

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

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LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, December 6, 2012

The House met at 10 a.m.

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

Good morning, everyone. Please be seated.

ORDERS OF THE DAY

PRIVATE MEMBERS' BUSINESS

SECOND READINGS—PUBLIC BILLS

Mr. Speaker: Start with Bill 200, The Results-Based Budgeting Act.

Bill 200—The Results-Based Budgeting Act

Mrs. Heather Stefanson (Tuxedo): I move, seconded by the member for Brandon West (Mr. Helwer), that Bill 200, The Results-Based Budgeting Act; Loi sur la budgétisation axée sur les résultats, be now read a second time and be referred to a committee of this House.

Motion presented.

Mrs. Stefanson: I'm pleased to bring forward this bill before the Manitoba Legislature in second reading today, Bill 200, The Results-Based Budgeting Act. Mr. Speaker, I think this is a very important bill that I hope members opposite will seriously consider passing this, and I know that they are because they take their jobs very seriously.

Mr. Speaker, I think it's important to begin by saying that the government of Manitoba has a long history of providing essential programs and services for Manitobans, directly and through its agencies. The government should ensure that these programs and services are the right programs and services delivered in the right way to achieve the results that Manitobans expect, in the most efficient and effective manner. A comprehensive review of the government's existing programs and services can provide recommendations to improve the results

achieved for all Manitobans. And the recommendations from such a review can be a positive thing and can be a basis for future budget and policy decisions to achieve the best results for Manitobans.

Mr. Speaker, I think engaging Manitobans is vital in this whole process, to determine what results they want and to validate the results achieved. An innovative, collaborative, engaged Manitoba public service working with purpose and pride is an important thing and it should be committed to achieving results for Manitobans in making a difference in all of their lives.

So that's why I've introduced this bill, Mr. Speaker. This bill is a review of government programs and services, those are existing government programs and services. This has yet to take place since this NDP government came into power. And they've been in power for about 12 years now and it's time that we review all of the services and the programs, the existing programs within the government to ensure that—they are the most—they are running in the most efficient and effective manner.

And I think we know, Mr. Speaker, that given the fact that we're the child poverty capital of Canada, given the fact that we're the violent crime capital of Canada, that we're the murder capital of Canada, the list goes on, the debt has doubled in our province since this NDP came to government, there is, more than ever now, a need to review existing government programs so they are working in the most efficient and effective way. Because we know right now that given the results we're seeing that they are not working to the best of their own ability and to the best that they could be.

So I encourage members opposite to support this bill. I think it's important that—also part of this bill is that there'll be a use of external experts that the government—this is—it's left up to the Treasury Board to conduct a review, and I think that's an important part of this, Mr. Speaker. There's been legislation in Alberta, similar legislation that was brought forward by the government themselves, and they are conducting these reviews and it's moving forward right now. So I don't think members opposite have anything to be concerned about this bill; I think it will actually help them and, in fact, help the Treasury

Board to conduct reviews of all the services and the programs within the individual government departments.

We know that it can't be left to the individual government departments to review themselves, Mr. Speaker, because it's obviously the incentive of ministers to—and those that are running these programs—to protect those programs. But an external review and conducted by Treasury Board, along with the advice and consultation of experts in the community and consultation with people in the community that rely on these programs, I think once that takes place within Treasury Board, Treasury Board will be able to make the decision in terms of what programs are working and what are not working. So I think that's an important part of this bill.

Mr. Speaker, this bill also requires that once the review has taken place that it will be reported back to and an annual report would be tabled in the Manitoba Legislature so that the review is transparent and accountable for all Manitobans.

So I do encourage members opposite to support this bill. I think they have nothing to be afraid of here. It's just simply doing a review, but not depending on—which is happening maybe right now, and this is probably what the minister will get up and say, that this review is already taking place. It's not, Mr. Speaker. They will claim that the review is already taking place within the individual government departments, but the fact is you cannot have individual government departments and ministers responsible for those governments reviewing themselves.

So that's why it's very important that the Treasury Board take on this task, and that's what this bill calls on.

And, again, Mr. Speaker, the government of Alberta has brought this in. They are reviewing their government, their programs and services and, you know, they see that this is the right way to move forward.

Mr. Speaker, what we're seeing from the existing system under the NDP right now is that instead of safer communities Winnipeg is the violent crime capital of Canada, and Manitoba is the murder capital of Canada. So we can see, clearly, that existing programs are not working in this area.

Instead of a better education system, Mr. Speaker, Manitoba grade 8 students have fallen to

last place among all Canadian provinces in science and in reading test scores, and second last in math. So we can see from our education system that there are significant rooms for improvement there given that we're almost dead last there in these areas.

*(10:10)

Instead of an impartial, effective and efficient civil service, Mr. Speaker, the NDP is creating new government positions and filling them with their own NDP insiders without a competitive application process. And I think that's unfair to other civil servants who are career civil servants, who work hard, day in and day out for our citizens in our community, to ensure that they are promoting and that they are managing the programs that exist in the best way they can, and I think it's important that the NDP keep its own political staff out of the civil service.

Mr. Speaker, the trend of spending increases and performance decreases has to stop, and that's what this bill will do; it will ensure that that does stop. So, with Bill 200, Manitobans will get a complete review of public spending to make sure all programs are delivering real results for Manitobans at the lowest possible cost.

Mr. Speaker, the problem with this NDP government right now is that they have an out-of-control spending problem, and it's ruining Manitoba's fiscal sustainability and putting our key services, such as health care, education, our child welfare system and other areas of this government, in jeopardy. Instead of fixing programs to better serve Manitobans, the NDP simply pour more money into programs that aren't yielding favourable results, and we know that from the outcomes that we're seeing right now. And I—and they just—they do this in the hope that these situations will fix themselves, but that's not the way to run a government and it can be done better.

Bill 200 works to get Manitoba's government back on track by refocusing government to what it is supposed to do and that is, Mr. Speaker, provide quality front-line services to Manitobans at an affordable cost.

So, again, I will encourage all members of the—this House to seriously consider supporting this bill. It will do nothing other than improve the existing programs, to improve the services that are delivered to Manitobans who need, want and deserve those programs, Mr. Speaker. Thank you very much.

Hon. Stan Struthers (Minister of Finance): I appreciate the member's efforts to help in improving the budgetary process that this government embarks upon, Mr. Speaker. I have often said that we're willing to take good advice from people wherever it may come from, including my friend across the way, the member for Tuxedo.

I understand the point that she's trying to make. I get that. We get that. I know she's there for me, Mr. Speaker, and I appreciate that.

Mr. Speaker, I do—she did forecast a little bit of what I'm going to say when she referenced the fact that I would probably stand up and say we're doing this already, or whatever her statement was.

Mr. Speaker, much of what she's talked about is in encapsulated in the process that we go through every year. I do think we can agree that there's much of what we're doing that is contained in her motion already. We understand that we're not the only government in this country who's struggling with the kind of challenges that she's put, quite rightly, out there today. We've watched the federal government, for example, take on some big challenges. In some ways, the federal government is the first line of defence in these uncertain times. When things go south in Europe, when the US is quite possibly on the verge of going off a fiscal cliff, it's my colleague in Ottawa who first has to deal with those and the rest of us along with him.

But, Mr. Speaker, the federal government, you can see, is struggling with this, and I want to point out that they, previous to the 2011 election, their come-back-into-balance date was 2015. In the election they moved that to 2014 and said they were going to be good fiscal managers and they'd come in even a year earlier back to balance. After the election, they reversed back to 2015 again. Then just a short time ago, a month ago, they pushed that date out to 2016. Now they seem to be backpedalling back to 2015 again.

The only reason I mention that is to underscore the kind of economic uncertainty that every single government in this country, including our federal counterparts, are facing, Mr. Speaker. Every province, you can see a whole number of second quarter numbers coming out. Last week it was Alberta projecting a much bigger deficit than what that province certainly is used to; British Columbia, with a bigger deficit projection at their second quarter as well.

Throughout the Maritimes you've seen governments coming forward this fall with larger projections of deficits, both revenue and expenditure challenges that they're dealing with, Mr. Speaker. And of course we know, in Ontario, where the bond rating agencies have downgraded the fiscal capacity, the borrowing capacity of the Ontario government based on a number of the same challenges that both the federal government and this government are staring down.

So, having said that, I think it's—it—that makes it all the more incumbent on every government to take a balanced approach towards expenditures and revenues. Every government is contending with these challenges and we're not immune to the challenges of the uncertain economic times. As a matter fact, in many ways Manitoba has weathered the storm a little bit easier than some other jurisdictions. We're a very diverse economy—we are very diverse economy with a very diverse trade strategy layered upon that economic diverseness, Mr. Speaker; that does us well. That's not a silver bullet; I'll be the first to admit that. We, along with other provinces, still face the kind of challenges in terms of revenue and expenditures that every other province in this country is facing.

