

Fourth 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

Member	Constituency	Political Affiliation
ALLAN, Nancy	St. Vital	NDP
ALLUM, James, Hon.	Fort Garry-Riverview	NDP
ALTEMEYER, Rob	Wolseley	NDP
ASHTON, Steve, Hon.	Thompson	NDP
BLADY, Sharon, Hon.	Kirkfield Park	NDP
BRAUN, Erna, Hon.	Rossmere	NDP
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<i>Vacant</i>	Gimli	—
<i>Vacant</i>	Southdale	—

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, October 26, 2015

The House met at 1:30 p.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 afternoon, everyone. Please be seated.

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

Bill 209—The Results-Based Budgeting Act

Mrs. Heather Stefanson (Tuxedo): I move, seconded by the member for Morden-Winkler (Mr. Friesen), that Bill 209, The Results-Based Budgeting Act; Loi sur la budgétisation axée sur les résultats, be now read for a first time.

Motion presented.

Mrs. Stefanson: This bill requires the budgets for all government programs, services, agencies, boards and commissions to be reviewed on a regular cycle to ensure that they are delivering the outcomes that the public needs. Once the review process is completed for a given program, the budget for the program will be re-established. The process is to be transparent, with the findings and 'recommendations' of program reviews made public. And we look forward to this passing through this Legislature, Mr. Speaker.

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

Any further introduction of bills?

Seeing none, we'll move on to committee reports. Tabling of reports? Ministerial statements?

MEMBERS' STATEMENTS

Internment Camps—Statue Unveiling and Symposium

Hon. Dave Chomiak (Minister of Mineral Resources): Mr. Speaker, on October 24th, the Ukrainian Canadian Congress held the official

unveiling of the Manitoba internment statue on the grounds of the Legislature and held a symposium on Canada's internment operations. It was an honour to attend the unveiling of the statue and attend the four hours of seminar.

Mr. Speaker, during the First World War, thousands of people with 'Austro'-Hungarian citizenship, including Ukrainians, Poles, Romanians and many others, were sent to internment camps across Canada, including in Brandon, and thousands more were forced to register as, quote, enemy aliens, and report to police on a regular basis. Conditions were harsh and abusive, and the experience left a permanent trauma for those caught up in the internment laws. We heard at the symposium about how this was something never to be spoken of, and only in the recent past have documents and survivor testimony been uncovered. These serve to build a clearer picture of our collective history shaped by lessons of the past. As Manitobans, we don't forget the past. We strive to build a better, more inclusive province and society.

The statue which was unveiled has text in 16 languages representing the various ethnocultural communities who were also affected by this dark chapter in Canadian history.

I would encourage all Manitobans to visit this statute co-located with the memorial of Taras Shevchenko, Ukraine's poet laureate, and a memorial to the Holodomor, the famine genocide of 1932-1933.

To the members of the First World War internment committee of the Ukrainian Canadian Congress Manitoba Provincial Council, particularly Roman Yereniuk and Joan Lewandowski: Thank you for your efforts to ensure we never forget this tragic chapter of our history.

Emergency Room Closures

Mr. Dennis Smook (La Verendrye): There have been more than 20 emergency rooms closed in hospitals in Manitoba. This number continues to grow as we see more ERs closing.

In the last three years, we've seen a revolving door of Health ministers. All three of these Health

ministers have made promises that ER closures would only be temporary. This has not happened.

Well, Mr. Speaker, Manitobans are tired of the same NDP broken promises and want a change for the better. All three of these Health ministers have stated that Manitoba families deserve safe, high-quality health care close to home. They have all made the commitment that all Manitobans will have access to a family doctor by 2015. Again, more broken promises.

Manitobans are afraid of losing emergency services. Many feel that once their ER closes it will never reopen. I don't blame them for being afraid of losing emergency services. It is an important part of any community's life, especially when you see the signs giving direction to the hospital at first being covered with a garbage bag, then covered with something more permanent and, finally, the sign being totally removed even though all the while being told that their ER will reopen any time.

Closed ERs are putting more pressure on the ones that are open, creating longer wait times.

Mr. Speaker, NDP waste is threatening essential front-line services. Thank you.

