streamline the review process for single-lot subdivisions. Local governments' field offices receive and process 700 to 900 subdivisions annually and the majority of these are single lots; such as farmyard splits. However every subdivision, even simple ones, must go through the same review process as more complex subdivisions do. Municipalities as well as many subdivision applicants themselves have requested that the Province find ways to make this process shorter.

It is my great pleasure to present today a proposed legislation that will reduce the initial processing time for a simple one-lot subdivision applications by about half. The proposal provides for a new expedited process for single-lot subdivisions that enables approving authorities to issue conditional approvals upfront for simple applications that meet specific criteria.

To ensure provincial interests are protected through this fast-tracked review, a single-lot subdivision would be eligible for a shortened process only if the following criteria are met: it is consistent with the provincial—or provincially approved development plan; no new public road is created; and no change is made to access a provincial road or provincial trunk highway. Additional criteria will be identified based on the requirements of other departments that are involved in subdivision reviews.

In addition to expediting the approval process for simple single-lot subdivisions, new legislation provides a legal mechanism to ensure that areas of a significant provincial interest, such as sensitive riparian areas or high-quality mineral deposits, will be protected now and into the future through a

development agreement signed by the landowner and the government authority.

Stakeholder consultations has been an integral part, a component, of preparing this new legislation. A joint technical advisory committee has been established, with representatives from AMM and all government departments and agencies involved in subdivision review. This committee is finalized—in finalizing the additional criteria for simple single-lot subdivisions to support the strengthened process.

The TAC representatives hosted a workshop at the 2013 Manitoba Planning Conference in February to gauge initial feedback of the new process and solicit further ideas while streamlining subdivisions. They also made a presentation at a recent Manitoba municipal officials' seminar in Brandon. The process as described has been met with great deal of support from local representatives.

The proposed legislation will reduce red tape, speeding up the process for simple single-lot subdivisions for municipalities, planning districts and individual landowners. At the same time, the department will be able to focus on greater amount of staff time on broader, more critical planning issues, while also ensuring that areas of significant provincial interest remain protected.

I look forward to discussions with members on this bill. I'm sure we can see the value of streamlining a process, particularly when it will provide such clear benefits for all parties involved and reducing red tape overall.

Thank you, Mr. Speaker.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, just a few comments. From what I can see of this legislation, at this point, it makes some sense to streamline these sorts of applications and improve the overall planning process.

The only concerns that I have is that there may be some fairly unique circumstances where one would want to make sure that there was a larger and longer approval process, and, certainly, I look forward to any presentations that may come forward at the committee stage and any discussion that may be happening at that level.

So, with those few comments, I look forward to this going to committee and having some more discussion.

**Mr. Blaine Pedersen (Midland):** Mr. Speaker, I move, seconded by the member for Morden-Winkler (Mr. Friesen), that debate now be adjourned.

*Motion agreed to.*

**Mr. Speaker:** We'll now move on with Bill 21, The Highway Traffic Amendment Act (Impoundment of Vehicles—Ignition-Interlock Program).

**Bill 21— The Highway Traffic Amendment Act (Impoundment of Vehicles— Ignition-Interlock Program)**

**Hon. Andrew Swan (Minister of Justice and Attorney General):** Mr. Speaker, I move, seconded by the Minister for Entrepreneurship, Training and Trade (Mr. Bjornson), that 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), be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Swan:** Mr. Speaker, impaired driving continues to be an issue of concern for Manitobans. Those who choose to drink and drive compromise the safety of our citizens. One of the tools we have at our disposal to address this concern is the ignition-interlock device, which can be installed in motor vehicles to prevent people from driving the vehicle if they have consumed alcohol.

Mr. Speaker, last year The Highway Traffic Act was amended to expand its ignition-interlock requirements to all drivers in Manitoba convicted of a Criminal Code impaired-driving offence. As a result, all convicted impaired drivers in Manitoba now have to obtain a restricted driver's licence and face a period of mandatory participation in the ignition-interlock program if they wish to drive a motor vehicle in the period of time after their driver's licence suspension or disqualification for their conviction.