That does make it incumbent on every government, including our own, to think about the results that we get from budgetary decisions. That much, I think, the member for Tuxedo (Mrs. Stefanson) and I can agree upon. We know that the capacity of the Manitoba taxpayer is finite. We know that we have to make good decisions with the money that comes into our treasury. We—nobody ever likes to pay taxes, but everybody likes to have services, Mr. Speaker, and what we have said very clearly to Manitobans is the revenue items that we have come forward with would be reasonable, and they are, and that the—we would take seriously the expenditures that we take on.

Mr. Speaker, we have some examples emanating from Budget 2012 and emanating from some announcements this fall. I would point members opposite to a reduction in terms of the regional health authorities in Manitoba. When we became office, there was 13 RHAs with a administrative budget to each of them; we've worked that down now to five. The savings that we make in terms of administration will be plowed right into the front lines of health care.

So, I know there's doom and gloomers across who would not want to see that succeed. Our position is very clear, that we're going to—not to have 13 RHA administrators like Tories across the way had, but to reduce that and have that savings go to the front lines, Mr. Speaker.

When we became government, there was 54 school divisions in the province of Manitoba. We've reduced that down to 37, today. We will continue to take on those kinds of undertakings. We've combined liquor and lotteries corporate—Crown corporations to—and realizing some savings and reductions of red tape, the result being that those savings can be utilized to the services that matter most to Manitoba—to Manitobans.

We've been clear that we're going to, over the next three years, reduce the civil service positions by 600, Mr. Speaker—we'll work towards that. Again, not an impact on services, but the savings that we can realize will be used to enhance front-line services.

*(10:20)

We recently took on the amalgamation of municipalities in Manitoba, something that I believe is long overdue, Mr. Speaker, and something that will, again, streamline government and streamline these services and focus the services that matter most to Manitoba families.

I would contrast that with what happened with Conservatives when they had their chance to make decisions in government in this province. I know this bothers a lot of members opposite.

But the—actually, the one who's talked the most about the '90s is actually the new Leader of the Official Opposition (Mr. Pallister), who spent most of his opening speech talking about how good the Filmon years—the golden age of government in government, I guess, Mr. Speaker. Well, what was that golden age of government all about? What results were they getting for the decisions that they took? Well, they fired nurses. What do you suppose the result of firing 1,000 nurses and then chasing out 573 more—what do you suppose the result of that decision was—that budgetary decision that members opposite made? Well, that meant wait-lists—increased the wait-list. That meant people were not getting the services they needed; whether they were in Dauphin or Winnipeg or wherever in this province, they were not. The result of that budgetary decision was a reduction in services. What was the result? And I

don't know who came up with this on the other side— if we want to talk about results-based budgeting, a budget decision was made to reduce—back in the '90s, by the former member of—for Portage la Prairie, the decision was made to reduce the number of doctors we were going to educate and train in this province. What do you suppose the result of that budget-based decision was? Well, we ended up with doctor shortages right across the province.

But—[interjection] Absolutely, 20 years ago, she says. Well, you know what, if they were in government, they'd be repeating those same mistakes, as they haven't learned their history. They haven't learned that what they did in the '90s in response to a recession actually put the province further into recession. And the results-based budget decisions that they made were terrible for Manitoba families. They attacked the very services that those Manitoba families wanted to protect, Mr. Sir—Mr. Speaker. So when we talk about balance-based budget, I'll talk to the Tories across the way any time. And I'll put our results up against their results any day of the week.

Mr. Reg Helwer (Brandon West): I'm pleased to rise to speak in support of this bill, Bill 200, The Results-Based Budgeting Act, and, of course, this bill is about results—something that the NDP government here really isn't quite all that familiar with. You know, they look at things that happened years and years ago, and again the minister did speak here this morning about everybody else, not about us. So what's happening in Manitoba? When you're not doing very well, you do try to distract from what's happening here by saying, look at what they're doing, look at what they're doing, and then forget about what you're doing here.

This bill would bring some immediacy to the process. I mean, in the Public Accounts Committee, hopefully we have some meetings again, that tends to look back at what the government duds—did sometimes years and years ago. Some of those reports we're looking at are from, oh, six, seven, eight years ago, and we're looking at how the government—what the cause and effect was there. Was there value for what was done and what it—was it done well? Can things be changed and amended? This would be much more immediate, make it more efficient, make it more effective, certainly, looking at the resources that the government uses now to review them to see if they are still required or if indeed they can be used somewhere else, because there are plenty of areas in Manitoba that are crying

out for the limited resources of this government. And those are the things that this bill would enable.

You know, it would be another tool in the arsenal of this government—something that they could use, something that could be effective. And I know that is scary for this government; effectiveness is not something that they are always very good at. We've looked at—we must be at gang strategy number—they've been in power 13 years, gang strategy No. 13. So, 12 failed strategies—now releasing another one here. We'll try this one. You know, it is good that they're always looking at something new, but hopefully somewhere during that time you would hope that they had learned something and they could actually put it in effect and it would see a positive result—not a result in increasing gang activity and 'peopley' being fearful in their own homes, people being fearful for their own protection walking on the streets in Winnipeg, mostly, but certainly throughout the province that they feel that they are at risk.

You know, one thing, Mr. Speaker, this is something that people do in business every day. It's something not-for-profit entities do every day. It's something you do in your personal life every day. Is that still something that I need to do? Should I do it again, or is it something that I need to drop off the list of buying, of spending money on or of supporting?

And, you know, over the past dozen years, in business we have seen an explosion in requests for donations because this government has been downloading everything onto entities, municipalities, school boards at their cost. So we have seen an absolute explosion in requests for donations to various entities.

We had to put protocols in place because of those requests to say, if you're going to request a donation—because we are—my—the company that I's—the companies that I've been involved in have been very generous to the communities they're involved in, and we've had to put a protocol in place that say, if you're making a request for a donation, it has to be in writing. We will—if you are fortunate enough to receive a donation at the end of the month—we'll meet every month and you will receive a letter and a donation from us. If you do not receive any communication, because there are literally hundreds and thousands that come in, thank you for the opportunity. And if someone really has to—really is impassioned about it, we will, indeed, meet with

them. But then it becomes a question of which one of these other projects are you going to go with me—are you going to attend and come with me to meet with them and say, you know what? We can't fund you anymore because we're going to fund this particular project here.

And I haven't had anybody take me up on that right now, but that's maybe something that the government should look at, and I think that this bill would indeed do that. You have to look at what you're going to do, what you can drop off the list and, indeed, what you can add. So just one more thing that this government could look at.

Again, you know, it is everybody else's fault, and we like to talk about everybody else's fault on the other side of the floor here—can't be theirs.

RHA amalgamations, we'll see how that all pans out. I know what's happening right now is there may, indeed, be—I'm not sure if fewer executors would be the 'coright'—correct word, but there has been some changes in the numbers there or in the job descriptions.

Time on the road though has—*[interjection]* Well, exploded is a good word. It—they are going all over because now, you're not just in Brandon, for instance, but you are travelling to Dauphin and you're travelling to Souris and you're travelling to an entire region. And all those people are travelling because you have to put all the people that used to be in this local area and now we got to travel up to Dauphin for a meeting, and then we got to travel down to Souris for a meeting, and then we got to travel to Brandon for a meeting. So is that effective time on the road? Well, we'll find out. You know, it'll be a different line item in the books. So we'll maybe ignore those expenses, and that'll be something that the government can brag about.

You know, I—to be facetious, does it contribute to global warming? We've got all that additional traffic on the road. You know, that's a very dangerous thing. And, of course, when we're not plowing and sanding the roads, are we putting our staff more at risk? Certainly, we are there. We have roads in the province that are impassable not only for the staff, but the people that want to use the facilities in the RHA. They can't get to their tests that—they're required and, certainly, they're putting their health at risk because of this government's actions.

So that was one thing the government did look at. They thought, well, we can cut plowing roads in—

outside of Winnipeg. We don't need to do that anymore during the evenings and nights, because who travels then? Well, you know, a lot of people do travel then. A lot of infrastructure happens then. We get trucking happening then for your goods and services. If you want to go to the grocery store in the morning, that produce had to come over the road at night, and that's how it works in Manitoba and perhaps this government's not really aware of that.

Not only that. If you're beating down that snow that has not been plowed off those roads, it forms ice, and it takes two or three times as much effort to scrape that ice off the road and it never really does get off until you get some warm weather. So, again, effectiveness here.

It's all about what we're talking about. This is a tool that the government could use to make things better for Manitobans and it's something that I highly encourage them to look at: how they can make things better; how they can improve their expenditures looking at things that, again, may not be necessary anymore; using those limited resources to make Manitobans' lives better. Because I really do believe that Manitoba has some of the greatest potential of any of the provinces in Manitoba—or, sorry, any of the provinces in Canada—and this government is ignoring that potential. They're sitting; they're idle because we don't have the capacity to develop them.

We are driving people away. We are driving people away to Saskatchewan and Alberta. That's—as I said, we are the greatest economic development driver in Carlyle. They're quite happy for what Manitoba's doing, because businesses are setting up there in order to do business in Manitoba's oil patch, but we can't accommodate them here, Mr. Speaker.