Close Commons Public Art Project

Hon. Mohinder Saran (Minister of Housing and Community Development): Mr. Speaker, an inclusive perspective of culture is one of the most important parts of community. Public art is an excellent way to represent the diversity of the people around us, and recently community members in my constituency voiced a desire for more public art to represent their Punjabi and Sikh cultures.

And that is why the new public art piece, Close Commons in Adsum Park, is such a welcome addition to The Maples area. It was designed by Gurpreet Sehra, an extremely talented young artist who has joined us in the gallery today. She works in traditional and non-traditional media to comment on gender and identity in Sikh-Punjabi communities. Her art has been recognized around the world, so it is an honour to have her work in Adsum Park.

Gurpreet conducted interviews with community members through which she discovered how close-knit the community is and how important public spaces are to them. In interviewing women in the community, she found what they wanted most was seating in the park which was separate from the men and close to the play structure. She designed a

circular seating area to provide a space for the women to talk with each other while watching their children.

The two benches are made from granite and aluminum and are carved with an intricate floral motif inspired by Indian and Islamic textiles. The backrests are large aluminum pieces shaped like the Manitoba bur oak leaf. Close Commons marries multiple cultures to represent the connection between the newcomers' homeland and new home, an experience that is part of many families' stories in The Maples, including my own.

* (13:40)

Close Commons is a valuable and beautiful contribution to the everyday lives of Maples families who use Adsum Park. People in my constituency are proud of their diversity and the beauty of their cultures. Close Commons represents that pride and deepens community bonds.

Thank you, Gurpreet, for sharing your incredible talent with our community.

PST Increase Impact on Small Business

Mr. Blaine Pedersen (Midland): Mr. Speaker, the NDP has devastated small businesses all across this province. The additional overhead costs imposed on the service industry by the NDP are just another example of NDP waste and mismanagement which negatively impacts front-line services to all Manitobans.

Today with us in the gallery is Angelo Mondragon, owner of the Notre Dame Hotel in beautiful downtown Notre Dame de Lourdes, who has set up his display in front of the Legislature today, and I urge everyone to go and visit him.

Mr. Mondragon's insurance bill is \$11,000 per year. With the NDP's expansion of the PST and then raising the PST to 8 per cent, he now has to pay PST on his insurance bill. Mr. Mondragon's hydro bill exceeds \$18,000 per year, and climbing. This escalating overhead cost is a direct result of the NDP government's drive to Americanize Manitoba Hydro at the expense of all Manitobans. These are just a couple of examples of how the NDP continue to drive away small businesses across Manitoba.

Manitobans are tired of paying more and getting less, and Mr. Mondragon, like all Manitobans, are tired of the same old broken promises made by a tired old broken NDP government.

Mr. Mondragon, a change for the better is coming, and for Mr. Mondragon that change just can't come soon enough.

Mr. Speaker: Honourable member for Riel.

An Honourable Member: For Seine River.

Mr. Speaker: Seine River, pardon me.

Dakota Collegiate Field of Dreams

Ms. Theresa Oswald (Seine River): Mr. Speaker, it is my pleasure to rise in the House today to pay tribute to the staff, students and alumni association at my beloved alma mater, Dakota Collegiate. These exceptional people have been working tirelessly to raise funds and plan for the development of their field of dreams that is a brand new, state-of-the-art, multi-use stadium right on the collegiate campus.

Their dream includes building a football field, a track field and a basketball court along with a cricket pitch to serve the vibrant and diverse population this school community serves.

The exceptional alumni association led by President Les Wiens has raised nearly \$2.5 million through numerous initiatives, including sold-out dinners featuring keynote speakers Coach Carter and our own Jon Montgomery. Special mention must be made of Vice-Principal Robbie Mager, an excellent organizer and advocate in his own right; and parent, teacher and coach Dean Favoni, a pillar of the Lancers community, for their Herculean efforts on this project, and so many more. Under the leadership and direction of Principal Jill Mathez, this community is passionately coming together to provide the best for our children.

It is with great pride that I stood with my colleagues today, shoulder to shoulder with students and staff at the school to pledge \$1 million to the field of dreams project. Our government has always supported and valued public education, Mr. Speaker, and this commitment shall never waver.