\* (17:30)

Repeat offenders face longer periods of time during which time drivers are only permitted to drive motor vehicles equipped with an ignition-interlock device. The amendments also provided that people who do not apply for a restricted driver's licence during their mandatory ignition-interlock period, that drive a motor vehicle during this time, would be

deemed to be driving while disqualified and could be charged with that offence.

Bill 21 will amend The Highway Traffic Act to clarify that operating a motor vehicle in contravention of ignition-interlock requirements not only constitutes driving while disqualified, but also carries all of the consequences that flow from the offence of driving while disqualified, including vehicle impoundment. Contraventions of ignition-interlock requirements include driving a vehicle not equipped with an approved, properly functioning ignition-interlock device and driving a motor vehicle without holding a restricted licence when that driver is permitted under the law to hold only a restricted licence.

This bill also gives the Registrar of Motor Vehicles the authority to modify a driver's restricted driver's licence to allow the driver to operate, in the course of employment, an employer's vehicle that is not equipped with an ignition-interlock device, if the use of that vehicle is necessary to maintain the driver's employment.

Mr. Speaker, I will be able to discuss this bill in more detail at the committee stage, so I'll conclude my remarks at this point. I do look forward to the support of this House in having this bill as a further measure at taking on impaired driving passed. Thank you.

**Mr. Reg Helwer (Brandon West):** I moved, seconded by the member for Portage la Prairie (Mr. Wishart), that debate be adjourned.

*Motion agreed to.*

**Mr. Speaker:** We'll now move on with Bill 23.

**Bill 23—The Highway Traffic Amendment Act  
(Increased Sanctions for Street Racing)**

**Hon. Andrew Swan (Minister of Justice and Attorney General):** I move, seconded by the Minister for Advanced Education and Literacy (Ms. Selby), that 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), be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Swan:** Street racing is an inherently dangerous act that threatens the lives and safety of innocent people. Currently, The Highway Traffic Act provides

that police may impound a vehicle for 48 hours if police have reason to believe it is being or has been driven on a highway or street in a race. The Highway Traffic Act at present, does not impose driver's licence suspension periods for drivers who are suspected of street racing.

This bill amends The Highway Traffic Act to increase the vehicle impoundment period for street racing to seven days. It also gives police the authority to impose a seven-day roadside driver's licence suspension and driving disqualification as a consequence for street racing.

The bill also clarifies that the Manitoba Licence Suspension Appeal Board process does not apply to the new seven-day driver's licence suspension and driving disqualification.

Street racing remains an issue of concern in Manitoba, compromising the safety of our citizens. Allowing peace officers to stop street racers from continuing this dangerous behaviour by suspending their driver's licence and impounding their vehicles for seven days will help make Manitoba's streets safer.

Mr. Speaker, we'll discuss this bill in more detail at committee, so I'll conclude my remarks at this point, and I do look forward to having this bill passed. Thank you.

**Mr. Reg Helwer (Brandon West):** I move, seconded by the member for Morden-Winkler (Mr. Friesen), that debate be adjourned.

*Motion agreed to.*

**Mr. Speaker:** We'll now move on with Bill 25.

**Bill 25—The Statutory Publications  
Modernization Act**

**Hon. Andrew Swan (Minister of Justice and Attorney General):** I move, seconded by the Minister for Local Government (Mr. Lemieux), that Bill 25, The Statutory Publications Modernization Act; Loi sur la modernisation du mode de diffusion des publications officielles, be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Swan:** I am pleased to rise today to introduce Bill 25 for second reading. This bill will replace two acts with two new acts. The existing regulations act will be replaced by the new statutes and regulations act.