* (10:30)

So I encourage the minister to take a good look at this bill and see where he can use these tools, because I do believe that they would be a tremendous source for this government.

Thank you, Mr. Speaker.

Hon. Peter Bjornson (Minister of Entrepreneurship, Training and Trade): Oh, well, this is very interesting, Mr. Speaker. It's a pleasure to stand in the House today, and I'm reminded of that great Whitesnake anthem. Here we go again, you know, going back to the '80s and back to the future, you know, going back to the '90s, listening to the members opposite here, because they talk about taking indiv—or taking programs and reviewing

programs with outside agencies. Well, let's look at the record of members opposite. In the 1990s, when they decided to review two of the main expenditures that—well, what they call expenditures, but what we call investments on this side of the House. Let's look what they did in the '90s when they looked at education and health care independent reviews.

Now, I have to give members opposite credit for politicizing me and making me a politician, Mr. Speaker, because when they had the Dyck-Render commission go all over the province to review teachers' salaries and the education system—it was absolutely amazing that they're reviewing the education system—and what was the premise of the ed—of that review? That teachers were paid too much. That was their premise, and that was going to solve the problem. Teachers should be doing their job because it's an important job to do and we shouldn't compensate them appropriately. That was the premise for the Dyck-Render commission. And they heard loud and clear from teachers that that was not acceptable. They thought, oh, we'll divide the teachers; we'll grandfather it so the teachers making the salary now will keep those salaries, but we're going to scale back teachers' salaries in the entry level between 20 and 40 per cent. How's that for a commitment to the education system and to the educators that stand up in front of their classroom every day? And that's what they were committing to do. They were reviewing the education system with the Dyck-Render commission and that's what they proposed. Well, they heard loud and clear, so, to their credit, they backed away.

So, instead of doing anything like that, they slashed all the collective bargaining rights of teachers; they cut funding to the education system year after year; they locked teachers out of professional development; and cut their salaries proportionately one 200th for every day that they locked out. But they didn't have the courage to do that across the board—no, no. They allowed school divisions to make the decisions to divide and conquer and try and pit local teacher associations against teacher associations. So that's what their idea of a review of the education system resulted in.

And how did they review the health-care system? With an independent review of the health-care system—bring in Connie Curran. And what does she say? Oh, let's cut a thousand nurses. Okay, we'll do that; that'll save a lot of money. That'll save a lot of money. And I remember the labour unrest in the '90s driving by hospitals where nurses were on strike.

I remember the health-care funding under the members opposite and what that was doing to the system. And that's a result of their independent review of the health-care system, Mr. Speaker.

Well, I'd rather stand on this side of the House with a government that puts a priority on health care, puts a priority on education, puts a priority on getting results any day compared to the members opposite, Mr. Speaker. And thank you for politicizing me and getting me out of the classroom and into this Chamber; I really appreciate the opportunity. I really appreciate the goodwill of the individuals who vote for me every year and put me in this place to have the honour and privilege to serve and to work with the colleagues on this of the House that are working towards a better health-care and education system.

They talk about results-based budgeting, Mr. Speaker. Well, in order to get results, you have to recognize problems and address problems. I remember my colleague across the way, my critic, when—at the time when I was Education Minister, and the member from Charleswood actually stood up when we were talking about bullying and said, there was no bullying in schools when we were in office. She actually said that. And, of course, they were too busy bullying teachers to recognize that there was bullying going on in the school system.

Now, if you don't recognize there's a problem and you don't do anything to try and address the problem, then you're not held accountable for the results of your efforts to address a problem. I would rather be on this side of the House, where we took responsibility—we talked to teachers, worked with teachers, worked with the education system—to address the issue of bullying. We continue to do things each and every time we get into this Chamber to address the issue of bullying, and we're going to work hard to do our best to eliminate that problem. That's what results are about—working to get results. I also remember a member opposite, member from Morden—or, pardon me, from Morris, she actually said at one point in time, well, there wasn't any car theft when we were in office. She said that. If you ignore the problem, you don't try to address the problem, then you're not held accountable for any results with respect to the problem.

So it's rather fascinating, Mr. Speaker. They talk about results-based budgeting; well, what's the difference between members opposite and ourselves? Let's look at the difference—let's look at the difference.

In—when it comes to health care, I know that in my home community, Mr. Speaker, we have a new health centre; we have a new kidney dialysis unit; we have Telehealth; we have enhanced services at the clinic in Riverton; we are working towards the new hospital in Selkirk. This is just my community. That's just the bricks and mortars. It doesn't say anything about the nurses and the doctors that are working in our community, and that's the difference between results of this government and the members opposite.

Let's talk about education. Let's talk about that, because—and I had the privilege as Education Minister to make six consecutive announcements where each and every one of the funding announcements that I made—each and every one of them was more than one year of funding from the members opposite to the education system. You want to talk about results, Mr. Speaker? And that's why our investments in the education system have positioned us in such a way where we can work towards the goal of keeping every student in school until they are 18 years of age. We're putting in the resources that they need so that students feel that they have the opportunity to succeed in our school system—by investing in our school system, by giving our students more opportunities to succeed.

Now let's talk about results in the context of reports that have been written and produced. Well, members opposite, they looked at amalgamations of school divisions but, no, they didn't touch it; they didn't want to go there. They didn't do a thing about amalgamations, they didn't see any value in the economies of scale and the recommendations that were made in the report. They didn't do that—they didn't do that because there is a political risk involved in doing that, Mr. Speaker. They didn't want to take any risks, because if you don't identify an issue and do something to address the issue, then you're not held accountable for any of the results of that initiative, okay?

What about amalgamations of municipalities, Mr. Speaker? What about that? They had a report that said we should look at reducing the number of municipalities. Their own legislation said that in order to be a municipality you had to have a 1,000 people, permanent residents in that municipality. But did they do anything about it? No—no, they didn't do anything about it, because if you don't identify the issue and try to address the issue, then you're not held accountable for any of the results of your efforts to address the issue.

So, Mr. Speaker, I would much rather stand on this side of the House day in and day out—day in and day out, I would much rather stand on this side of the House with a government that's prepared to make bold steps, that's prepared to change the way we do things in Manitoba for the betterment of the province of Manitoba, and that's what we do.

The regional health authorities, as already mentioned by my colleague the Minister of Finance (Mr. Struthers), where there had been 13 when they were in office—we reduced it and we've reduced it again, and there's going to be a lot more efficiencies and more front-line services available for people in Manitoba. And day after day members opposite stand up and say, you're spending too much money but spend more on health care in my constituency, Mr. Speaker. Day after day we hear that, and day after day we are investing more in rural Manitoba health care. So I would much rather be on this side of the House where we are getting results by investing in things that matter most to Manitobans: investing in health care, investing in education, treating the employees with the dignity and respect that they deserve when they get up and do the job every day in the classrooms in this province of Manitoba, in the hallways of our hospitals in Manitoba. I'm glad I'm on this side of the House, and I thank them for politicizing me in the '90s and starting that path that got me here.

So if they want to talk about results, we could talk about results any time, any day, Mr. Speaker. The results of tax cuts that we've implemented that have made a difference to Manitoba families, the results of tax cuts that we've implemented to make results for Manitoba businesses, the results of investments in infrastructure that make a difference for people driving those highways every day in Manitoba. And, of course, they say, quit spending so much money but spend more in my constituency because you missed a spot; you missed a few kilometres in my constituency. So I would much rather stand on this side of the House yet again, where we are investing in Manitoba, investing in priorities that matter most to Manitobans and making a difference to Manitobans.

* (10:40)

And I remember, you know, before the election, Mr. Speaker, they also wanted to—or they brought in a motion that would've taken half a billion dollars out of the budget: reckless tax cuts, reckless cuts to programs. I would rather be on this side of the

House, where we bring an approach that puts money into the priorities that matter most to Manitoba families.

And we are getting results, and we get results every single budget, and we are accountable for every single budget. Members opposite should stand up for this province, Mr. Speaker.

Mrs. Myrna Driedger (Charleswood): I am very pleased to be able to stand and make some comments about this legislation that has brought—been brought forward, Bill 200, The Results-Based Budgeting Act. And just listening to the comments from the NDP, Mr. Speaker, it is becoming so much clearer that what we are now seeing in Manitoba is the old NDP is back. There is such negativity on that side, in terms of how they talk, how they think, how they act and there is nothing positive coming from this group. They live in the past. They are so happy talking about things that happened 20 years ago. Well, things that happened 20 years ago were because of things that happened 30 years ago under Howard Pawley, and when Gary Filmon and the Tories inherited the Howard Pawley mess in 1988, it took them years to clean that up, absolute years. And Howard Pawley took a debt in that time, and he made it skyrocket. And these guys across the way just don't get it.

All they talk about right now is balanced approach. I think they have abused that word so much because the NDP do not understand a balanced approach. The NDP, all they tend to see is throw money at something, hope it sticks, hope people stay quiet and everything will be fine.

But that's not what's happening. And a perfect example of that right now, Mr. Speaker, is what is happening in Family Services. They did put much-needed dollars into Family Services, but what they didn't do is look for improved outcomes. They throw money, hope it sticks and children fall through the cracks because the NDP don't follow through and evaluate and look for outcomes. And that's what spending needs to be about. That's what good stewards should be doing. They are stewards of taxpayers' money. Every time they talk, they talk as if that money is theirs, personally. And it's all in what they want, that's good for them. And they have really, really gotten derailed on whose money that is and what it's supposed to be for.

All of the money that comes to them is taxpayers' money, whether it's money from Manitoba, whether it's money that's coming from the

federal government, and we know that Manitoba and Prince Edward Island are two of the most reliant on federal handouts than any other province in this country. When that changes, and when those transfer payments are no longer going to be flowing into Manitoba at the rate they are now, then this Province is going to be in trouble, Mr. Speaker, more than it is right now, more problems than what this government has caused with bringing back a deficit to Manitoba.

They have had the most money coming from the federal government than probably any government in Manitoba has ever seen. What have they done? They've spent it all, and then they've borrowed more; they've used their credit card, and they've taken Manitoba back into a deficit, after the Filmon Tories worked really hard with Manitobans, with taxpayers, to balance the budget. And Manitoba taxpayers wanted that in the '90s because they knew what harm the Howard Pawley government did to this Province. And then what did this government do? They have squandered all of that hard work that Manitobans did, and they've brought Manitoba back into a deficit, a bad deficit, a deficit that rolls over every year into a debt, where they have now doubled the debt in Manitoba.

Then what do we see in the last budget, Mr. Speaker? None of that spending's enough; they want to spend more. And they bring in the biggest tax grab in 25 years. That is absolutely appalling. And then they can stand here and say that they have a balanced approach. None of this is balanced. None of what they're doing is balanced. And, in fact, they're abusing that word, and their hundred and—what is it?—ninety-two spinners are helping them out there to try to convince Manitobans that what they're doing is good for them.

Well, that's about to change, Mr. Speaker. What we're seeing now is the NDP have put themselves into a financial mess. They're in the glue, and that is going to be something that seems to be obvious that they're going to continue to tax Manitobans more and more in the future because we've not seen from this government that they're willing to admit in the next budget that they won't add more taxes or add more fees. I mean, when we look at the fees along with the increased taxes, they're gouging Manitobans every way they can. They're picking their pockets from every which direction. And that is nothing short of just bad judgment from a government, bad decision making, misleading, shameless comments from the government. And then all they tend to do is revert

back to old NDP rhetoric when what they have actually become is the old NDP again.

We all knew that this was coming. We have seen it for years, and it has finally shown that the NDP have reverted back to their old style of how they do politics, old style of how they run government, and it tends to be all about them, not about the people.

When we are paying a billion dollars a year in interest, how in the world do they think that that doesn't affect front-line service? I mean, that is—a grade 1 could understand that when you're spending a billion dollars a year on interest payments that's—that that affects people. That affects the number of MRIs you have in the province. That affects the number of policeman that you put on the street. That affects the number of daycare spaces you have. And that's what we want with results-based budgeting. You want to be able to look at your spending and see what you get other than a bunch of rhetoric, a bunch of extra government bureaucrats, a bunch of spin from a government. We want results that pay off for people, for taxpayers. That's what spending should be about. Then, when we look at the report, the Fraser report that came out last night, Manitoba is sitting at the bottom of the barrel. We rate the worst in the country with debt, deficits, government spending, and taxes.

When will this NDP government wake up and quit with this ridiculous spin in the House and face the reality of what is happening out there? You can't gouge taxpayers all the time and expect that things are going to continue to get better. At some point something hits the wall and somebody's paying, and right now it's Manitoba taxpayers that are paying.

So, Mr. Speaker, what this government needs to do is get their act together, start looking at their spending, evaluate what they're spending on, and they should have been doing that for a long time. Had they done that before, had they looked at the results they were getting, had they looked at outcomes, they might not be in the position they're in, and that's what we're trying to tell them.

If you bring in results-based budgeting, then that would ensure that the government is doing what is in the best interests of Manitobans all the time. And I certainly would encourage this government to support this legislation because it is in the best interests of Manitobans. Thank you.

Mr. James Allum (Fort Garry-Riverview): I'm glad to get up to speak to this bill again, and I want

to compliment the member from Tuxedo for bringing this forward because it's a fine piece of environmentalism because she keeps recycling the same old bills. And, in fact, if you look at the bills coming across from the—from private members that we're going to have to look at, not only now, but I think in the spring, it's the same old bills that keep coming forward. They didn't work in the '90s; they didn't work last session; they're not going to work this session. We'd prefer that you put on your thinking caps, I think, and try to come up with something just a little bit new, a little bit different, something that actually speaks to the values of Manitobans rather than to the speaking notes from the Canadian Taxpayers Federation.

*(10:50)

Now, when I had the chance to speak to this particular bill last session, I came at it from the point of view of being a public servant—and I'd been a public servant with the City of Winnipeg for 15 years and almost 11 years in the chief administrator's office, so I have some experience at a public service—and I want to say to her again, to the member from Tuxedo, Mr. Speaker, what I said last time, which is simply put that the public service is—public service does all the time what she's suggesting should happen in this bill. We're constantly looking at programs and services. We see how they work. We see how they can be improved. We see where money might be able to be spent, but we also see where a little bit more investment might go a longer way to improving some situations, some scenario for one member of Manitoba's population. And so, consequently, I want to assure her, and I can say this as a public servant from the City of Winnipeg who worked a lot with the Province of Manitoba, that what's suggested in this bill happens routinely in government, and it's just mystifying to me that the opposition doesn't know that. But then it's been several years since they've been in power and maybe they've forgotten how it works. Maybe they're unsure, but I can assure them that what's being suggested in the bill happens each and every day by fine public servants and by the ministers who work with those public servants.

But in addition to all of that, I wanted to talk just a little about the program portfolio management review, or what's called the PPMR in our—as an acronym in our lexicon, and it deals, frankly, with—in some sense with what the bill suggests, but it deals with it in a much broader, more helpful context. It's really impossible when you think about it to lay out

all the programs and services by government and see which ones can be not working and we'll just eliminate it, and that one's not working so we'll just eliminate it. But really what you need to do—and this is what the brilliance of the PPMR is—is that you look at programs in terms of their portfolio so you can begin to make connections between and among program services and then you have a better sense, as if you pull on a string, what might the consequences be?

In the terms of the bill proposed by the member from Tuxedo, what you would have is you'd look in—at something in isolation, a program or service in isolation, and you would just say, well, gee, that doesn't seem to be working, and you probably farm it out to some outside consultant to suggest that. And the reality is what you don't know is what the implications would be for other programs and services.

So the Minister of Finance (Mr. Struthers), to his credit, in the last budget unveiled the program portfolio management review which looks at the entirety of programs in the context of a portfolio. And so, for example, there may be two or three or even more different programs delivering similar kinds of programming or dealing with essentially the same populations. Then you have the big picture in hand and then you can be—get a sense of just what might work to improve it or what needs to be eliminated or whatnot in order to ensure that you get the best program to serve the people of Manitoba, and that's, after all, what governing is all about.

I also just want to, in the few minutes that I have left, just talk a little bit about one of the whereases, and it says: and whereas the government of Manitoba should ensure that its programs and services are the right programs and services delivered in the right way to achieve the results that Manitobans expect in the most efficient and effective manner. But the problem with that particular sentence in my point—to my way of thinking—is who says what the right way to do things is? Well, that's a political decision. That's a government decision. It's done in context with professional public servants. It's done based on the values of the government of the day, and it's based on what commitments were made during the course of an election.

So to think that you could just have somebody else come in and say, well, that's the right thing to do and that's the wrong thing to do, is not responsible governing. In fact, it's an abdication of government

and, frankly—frankly—The Results-Based Budgeting Act is an abdication of the responsibility of governing. It's not taking on the mantle of responsibility that comes with governing for all the people of Manitoba.

So, with that, Mr. Speaker, I would suggest that we do what we do with old pieces of paper with The Results-Based Budgeting Act: we recycle it in a blue box, and we try to come up with something new for the people of Manitoba so that we can get the best results for all Manitobans. Thank you.

Mr. Gregory Dewar (Selkirk): Well, Mr. Speaker, it's a pleasure to put a few words on the record regarding this piece of legislation. And I want to just thank all my colleagues for their input this morning. I had the chance, as a role as the whip, to spend a lot of time in the Chamber, and I listen to all the various comments made by members on both sides of the House and the—over the Throne Speech debate and I—particular interest—listen to the members of the opposition talk about how they're going to reduce the size of government, but I never heard a single option presented. I never heard a single example presented to us over the course of that whole debate.