Since 2002, the government has provided the public with free online access to the acts and regulations of Manitoba through the Manitoba Laws website; however, at present, the online version does not enjoy the same official status as the print version published by the Queen's Printer. The new act will give official status to the online bilingual version of the acts and regulations. In the absence of evidence to the contrary, an official version is considered to be accurate, and proof of its enactment is not required. The new act will continue the existing system for registering regulations but will shift the focus from print publication to electronic publication.

Currently, regulations must be published in the Manitoba Gazette, and publication in the Gazette is official notice to all persons. Under the new act, the publication of a regulation on the Manitoba Laws website will be official notice, and its publication in the Gazette will no longer be required.

The new act will also give Legislative Counsel the power to make minor corrections and changes to acts and regulations that do not change their legal effect. Notices of such changes will, in most cases, be published on the Manitoba Laws website.

As well, the outdated Public Printing Act will be replaced by the new Queen's Printer Act. The new act will enable electronic publishing of statutory publications, and, Mr. Speaker, I look forward as well to having this bill passed. Thank you.

**Mr. Reg Helwer (Brandon West):** I move, seconded by the member for La Verendrye (Mr. Smook), that debate be adjourned.

*Motion agreed to.*

**Mr. Speaker:** We'll now move on with Bill 36, The Public Guardian and Trustee Act.

### **Bill 36—The Public Guardian and Trustee Act**

**Hon. Andrew Swan (Minister of Justice and Attorney General):** I move, seconded by the Minister of Health (Ms. Oswald), that Bill 36, The Public Guardian and Trustee Act; Loi sur le tuteur et curateur public, be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Swan:** This bill would replace the existing Public Trustee Act. The Public Trustee currently performs many valuable functions to serve Manitobans, including acting as a trustee, estate administrator, litigation guardian, substitute decision

maker and committee. In addition to encompassing most of the provisions of The Public Trustee Act, this bill will list and clarify those functions, will also change the name of the Public Trustee to the Public Guardian and Trustee to reflect a dual role of guardian and trustee of mentally incapable adults.

The Public Trustee's office is, in most cases not involving minors, an office of last resort. Manitobans who have a valid and current enduring power of attorney, health care directive, and a will are far less likely to ever have their affairs managed by the Public Trustee. The Public Guardian and Trustee's role as trustee of minors' property will be updated to reflect current practice and reduce delay and expense to trust. It will do this by allowing encroachments on trust capital in certain circumstances, payment of small trust to parents or guardians, and payments on behalf of minors to entities equivalent to the Public Guardian and Trustee in jurisdictions where the minor resides.

The bill will streamline procedures for the administration of estates of deceased persons to reduce expense and delay. It will move provisions relating to the administration of estates of deceased persons for whom The Public Guardian and Trustee Act is committee from The Mental Health Act to the new act.

The bill will provide that, when an adult client to the Public Guardian and Trustee dies, the Public Guardian and Trustee may, after a certain period of time, apply to court to administer the estate without the need to obtain consent of all family members in Manitoba. This will reduce delay and expense in cases where family members are not interested in being involved or cannot be located.

The bill will also protect family members' rights by allowing eligible family members who later come forward to apply to court to replace the Public Trustee as administrator. If the applicant is eligible to apply and all persons interested in the estate are mentally capable adults who agree, the Public Guardian and Trustee must not oppose the application.

From time to time, the Public Trustee is appointed by the court as litigation administrator of an estate while persons interested in the estate are involved in litigation. This role protects interested parties by providing for proper administration of estate assets until the litigation is resolved.

\* (17:40)

This bill will further protect interested parties' rights by providing that, if all persons with an interest in the estate are mentally capable adults who agree, the Public Trustee shall not oppose its replacement by an eligible person.

Another of the Public Guardian and Trustee's roles is to protect the interest of minors and mentally incapable adults, who are involved in legal proceedings and are not capable of instructing counsel.