I remember listening to the—and, oh, I see every day in question period, every day, when you read Hansard, you see just continuous demands for more money. The biggest cost drivers on the Treasury of this Province is not the government members; it's the members of the opposition, Mr. Speaker. And that is the absolute truth. That is—they want to have it both ways. They want to have it both ways. They want to balance the budget in a couple—oh, wait. No, they don't want to balance it in a couple years. They want to balance it in 2018. They want to balance it way off in the future, but then they want to cut now. I—it's really, they want to have it both ways.

But, you know, I'll offer some suggestions to them. If they want to make some reductions, our government recently announced three new personal care homes—four new personal care homes here in the province of Manitoba. One is in Winnipeg, three are in the rural areas of this province. One is in Lac du Bonnet, one is in Niverville and one is in Morden. Why don't they stand up and cut those? Stand up today. You want to make a savings to our budget. You want to really cut some expenditures out of our budget? Stand up today and say, I don't want that nursing home in my community.

We built a new school in Warren. Well, I haven't heard that member stand up once and say, why, wait

a second, that school's going to add to our debt. *[interjection]* Let's not do it. Talk is cheap, exactly, Mr. Speaker. Talk is cheap. But, you know, you—that's what you hear from members opposite, these great, you know, these great captains of commerce, you know, these great titans of industry. Well, what is their record? Their record is to buy a money-losing gas company and sell a money-making telephone company.

An Honourable Member: Strawboard.

Mr. Dewar: Well, a member—the member for Kildonan (Mr. Chomiak) reminds me of the strawboard out in Elie—or strand board, and I believe the Leader of the Liberal Party was also a strong advocate of that, Mr. Speaker. Remember he was going to weave straw into gold. We all remember what happened with that.

Remember the opp—the members opposite, as I recall, started the Crocus Fund. I remember that. I believe the—

An Honourable Member: How'd that turn out?

Mr. Dewar: That didn't turn out too good, Mr. Speaker. That was a great idea of the Filmon government. I remember in my paycheque at the time, you'd receive this little notice to go out and buy Crocus shares, and they were advocating that. And I actually did. I felt it was a good investment, and I felt that it was my duty as a Manitoban to get involved because—

An Honourable Member: Because Filmon told you to do that.

Mr. Dewar: Yes, exactly. As the member for Elmwood (Mr. Maloway) said, Filmon told me to do, and I went ahead and did it, Mr. Speaker, because I believed in supporting economic development here in the province.

But as I said, you know, they have no ideas; we've not heard a single word from them on how to cut the budget. They—like I said, talk is cheap. They want to have it both ways, Mr. Speaker, and we know that it is this government and members on this side that are true tax cutters when it comes to the history of the province.

They have a record opposite of raising taxes. They raised—they decreased the property tax credit. I remember that well from, I think, it was \$325 to \$275 when the member for Fort Whyte (Mr. Pallister) was around the Cabinet table. We've increased that credit to \$700, Mr. Speaker. These are

them, these big titans of industry across the way. We have eliminated the small business tax, completely eliminated the small business tax. We have reduced the number of regional health authorities from 11 to five, and I'm surprised they had two of them in Winnipeg, and we reduced it.

And for some reason they've never given us any credit for that. I can't quite understand that, Mr. Speaker. When they were in power, there were 54 school divisions. Now there's only 37. We've emerged—we're going to merge two Crown corporations. We going to merge liquor, and we're going to merge lotteries into one. We've also talked about merging amalgamations. Now, the members opposite, they didn't come up with a position on that. They don't like the process, but they—

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

When this matter's again before the House, the honourable member for Selkirk will have five minutes remaining.

* (11:00)

RESOLUTIONS

Mr. Speaker: The time being 11 a.m., it's time for private members' resolutions, and today we are considering the resolution brought forward by the Leader of the Official Opposition, titled "Matrimonial Property Rights on Reserves."

Res. 2—Matrimonial Property Rights on Reserves

Mr. Brian Pallister (Leader of the Official Opposition): I move, seconded by the member for Tuxedo (Mrs. Stefanson):

WHEREAS the Aboriginal population in Manitoba is 15.9 per cent of the total provincial population; and

WHEREAS Aboriginal women make up 7.7 per cent of Manitoba's total population which is projected to increase by 24 per cent by 2017; and

WHEREAS the Manitoba Department of Aboriginal and Northern Affairs states their vision is "an improved quality of life and opportunities for Manitoba's Aboriginal and northern people"; and

WHEREAS the Indian Act does not protect the property rights of Aboriginal women living on reserves; and

WHEREAS there have been many cases where Aboriginal women and children living on reserves have been forced into homelessness or insecurity

following the death of a spouse or the breakdown of a relationship; and

WHEREAS Manitoba's Aboriginal Justice Inquiry recommended action on this issue in 1988, along with the Royal Commission on Aboriginal Peoples in 1997 and the United Nations Committee on Economic, Social and Cultural Rights in 1998.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the federal government to pass Bill S-2: Family Homes on Reserves and Matrimonial Interests or Rights Act.

Mr. Speaker: It's been moved by the honourable Leader of the Official Opposition, seconded by the honourable member for Tuxedo, that:

WHEREAS the Aboriginal population in Manitoba is 15.9 per cent of the total provincial population—dispense?

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

Mr. Pallister: Mr. Speaker, I rise on an issue of great importance, not only to Aboriginal women and Aboriginal people, but to all of us, in particular, those of us who understand the importance of advancing the cause of equality of rights for all Canadians.

For—just as background, Mr. Speaker, for most Canadian individuals undergoing a breakdown on their conjugal relationship or on the death of a spouse or a common-law partner, there is legal protection to ensure that matrimonial property assets are distributed equitably. But such is not the case for couples living on reserves, governed by the Indian Act. For them, a relationship breakdown or the death of a spouse or common-law partner can mean insecurity, financial difficulties, even homelessness.

The reason is simple: the Indian Act does not address the issue of matrimonial real property rights and provincial or territorial laws relating to this issue can't be applied on reserves. And the result is a legislative gap that affects everyone living on reserves, particularly women and children.

With the introduction of the Family Homes on Reserves and Matrimonial Interests or Rights Act, the Government of Canada is moving, finally, to take some concrete action to address what has been an unacceptable situation for a long time in this country. And further, the government is making a commitment to ensure that people living on reserves

have similar rights and protections as other Canadians.

The bill, however, is languishing at the federal government level and has for some time, and the bill needs a push. It needs a push from us, here, together in this House, and I strongly encourage all members of this House to work together to make sure that we send a message to Ottawa that we expect this bill to get through the process and to be passed.

Aboriginal women deserve that from us and we need to work together effectively to send that message. Manitoba has the highest percentage of Aboriginal women as part of its population of any province in Canada, and they have a stake in this and we have a stake in supporting them.

Now, this bill was developed following a comprehensive consultation process which included collaboration with the Native Women's Association of Canada, NWAC, and with the Assembly of First Nations, AFN. That consultation process has gone on for a long time and was overseen originally by a ministerial representing, Wendy Grant-John, and she recommended a legislative solution.

After undertaking nationwide consultations and hearings—a hearing from First Nations people, members, leaders, regional and national organizations as well as provinces and territories, the process of a consensus-building exercise—very worthwhile and very important to respect First Nations' rights—some shared principles emerged as priorities, and they formed the basis of what is now before the House of Commons. These included—these basic principles included agreement on the urgent need to remedy this situation, the need to balance individual rights with the collective rights of First Nations communities and the need for Canada to be able to recognize First Nation laws over matrimonial real property.

I can tell you personally that in my role as the critic for Indian and Northern Affairs in Ottawa, I travelled to over 130 reserves or First Nations communities across the country. I met with Aboriginal women, Aboriginal leaders from coast to coast, and I can tell you that though there is considerable, as with any issue, considerable divergence of opinion on whether this issue stands as a top priority or as a medium priority among the members of First Nations, nonetheless, there is consensus on the need to address the issue.

Now, the issue of timeliness comes to mind here. This is not a new issue. The United Nations raised Canada—censured Canada in its lack of progress on this issue over a quarter of a century ago, and yet we've been engaging in a dialogue of postponing actions through process. Now, some of that process is essential and necessary, and I accept that, but not a quarter of a century—not a quarter of a century—and this has gone on for too long.

I first became aware of this issue when a constituent of mine came to my office, my constituency office in Portage la Prairie. I was the MP for that area at that time, and she told me that she had lost all her personal possessions and she had lost access even to her children. And I said, why is that? And she says, well, I'm going through a separation and we'll be divorcing. I said, this can't be right. Let's talk to the RCMP to help get you back on the reserve and you can get your possessions and so on. She said, they won't help me. And I didn't believe her, and I was wrong not to believe her. She said, there are no laws to protect me. And there aren't. And she could not get back on to the reserve to get to her home, the shared residence with her former husband who was the chief of that band, and she had not seen her children for over two months.

Process has been used as a reason to delay making progress on this issue for years and years and years, and it's time for us to take action in this country and protect the rights of women. It's been going on for too long. There are cases of violence against women too frequent on reserves, and these cases will perpetuate unnecessarily if women have to live in fear in relationships of abuse. They should not. No woman should have to live in a relationship, an abusive relationship, for fear that if she leaves she loses access to everything she owns and especially access to her own children. This is wrong, and it's got to stop.

Now, many First Nations leaders have told me that they agree, and they want to proceed and they want the federal government to proceed. And, certainly, many women have told me in private that some of them are afraid. They're afraid because if they raise the issue, they're afraid of the repercussions of raising it if the leaders of the reserve feel differently than they do. Too many people feel fear in their own communities, and we know that's a reality, those of us who've travelled and lived with and around and worked with Aboriginal people.

Now, many First Nations leaders are very progressive people and want the federal government to proceed and have said so. Others, less so. But we have to make a choice here today. And our choice is either we back the process of delay or we back the women. It's as simple as that. This has gone on long enough.

Some will say that there needs to be—that there was not enough consultation. They are wrong. Consultations on this issue, this specific issue of this specific bill began back in 2005. There were four phases to the consultation. There was a planning process. There were national consultations. There was consensus building. There was engagement on a draft legislative proposal. That consultation, facilitated with the help of the Native Women's Association of Canada who was provided with \$2.7 million of funding to do the consultations and was supported by the AFM who was supplied with an equal amount, \$2.7 million, to do the consultations. To suggest there hasn't been enough consultation, when, in fact, just on this specific draft bill there's been over six years of consultation costing a total of over \$8 million, is wrong.

* (11:10)

There has been abundant consultation. To suggest that the recommendations of that consultation aren't being incorporated into the bill, which some have at the federal level—a federal NDP Member of Parliament has said, you didn't listen when you did the consultations. Well, I've read the detailed proposals flowing from the consultation, Mr. Speaker. I can tell you, there were 33 recommendations made, and 30 of them are in the bill itself—30 of 33. These recommendations include providing basic protection for individual residents on reserves during and after the breakdown of their relationships, balancing individual rights with the collective rights of the First Nations communities regarding their reserve lands and including a means so First Nations can incorporate their own personal bills—*[interjection]*—thank you—in their own personal laws, develop their own codes on reserve, if they wish to.

Many First Nations communities are struggling with lack of resources, Mr. Speaker. You know it. And, I mean, they have issues to face like water access and housing and monumental challenges on reserves. Many reserves are communities of 350 people. They don't have the time or the capability to develop their own bills. They have told

me: Do this, let us adopt these codes, and we can move on with providing access to better housing and protecting our people through better measures that we have to deal with on plumbing issues and housing maintenance issues. These are our priorities. We don't have time for these things, but we know they're important. That's what the First Nations are telling me.

So I am disappointed every time that I hear—I must be frank—I'm disappointed every time that I hear people raise the argument that the process should go on, because I first-hand know the hardship and the pain that a lack of fairness and a lack of equal rights is causing Aboriginal women in this country right now. We have to take a step.

If we can, today, all agree in this House that this is a worthwhile resolution, we can send a powerful message to the people in Ottawa to get on with it and do the job that should have been done years ago.

I have a letter of support from Premier Brad Wall in Saskatchewan, the Province second most likely to be profoundly affected in a positive way by these changes. He is supportive. I'm asking the government to support us in this resolution. And if they will today, I think it's an historic day for Aboriginal women. I'm glad to continue the fight, if need be, and I will, but I hope that we can end this and have Ottawa—

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

Hon. Andrew Swan (Minister of Justice and Attorney General): I'm pleased to speak to this resolution this morning. This resolution, of course, calls on the Manitoba Legislature to encourage the federal government to pass Bill S-2 which is now currently before Parliament. And, Mr. Speaker, we do agree there is a legislative gap at present. And when, for example, a woman is fleeing domestic violence and leaves her home on a First Nation, there is no process for her to apply for the possession of that home for herself and, in many cases, children.

And, Mr. Speaker, Manitoba has some of the strongest laws in Canada aimed at protecting women through protection orders, prevention orders, orders of possession, other remedies available to people through courts, but these remedies are not available to someone living on a First Nation. And the Supreme Court of Canada made it clear several years ago that there is no way that provincial laws can have application.

So I actually agree with the Leader of the Opposition that there should be remedies. We want to do everything we can to reduce domestic violence. Anybody living in Manitoba is a Manitoban, and we want to make sure that we do the best we can for those people, especially for women and children. And we agree there should be federal legislation in place to fill that gap.

But, Mr. Speaker, we can't deny the fact there are serious concerns that have been raised by people across this country about the process by which this bill was created, the content of the bill and then the subsequent impact of this bill on First Nations, many of which, as the Leader of the Opposition have commented, are small communities that don't have a lot of capacity.

Voices of Aboriginal women, Mr. Speaker, need to be heard, and on this of all days, a day when every member of this Legislature pledges to take action on violence against women, we need to accept, we need to embrace the fact that First Nations women have an important stake in this.

And, Mr. Speaker, I've reviewed the comments of the Native Women's Association of Canada. They issued a press release after Bill S-2 was introduced in the Senate. It's a press release dated November 21, 2011, and this release concludes as follows: The issues that need to be addressed are far more extensive than addressing a mere legislative gap. Based on the multiple reports produced by NWAC, the AFN and the previous ministerial representative, the remedies require a comprehensive approach driven by First Nations. This approach must address family support services, help to reduce family violence, provide more shelters, increase policing supports, afford family services to prevent child welfare interventions, increase housing, build First Nations capacity to resolve disputes, land management issues, matters relating to citizenship and residency, all of which make Aboriginal women particularly vulnerable. These fundamental issues must be adequately addressed prior to the implementation of any bill on MRP, which is matrimonial reserve property.

NWAC stresses the importance of acknowledging and respecting the role of women and mothers in First Nations families, communities and nations. The government must ensure that our views are sought and taken into account with all legislation that affects us. Should this MRP legislation get pushed through Parliament than NWAC must have a

leading role in how the legislation is implemented to ensure that women and their families are taken into account at every stage.

Now, Mr. Speaker, when I learned of the resolution being brought forward today, I decided to give a call to Grand Chief Nepinak of the Assembly of Manitoba Chiefs. He was surprised that this was on because the Leader of the Opposition never bothered even to call him to suggest this would be going forward. I also spoke with Grand Chief Harper of MKO, who also raised concerns about the bill and some of the aspects of it.

You know, it's very nice that the member opposite, the Leader of the Opposition, has a letter of support from Brad Wall. I'd actually be a lot happier and I think it's a lot more relevant to Manitobans if he had a letter of support of the grand chief of Manitoba First Nations or the grand chief of MKO or the grand chief of the Southern Chiefs' association, because, Mr. Speaker, too many times in this country laws have been passed without taking the views of Aboriginal people into account. We have to move forward. We have to work with Aboriginal people to pass laws to their benefit.

I've also reviewed a paper by the Provincial Council of Women. I have much respect for their work, it's strongly prepared with the National Council of Women of Canada, dated October 27, 2011, and I will read the recommendations of that report into the record, Mr. Speaker.

Number 1: Although we would prefer delaying the implementation of Bill S-2 until each First Nation has negotiated time to draw up legislation, we know that period time of 12 months is not realistic. Look at extending the period time in order for membership codes to be brought up to date as well as First Nations determining their own matrimonial property laws. There's a need to bring to each of Canada's 633 First Nations the information necessary for them to comply with this proposed legislation.

(2) Provide resources for First Nations to carry on this work during the period of preparation.

(3) Support NWAC to be the centre of excellence as outlined in the planned support implementing the matrimonial real property legislation. NCWC recommends that NWAC be resourced to have the centre of excellences that has the overall network and contact with the women and are aware of the issues resulting from the current structure. NWAC must be the centre of excellence as

it will be able to act independently and for the benefit of the women, children and families. AMC chiefs in assembly have passed a resolution which states that chiefs and councils represent their citizens regardless of gender or residency.

(4) The result of Bill S-2 must be better protection for women and children. It will come before provincial courts and will be enforced by First Nations or provincial authorities. Resources to support this process and to enforce the resulting laws must be provided. The development of education materials and the resources necessary to implement must be provided by the federal government in consultation with First Nations and resourced as part of its obligation to Canada's First Nations.

Well, Mr. Speaker, this advice from the Provincial Council of Women is very useful and I think this is a message we should be sending to the federal government.

There are concerns about the content of Bill S-2. For example, on the domestic violence front, in Manitoba we have very strong laws which allows the victim of domestic violence, even dating violence, to receive the protection of an order, and if someone wants to challenge that order and have it set aside or varied the onus is on them and it's up to them to come forward and go in front of a judge to suggest that order should be vacated. The benefit of that law is for the victim of violence, and we think that's important.

The Bill S-2 would be very different. A protection order would be made for the short term and the order would then be confirmed by a Queen's Bench judge in the future. There wouldn't be any presumption that the victim's view should be taken into account. There'd be no onus on the offender to step up and provide proof, and we don't think that's a good thing. Frankly, Mr. Speaker, I think a little more Manitoba would be a good thing in Ottawa, and I think the Bill S-2 could be improved on that front.