The bill will recognize the valuable role the Public Guardian and Trustee plays by providing protection against an order of cost against it when it acts reasonably and in good faith in the proceedings.

The Public Guardian and Trustee will also be protected from liability when it acts reasonably and in good faith in any capacity on behalf of its clients.

The bill will assist the Public Guardian and Trustee to better represent its client's interests by allowing it to request and obtain appropriate information to assist it in carrying out its duties.

The rules for investing property held in trust by the Public Guardian and Trustee will be updated to reflect current practice and legislation.

Finally, amendments will be made to The Mental Health Act to improve protection to mentally incapable persons for whom the Public Guardian and Trustee acts as committee. The Public Guardian and Trustee will be allowed to apply to court in appropriate circumstances to terminate its appointment as committee.

In addition, improved protections will be afforded to individuals who sign valid enduring powers of attorney prior to the Public Guardian and Trustee being appointed as their committee.

In certain circumstances, the Public Guardian and Trustee will be required to apply to court for determination of the person's best interests.

Also, if the power of attorney names more than one attorney, the second attorney will be able to act even though the authority of the first has been terminated by the Public Guardian and Trustee.

These provisions provide increased recognition of individuals' expressed wishes and enshrine legislation policies which are currently employed by the Public Trustee.

Mr. Speaker, I look forward to the support of this House in having this bill passed.

Thank you.

**Mr. Reg Helwer (Brandon West):** I move, seconded by the member for Spruce Woods (Mr. Cullen), that debate be adjourned.

*Motion agreed to.*

**Mr. Speaker:** We'll now move on with Bill 38, The Provincial Offences Act and Municipal By-law Enforcement Act.

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

**Hon. Andrew Swan (Minister of Justice and Attorney General):** I move, seconded by the honourable Minister of Finance (Mr. Struthers), that Bill 38, The Provincial Offences Act and Municipal By-law Enforcement Act; Loi sur les infractions provinciales et Loi sur l'application des règlements municipaux, be now read a second time and be referred to a committee of this House.

His Honour the Lieutenant Governor has been advised of this bill, and I table the message.

**Mr. Speaker:** It's been moved by the honourable Minister of Justice, seconded by the honourable Minister of Finance, that Bill 38, The Provincial Offences Act and Municipal By-law Enforcement Act, be now read for a second time and be referred to a committee of this House.

His Honour the Lieutenant Governor has been advised of the bill, and had—the message has been tabled.

**Mr. Swan:** This bill will modernize the way we deal with provincial regulatory offences and municipal bylaws. This bill replaces our 50-year-old Summary Convictions Act and provides a clear and effective process for prosecuting provincial offences. It also provides a new administrative system for the enforcement of municipal bylaws.

Bill 38 responds to a need to ensure that there is a fair and equitable procedure for the almost 200,000 provincial regulatory offences that are processed through our courts each year. Manitoba has a strong regulatory regime that sets high standards for public welfare, health and safety. When these standards are not met, a modern effective approach to the investigation and prosecution of these matters is necessary.

Under the new Provincial Offences Act, the vast majority of regulatory offences will result in tickets with preset fines. This will allow people the option to

pay their fines without the need to go to a court office or to have a court appearance. Of course, those who wish to speak to a justice or have a hearing will still have that option.

The Provincial Offences Act will also seek to ensure that police officers and other provincial enforcement officers can spend more time on the streets keeping our communities safe and less time in court. The act allows certificates to be filed, detailing the officer's evidence on certain limited issues. For example, when and how various speed-timing devices were tested and the speed that was recorded. This evidence is normally not controversial. Permitting the evidence to be filed in writing is an effective use of both the officer's time and the court's time. The presiding justice always retains the right to order a witness to attend court should this be necessary for a third determination of the issue.

Mr. Speaker, this bill also establishes a new procedure for the enforcement of municipal bylaws. The Municipal By-law Enforcement Act creates a new administrative system that provides a fair, effective and efficient means to adjudicate disputes over parking infractions and other violations of municipal bylaws.

These matters, Mr. Speaker, will no longer be heard in court. Instead disputes will be heard by municipal screening officers, and decisions can be reviewed by provincially appointed adjudicators. This process will commence with parking infractions, but municipalities will have the option of enforcing other bylaws through the administrative system instead of the much more costly and much more time consuming court process. We have consulted with municipalities across the province and I can tell you, Mr. Speaker, we received a very positive response to this new approach.

The Provincial Offences and Municipal By-law Enforcement Act will also provide enhanced collection tools to assist both the Province and municipalities enforce the regulatory regimes. Regulatory offences are designed to protect public welfare, health and safety and most often result in a monetary penalty when laws are not followed.

Strong tools for the collection of fines is necessary to advance the interests of the administration of justice. And, again, Mr. Speaker, we will certainly discuss this bill in more detail at the committee stage, so I'll conclude my remarks at this point. I look forward to us moving ahead to

modernize the provincial offences act with this bill. Thank you.

**Mr. Reg Helwer (Brandon West):** I move, seconded by the member for Agassiz (Mr. Briese), that debate on this bill be adjourned.

*Motion agreed to.*

**Bill 43—The Manitoba Liquor and Lotteries Corporation Act and Liquor and Gaming Control Act**

**Hon. Dave Chomiak (Minister charged with the administration of The Gaming Control Act):** I move, seconded by the Minister of Justice (Mr. Swan), that Bill 43, The Manitoba Liquor and Lotteries Corporation Act and Liquor and Gaming Control Act; Loi sur la Société manitobaine des alcools et des loteries et Loi sur la réglementation des alcools et des jeux, be now read a second time and be referred to a committee of this House.

His Honour the Lieutenant Governor has been advised of the bill, and I table the message.

**Mr. Speaker:** It's been moved by the honourable Minister of Innovation, Energy and Mines, seconded by the honourable Minister of Justice, that Bill 43, The Manitoba Liquor and Lotteries Corporation Act and Liquor and Gaming Control Act, be now read for a second time and be referred to a committee of this House.

His Honour the Lieutenant Governor has been advised of this bill, and the message has been tabled.

**Mr. Chomiak:** Mr. Speaker, I'm pleased to rise to speak to Bill 43. I know the members of the Chamber and the Hansard staff are carefully paying attention to this debate and the discussion and eagerly anticipating the comments on the application of these two new acts.

These two acts came as a result of the merger of Manitoba's Liquor and Lotteries Corporation and the amalgamation of liquor and gaming regulatory functions into single, separate entities. This bill came as a direct result of our government's announcement last spring of the merger as a responsible way to reduce administrative spending, cut red tape and improve service for Manitobans.

Under the operating act, Bill 43 provides a legal framework required for the new operating entity, the Manitoba Liquor and Lotteries Corporation. This

new Manitoba Liquor and Lotteries Corporation Act would effectively replace both the current Manitoba Lotteries Corporation Act and the liquor operative provisions of The Liquor Control Act. Bill 43 streamlines these two acts into one.

Under the regulatory act, the other part of Bill 43, is the new Liquor and Gaming Control Act. This new act would create a regulatory authority for liquor and gaming in Manitoba by combining the services of The Manitoba Gaming Control Commission and The Manitoba Liquor Control Commission regulatory services division.

As mentioned earlier, last spring, our government announced the merger of Liquor and Lotteries. Our goal, to reduce administrative costs, streamline operations and improve services for Manitoba is well under way, Mr. Speaker. For example, the merger of liquor and lotteries is already saving \$3 million in administrative costs every year. Also well under way is the 'consultative' process to modernize our liquor laws and improve services by bringing liquor and gaming regulatory services under one roof.