So, Mr. Speaker, we agree there is a gap, and we believe it needs to be addressed and we believe that if the federal government listens to advice of First Nations people it can be done properly. And if we believe that the government listens to the advice that's being put forward in committees that are taking place in Ottawa even this week we think Bill S-2 which should go ahead, can be made even better.

I'll take the opposition leader at his word and say this is motivated by his interest in assisting First Nations people. We sure didn't see it in the '90s when the Aboriginal Justice Inquiry report sat unopened, untouched and unused when the Leader of the Opposition was not only on the government's side, but sat in Cabinet. But if we're moving forward today, then that is a positive step for all Manitobans.

* (11:20)

So I'll expect, and I think all Manitobans will be watching, to have the co-operation of the opposition leader. He can work with us now in calling on the federal government to address family support services on First Nations, to help reduce family violence on First Nations, to provide more shelters on First Nations, to increase policing support on First Nations, to afford family services to prevent child welfare interventions on First Nations, to increase housing on First Nations, to help First Nations capacity to resolve disputes, for the federal government to take land management issues seriously and to really address issues relating to citizenship and residency.

I'd expect the Leader of the Opposition to adopt the recommendations of the Provincial Council of Women. I think it is a good blueprint for how Bill S-2 should be implemented. And I would expect the Leader of the Opposition, who started his comments by saying he supports equality and rights of all Canadians, to join our call for the federal government to truly meet its constitutional and treaty obligations to First Nations people.

I'd expect the Leader of the Opposition now to join us when we ask why a student studying on a First Nation in Manitoba is funded at only two thirds of the amount of a student in the Frontier School Division. I welcome the Leader of the Opposition and Conservatives finally standing with us to ask those questions. I expect the Leader of the Opposition to ask why, even though almost every other province and territory participated in NAWS III, as we take on the issue of murdered and missing women—hopefully, he'll be with us in asking why there was an empty chair for the federal government at that critical meeting as we try to protect Aboriginal women.

So we have concerns about process. We've concerns about certain provisions, and we certainly have concerns about the supports to make Bill S-2 work. But we do want to fill a legislative void. Let's

call for improvements to Bill S-2. Let's do that today, Mr. Speaker.

Thank you very much.

Mrs. Heather Stefanson (Tuxedo): I am pleased to stand in this Legislature today and support and thank the Leader of the Official Opposition (Mr. Pallister) for bringing forward this very important resolution before the Manitoba Legislature today, Mr. Speaker, and I would encourage all members of this House to take this resolution very seriously so that we send an important message from Manitoba to Ottawa that we support this resolution unanimously.

Mr. Speaker, I want to thank again the member—the Leader of the Opposition for bringing this forward, and the Minister of Justice maybe questioned what the motive was behind this. And I will tell you that the Leader of the Official Opposition believes very passionately about this issue. As a matter of fact, this is not something that came up overnight. This is something that he personally has been working on for more than a decade, and so he believes very passionately in this issue. He has already stated that he has visited more than 130 reserves across this great country of ours, and he has spoken to women and children and First Nations people across this country. And he has heard loud and clear—and that—what they're saying, and he, in fact, even brought forward a private member's bill federally about this issue. So to suggest that his motives are anything other than what is in the best interest of women and children and First Nations communities across this country is shameful.

Mr. Speaker, Bill S-2 addresses issues relating to family real property on reserves, and currently the Indian Act does not protect the property rights of, primarily, First Nations women living on reserve. This bill will provide First Nations communities with the choice of whether to develop its own laws to address matrimonial interests or to enact federal laws as provided through this piece of federal legislation.

Mr. Speaker, the bill allows for a 12-month transition period between its passage and its appliance to First Nations reserves. This bill takes into account the cultural perspectives of reserves and traditional dispute mechanisms, while still allowing for the protection of matrimonial property rights for women living on reserve.

Mr. Speaker, this bill is long overdue. This is why we on this side of the House and, I hope, all members of this House, are asking the Legislative

Assembly of Manitoba for support in urging the federal government to pass Bill S-2.

We have been hearing across the province, cases where First Nations women and children living on reserve have been forced out of their homes. These are heartbreaking stories, Mr. Speaker, and that's why we need to act on this right away.

Mr. Speaker, currently, as the Indian Act stands, when a relationship breaks down between spouses or common-law partners, First Nations, primarily women, have no right to their homes, their properties and their lands. This causes many Aboriginal women, along with their children, to be forced into homelessness and financial insecurity. Unless their name alone is on the certificate of possession for their home on a reserve, judges cannot order that the women remain in the home or even that an abusive spouse must stay away from it. The last census conducted in 2006 found that there were over 100,000 individuals on reserve in a marriage or common-law relationship. First Nations women are an integral part of our province, and I am pleased to put on the record the importance of advocating for the rights of all women in our province.

Currently, provincial laws dealing with property rights only apply to First Nations women living off reserves. Thus, this is—there are many women living on reserves who have no guarantee of rights to their homes and their property, Mr. Speaker. This is not a new issue. Addressing and taking action on matrimonial property rights for Aboriginal women has been recommended and observed across Canada for over 20 years. In 1991, Manitoba's Aboriginal Justice Inquiry recommended action on this issue, as did the Royal Commission of Aboriginal Peoples in 1996, the 1998 United Nations Committee on Economic, Social and Cultural Rights, the Senate Standing Committee on Human Rights in 2003, and the House of Commons standing committee on Aboriginal and northern affairs in 2005.

Mr. Speaker, this bill was developed after a significant consultation process with the Native Women's Association of Canada and the Assembly of First Nations, as well as nationwide consultations from interested groups, First Nations members and of course Aboriginal women living on reserves whom are struggling for equality.

It is a time to end this inequality that First Nations women living on reserves face. Action on this issue is long overdue and now we have the opportunity to make a difference in the lives of these

women. Mr. Speaker, we believe that Manitoba has a responsibility to protect First Nations women living on reserves and we can do this by supporting Bill S-2 that is currently before the House of Commons.

I look forward to all MLAs in this Chamber support this resolution today. We can send—together, we can send a very strong message to Ottawa that it's time to pass this bill for the sake of First Nations women not only in our province, but across the country. Thank you, Mr. Speaker.

Hon. Eric Robinson (Minister of Aboriginal and Northern Affairs): Allow me to thank the members for—that have spoken before me. I'm pleased to, as well, speak to the resolution, which I expect the Chamber will be endorsing upon some words being spoken by members that are interested in this issue.

As members know, I am a member of the Cross Lake Cree Nation, also known as the Pimicikamak Cree Nation. I've had the privilege of living and working in many reserves throughout the province of Manitoba, many of them in remote communities. And I was also privileged to have the honour of being a hearing co-ordinator for the Aboriginal Justice Inquiry. And I've seen first-hand not only in my own upbringing, but the pain and suffering that the Aboriginal people revealed in meetings that were held in some 36 communities that Justice Hamilton and, at that time, provincial Chief Judge Murray Sinclair travelled to, and I had the honour of working with both these esteemed gentlemen. And most of them, most of the communities, that I'm referring to then and today remain accessible only by winter roads. About a thousand people made presentations at these hearings and it was often gut-wrenching and really touched on our inner feelings about some of the challenges that many of our people had to endure—our fellow citizens here in the province of Manitoba—and particularly women and particularly the challenges.

* (11:30)

As members in this House know, the Aboriginal Justice Inquiry was precipitated by the killing of Helen Betty Osborne back in 1971 and the killing of J.J. Harper on the streets of Winnipeg back in 1988. Many of us had high hopes that the federal government and the provincial government at that time would act quickly on a good number of those issues that were raised and the important recommendations. There was something like 306 recommendations that were made at that time from

the Aboriginal Justice Inquiry, and about a hundred of them related to the province of Manitoba.

The 306 recommendations, many, over 200—about 200 directly related to the federal government. Even something as basic as matrimonial law on reserves were never acted upon. And I want to commend, personally, the member for Fort Whyte (Mr. Pallister) for bringing this to our attention today and the number of years that he's devoted to working on this issue. But on page 486 of volume 1 of the Aboriginal Justice Inquiry, the recommendation of the then-Aboriginal Justice Inquiry said that the Indian Act be amended to provide for the equal division of property upon marriage breakdown.

The further recommendation on that issue also said that Aboriginal leaders establish a local government portfolio for women and children with responsibility to develop educational and support programs in the area of spousal and child abuse. That was back in 1991 when the AJI was tabled.

As many have commented since then, the Aboriginal Justice Inquiry received minimal provincial support or interest for many long years after that. When our government took office in 1999, we set up the Aboriginal Justice Implementation Commission to implement recommendations other—under the provincial—under provincial jurisdiction. And I remember Paul Chartrand and Wendy Whitecloud, when my colleague the member for St. Johns and I were a part of that implementation team, asked these two esteemed Manitobans to follow up on some of the actions. The areas that related to the Province, we certainly took action immediately.