The next major step in this process is the bill which implements this initiative by providing a modern, legal framework for the new Crown corporation named the Manitoba Liquor and Lotteries. Second, Bill 43 enables modernization of our liquor laws and creates a new, integrated regulatory entity called the Liquor and Gaming Authority of Manitoba.

Let me highlight some of the provisions of the act, Mr. Speaker.

\* (17:50)

First, this act formally merges the two organizations, enabling the savings of over \$3 million in administrative costs every year and providing a modern legal framework for the merged company. On reducing costs, it's worth noting that a report last fall, prepared by Meyers Norris Penny, identified an estimated \$3 million annually. This will be accomplished through: firstly, the elimination of nine executive and senior management positions; secondly, a reduction of general costs; thirdly, the consolidation of vendor contract services. The corporations have already been brought under one CEO and the boards have been merged and cut in half, Mr. Speaker. At standing committee, April 15th, the president and CEO said that he anticipates

there will be greater savings to come through the merger. Bill 43 provides the legal framework to make these savings permanent every year and also to provide the framework for a modern, dynamic Crown corporations that will provide improved services to Manitobans.

They fall under some of the key provisions contained in this act, Mr. Speaker: First, under social responsibility mandate, the new act defines in law the social responsibility mandate of the new Crown corporation to quote: "to conduct or fund initiatives that promote responsible gaming and responsible liquor consumption, including research and treatment programs." End of quote.

In addition, the act will ensure Manitoba Liquor and Lotteries will allocate an amount equal to 2 per cent of its anticipated net revenue to fund the above, including responsible gaming and responsible liquor consumption, research and treatment programs. The 2 per cent commitment would increase existing funding for social responsibilities initiatives by approximately \$20 million over the next four years, bringing Liquor and Lotteries Corporation total commitments to \$51 million, Mr. Speaker, and compared to the paltry sums that were provided by members opposite when they were in government, this is significant. This will fund initiatives including addictions treatment and prevention, internal-external social responsibility initiatives and programs, advertising and education.

Currently Manitoba lottery policy, since 2002, is to allocate 2 per cent of its net revenue to responsible gaming. It's not mandated in The Manitoba Lotteries Corporation Act. However, changes in the lottery—in The Liquor Control Act in 2011 assigned a social responsibility to the MLCC to conduct initiatives and programs that promote responsible liquor consumption and warns of the harm caused by irresponsible liquor consumption as part of the 2011 hospitality strategy.

Mr. Speaker, in addition, there's increased public accountability, including annual public meeting requirements. New in this act is the mandate that requires the corporation to hold at least three annual public meetings in Winnipeg and at least two other centres, including one in northern Manitoba and one elsewhere in Manitoba, to communicate the corporation's activities and purposes and to use multiple means—that is modern social media—to promote awareness and participation.

Previously, MLCC was required to hold annual public meetings in accordance with the Crown corporation review and public accountability act. Manitoba Lotteries, however, was exempt from this requirement by regulation. This will ensure the new corporation will have strong, up-to-date, public accountability mechanisms.

The operating acts, Mr. Speaker, you'll be interested in knowing, provide natural person powers to Manitoba Liquor and Lotteries—the same powers enjoyed by a real person. Without natural person powers, Manitoba Liquor and Lotteries would only be able to do what the legislation explicitly allows them to do, requiring the development of a very long, detailed, comprehensive list of powers for both gaming and liquor to be included in the statute. Natural person powers will be carried out under the proposed mandate of the corporation as follows: (a) to sell liquor; (b) to import or bring liquor into Manitoba for sale in Manitoba; (c) to conduct and manage provincial lotteries; (d) to carry out functions related to locker–lottery schemes and liquor conferred on it under this act; and (e) to conduct or fund initiatives promoting responsible gaming and liquor consumption.

If that isn't enough, Mr. Speaker, other Crown corporations with natural person powers include Manitoba Hydro, Manitoba Floodway and East Side Road Authority, and Manitoba Agricultural Services Corporation.

With respect to the Liquor and Gaming Control Act, our overall intent is to modernize liquor law and to integrate it with gaming as a single regulatory system that integrates complementary regulatory services such as inspections and licences and permits for liquor and gaming. It emphasizes public input and community safety and reduces red tape for Manitoba businesses and encourages the vibrancy of our hospitality industry.

The act is historic as it represents the first complete overhaul of the liquor act in over 60 years. The basic framework of the existing liquor acts was passed by this Chamber 60 years ago, following the Bracken Commission. Bill 43's overarching intent is to modernize a statute originally drafted before the Beatles, colour television, the moon walk and the maple leaf on our flag. The new act 'stimulates'—streamlines—that is, cuts in half the length of the existing regulatory legislation by collapsing three acts into one: that is The Liquor Control Act, The

Gaming Control Act and The Gaming Control Local Option (VLT) Act. This new act, greatly anticipated by those who have laboured under the weight of this highly prescriptive and outdated laws in the old Liquor Control Act.

Mr. Speaker, last year, our government held extensive public consultations with the public and stakeholder groups including the hospitality industry to get their views in modernizing liquor and gaming in Manitoba. Public consultations were led by the very able member from Fort Garry-Riverview (Mr. Allum) and a group of MLAs, and they were based on three themes: reducing red tape, improving consumer choice and enhancing public safety and social responsibility and community input.

Manitobans told us they wanted a balanced, modern approach. The act was drafted based on consultations with the citizen who told us time—who told us it was time to overhaul Manitoba's liquor laws. Anyone reading the paper or watching the news last week knows that the aim of the legislation regarding service options and business opportunities were welcomed by the restaurant and hotel industry. Quote: We applaud these major milestones. Quote: Manitoba hotels have been the cornerstone of the liquor and gaming components from the very beginning. And, quote: We are in support of this significant step to continue to modernize these laws. The former being the quote from Scott Jocelyn the executive director of the Manitoba Food and Restaurant Association, and the latter being that of Jim Baker president and CEO of Manitoba Health—pardon me—the Manitoba Hotel Association.

The breadth and scope of this—of these acts is very broad and very wide, Mr. Speaker, and it enables a single license application for families and community groups this enables single online applications, reduces the number of liquor licences from 12 to three with broader, more flexible categories. That is liquor retail sales, liquor service and liquor manufacturing, reduces and streamlines the number of liquor permits from five to two, emphasizes the public security and safety measures that oblige liquor licence premises to ensure public safety on their premises, enacts swifter penalties for violations and making underage drinking in a licensed premise, expands opportunities and options for municipal and citizen input, enshrines legal requirements for server training, responsible service, consumption measures, mandates social respon-

sibility including research, public education, training, collaborated initiative.

As already noted, Bill 43 lays the groundwork for regulations that can eliminate onerous food-to-liquor reporting requirements, provide flexibility, allow greater options for restaurants, allow certain licences to be limited to certain areas to allow for consideration of residential density and neighbourhood concerns—I know members are anxious to discuss this bill, Mr. Speaker—remove barriers for those live music venues that are incubators for some of our country's and the province's best music talent, introduce the flexibility to allow liquor service in salons and spas, modernize its advertising and standardize hours and 'diversisy' and provides public safety balance by cutting down on bootlegging houses, improving safety standards,

enhancing training and education and ongoing consultations.

I'm confident that all members of the House will join me in providing a suitable, modern, friendly law, enable administrative efficiencies for a newly merged Liquor and Lotteries corporation.

**Mr. Cliff Cullen (Spruce Woods):** I move, seconded by the member for Midland (Mr. Pedersen), that debate be adjourned.

*Motion agreed to.*

**Mr. Speaker:** I believe that concludes the business before the House this afternoon.

So the hour being past 5 p.m., this House is adjourned and stands adjourned until 1:30 p.m. tomorrow afternoon.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, May 21, 2013

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