We strongly support the principles as stated in the Aboriginal Justice Inquiry that the Indian Act be amended to provide for equal division of property upon marriage breakdown, and I think that that is only common sense. As the AJI noted, the lack of housing, community services and resources then and today means that in many cases women must leave the reserve when the marriage breaks down, and this is not acceptable and needs to be addressed.

Quite simply, it is very difficult to see how change can be implemented without the commitment of adequate resources as well, and we're talking much more than the issue we're talking about in the Chamber this morning. The overcrowded housing conditions, along with poor quality running water and other challenges, contributes to the violence and problems many families on reserves are facing today.

It's not acceptable in this day and age that two or more families live in many houses, that an expectation of a fair division of property is going to be possible if that situation, indeed, is the case. Not surprisingly, the Native Women's Association of Canada, under the leadership of current—the current president, Michèle Audette—Madame Michèle Audette, and the Assembly of First Nations, under the leadership of the current national chief, Shawn Atleo, and many First Nations themselves are deeply concerned about how this matter could be resolved without any resources on reserves. And many of us wonder if this lack of support is why the bill has been effectively stalled by the majority federal government itself.

Regardless of what has delayed the bill, we on this side agree that action is needed, so that's a given. There's too much at stake for this fundamental issue of fairness to be further delayed, and our side of the House want to work with all members in this Chamber in their concern. At the National Aboriginal Women's Summit, NAWS III, gathering last month, discussions on addressing the national tragedy of missing and murdered Aboriginal women and girls included addressing violence against Aboriginal women on reserves.

And my only regret that is—that—was that there was no federal ministers present at that meeting, because their presence would have certainly helped advance the issue of women generally, Aboriginal women particularly and the struggles that Aboriginal and—women face in Canada. So it would've helped us move the issue forward, and I feel would've been more productive in implementing matrimonial property rights on reserves.

There is much that all levels of government can and must do to address the causes and results of systemic racism and violence against Aboriginal women in this country, and reforming the Indian Act to protect women on the breakdown of families on reserve is one important measure that can make a positive change.

Before I conclude my remarks, Mr. Speaker, I'd like to ask you to canvass the Chamber to see if there is an agreement to allow me to make a friendly amendment to the resolution which I have shared with members opposite.

Mr. Speaker: Is there leave of the House, as requested, to consider an amendment to the resolution proposed by the honourable Leader of the Official Opposition (Mr. Pallister)? *[Agreed]*

Mr. Robinson: Mr. Speaker, I move, seconded by the member for Fort Whyte,

THAT the resolution be amended by changing 1988 to 1991 and 1997 to 1996 in the final WHEREAS clause, and

THAT an additional clause be added at the end stating: THEREFORE BE IT RESOLVED that a copy of this resolution be sent by the Speaker to the federal Minister of Aboriginal Affairs and Northern Development.

Mr. Speaker: It's been moved by the honourable Minister of Aboriginal and Northern Affairs, seconded by the honourable Leader of the Official Opposition,

THAT the resolution be amended by changing 1988 to 1991 and 1997 to 1996 in the final WHEREAS clause, and

THAT an additional clause be added at the end stating that: THEREFORE BE IT FURTHER RESOLVED that a copy of this resolution be sent by the Speaker to the federal minister of aboriginal and northern affairs.

The amendment is in order.

Mr. Pallister: I just wanted to go on record as saying I deeply appreciate the comments from the Minister of Aboriginal and Northern Affairs and I have great respect for him, and I thank him and I thank all members of the House. This has been a particular issue of mine for a long time, and for us to stand together today is very important to me, but, more importantly, it's important to the Aboriginal women of this country.

Thank you.

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

Are there any further speakers to the resolution as amended?

The honourable Minister of Aboriginal and Northern Affairs has concluded his remarks unless there is leave of the House.

Some Honourable Members: Leave.

Mr. Speaker: Leave has been granted.

Mr. Robinson: Well, thank you. I'll be very brief, Mr. Speaker.

With those minor changes, I believe that this resolution shows that our Legislature speaks united

in its belief that change must indeed occur, and it's a positive step forward and it's also my hope that the federal government will take our concerns seriously. Thank you.

Mrs. Leanne Rowat (Riding Mountain): I just want to put on the record that I am very impressed with the Chamber and the way that we've worked together on this resolution.

I am a former critic of Aboriginal and Northern Affairs, and if anybody would ask me what one of my favourite roles have been in the years that I've served here, it has been the learning experience that I have gained in working with First Nation and Aboriginal communities, and I always respect and appreciate the comments and wisdom of the member for—or the Minister of Aboriginal and Northern Affairs.

* (11:40)

I believe that what our leader has presented today is something that needs to be done. There are so many things that need to be done to help First Nation communities and I believe that, one step at a time, we will make progress and we will make life better for all Manitobans, but most especially First Nation families who need our support and our guidance, but also we have to listen to what they're saying and ensure that they make the decisions, because I do believe that this bill respects First Nations governance aspirations, and it provides interim protections until communities can do just that, until communities can decide how they wish to proceed.

So I think this is an excellent tool that will help make healthy communities within our First Nation families, and we want to see this go forward and support it.

We take for granted, Mr. Speaker, the rights of individuals with regard to personal property and matrimonial interests. But we don't realize that we have, in Canada, a sector of our population, and a significant sector of Manitoba's population, who do not have those rights.

While critic for Aboriginal and Northern Affairs, I travelled to a lot of the communities in the north, communities in the south, and saw first-hand the challenges that many of these families face.

And I believe that when we can provide rights and protections to all members of a First Nations community, then we are doing the right thing in

making sure that everybody has an equal chance for happiness, equal chance for housing and supports, so that we can raise together a healthy family and a healthy community.

Mr. Speaker, I wanted to say that the Aboriginal Justice Inquiry of Manitoba pointed out, quite aside from questions of legality, the lack of protection and fair treatment for Aboriginal women. And I believe that this process today shows our support for all Manitobans, and our support to assist and provide our support for First Nation communities.

I believe that with the friendly amendment and the support from both sides of the House, that we are showing the federal government that we support their initiative. It shows the women's groups that I've met with over the years—Aboriginal, First Nation, Inuit, Metis—that we care about the challenges that they're facing and we, as a unit, we, as a family within this Legislature, take heed and we are trying to do what we can to provide the tools for them to succeed.

So thank you, Mr. Speaker.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I want to rise as well in support of this resolution. I believe that it's time that this real problem, which is an important one for Aboriginal women living in First Nations communities, is addressed, that the gap that exists and is acknowledged for some time, including back to the Aboriginal Justice Inquiry, that the gap has existed and needs to be addressed.

I think in that context that it is important that the resolution is sent to the government in Ottawa, but I would hope that the debates would also be sent and the remarks made by people here.

Today we are on December 6th, which is the anniversary of the Montréal massacre, and we are very conscious of violence and abuse of women and the importance of violence against women and the abuse of women, and we are very focused on making sure that issues like this are addressed. I think that one of the things which is vital is that all the parties come together in Ottawa in a way that will, you know, support addressing this issue, but will recognize as well that if this is going to be effective and allow First Nations governments to implement and develop their own laws to implement, that there will need to be significant transitional support, that this—resources that are—should accompany this legislation should also be addressed at increased—better family support services, the availability of shelter, the family services as we've been talking

about in relationship to the Phoenix Sinclair inquiry, so that families and children are better supported, so that fewer children actually need to be taken into care.

We need better housing in many communities, as has already been mentioned, and that these—the ability to fundamentally address—as I've been talking about—things like access to running water in north—in First Nations communities here in Manitoba, which has still not been addressed, and to address access, like a fair price for milk so that mothers and children in northern Manitoba don't need to be giving their children pop and getting dental 'carities' to the extent that they are.

There is clearly much to be done. This is but one piece of a larger package which must come and it must come with support not only federally but involvement provincially, because of the important role in many areas, including the child and family services system at a provincial level.

So, with those comments and the recognition that the resources should be an important part of the implementation of this bill, that I believe we have unanimity here in supporting this effort and sending this important message to Ottawa, in the hope that Ottawa will move on this legislation. Thank you.

Mr. Speaker: Seeing no further speakers to the resolution, and prior to placing the question to the

House, I wish to advise the House that the normal practice of Speakers is to take amendments under advisement, and it's been a long-established practice in here. But since there seemed to have been a will of the House to consider the amendment, that is why we allowed it—I allowed it to proceed today. I just wanted to indicate that for the House.

And also, now, since there does not appear to be any other members wishing to speak to the resolution, I'll place the question to the House.

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

Mr. Kelvin Goertzen (Official Opposition House Leader): Mr. Speaker, can you canvass the House to see if it's the will of the House to call it a unanimous vote?

Mr. Speaker: Is there—is it the will of the House to consider the passage of the resolution as amended unanimous? *[Agreed]*

Mr. Goertzen: Is it also the will of the House to call it 12 o'clock?

Mr. Speaker: Is it the pleasure of the House to call it 12 noon? *[interjection]* Is it the pleasure of the House to call it 12 noon? *[Agreed]*

The hour being 12 noon, this House is recessed until 1:30 p.m. this afternoon.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, December 6, 2012

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