Congratulations, Dakota Collegiate. It won't be long now until you can play your home games truly at home. Keep up the excellent work and please accept heartfelt thanks on behalf of all the students and families in our community.

Mr. Speaker: That concludes members' statements.

We'll now—I'd like to introduce, as has become our tradition, our two new pages who are with us here this afternoon who are joining us for this session. First, we have Anika Nelson who is a

student at Westgate Mennonite Collegiate, and Sarah Cormier who is a student at Gabrielle-Roy collegiate.

On behalf of all honourable members, we welcome both of you and hope you enjoy your experience in the Manitoba Legislature.

Introduction of Guests

Mr. Speaker: And also seated in the public gallery we have with us this afternoon Manitoba Parents for Ukrainian Education. We have 87 grade 5 students under—from East Selkirk Middle School, Springfield Heights School, R.F. Morrison School, Oak Bank Elementary and Ralph Brown School, and these students under the direction of Mr. Joseyf Mudryj, Ms. Marianna Cap, Mr. Michael Ilyniak and Ms. Iryna Labay and Ms. Mira Demko.

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

And they are here on behalf of the honourable Minister of Agriculture and Food.

ORAL QUESTIONS

Mr. Speaker: Now, oral questions.

Manitoba Hydro Management Concerns

Mr. Brian Pallister (Leader of the Official Opposition): Mr. Speaker, my first question centres on our concern about the government's plan to Americanize Manitoba Hydro and, in so doing, place the interests, of course, of American customers ahead of Manitobans'.

Manitobans will be supplying the US customer with deep-discount hydro and they will be asked to foot the bill, and these children in our gallery today are seeing billions of dollars borrowed from them to do this, to supply low-cost power, again, to our American competitors, Mr. Speaker.

Meanwhile, our hydro rates go through the roof. We've seen half a dozen increases just under this Premier. The forecast on hydro rates is that they'll double in the next decade or so.

So I have to ask the Premier: Why does he persist in placing the interests of United States hydro purchasers ahead of the interests of children like those in our gallery here today?

Hon. Greg Selinger (Premier): Mr. Speaker, let's start by putting the record straight historically. When the member opposite was in government, there was a higher rate for every family and every business in

rural Manitoba. We brought in a law that made the rates uniform across the entire province. That has saved rural Manitobans over \$70 million a year.

Members opposite resisted that bill with every ounce that they could muster to do it, which wasn't very much, Mr. Speaker. They wanted to stop that. They had a two-tier system, a higher rate for rural Manitoba, a lower rate for Winnipeg. We have the same rate for everybody.

We are building Manitoba Hydro with \$9 billion of contracts which will pay down the cost of the new generating station—pay down the cost of the new generating station—and allow Manitoba Hydro to have among the lowest rates in North America, which we have right now, and I'll give you further information on my next answer.

Mr. Pallister: Well, the Premier speaks about a two-tier system, and we have one now. It's called Manitobans pay more and Americans pay less.

We're no longer the lowest cost provider of hydro, at least according to the industrial users we met with recently. They say we're now middle of the pack here and we've lost a tremendous competitive advantage here in Manitoba because of the government's mismanagement.

It's not just us saying it; it's former NDP ministers of Energy and Hydro, yes, Len Evans, Tim Sale, smart people, by all accounts. They have a great degree of expertise, but they don't agree with the Premier on this Americanization strategy. They call it foolhardy. In fact, former Premier Ed Schreyer describes it as a colossal gamble and a massive misadventure.

Now, the Premier doesn't listen to our side of the House. We know he does not listen to Manitobans. We know he does not listen to most members of his own caucus as well.

But will he listen to former NDP Premier Ed Schreyer and will he get off the American bandwagon and start thinking about Manitoba children and our future first?

Mr. Selinger: Mr. Speaker, only the Leader of the Opposition would cancel \$9 billion of sales which are profitable for Manitoba Hydro, will keep costs down for Manitoba ratepayers. It's like building your house, renting it out before you need it and having a lower mortgage when you come back into the house. That's exactly what we're doing.

They 'opposed' Limestone when it was built in Manitoba. It was paid off in 10 years. It has served us every year since with low-cost power. They now want to do the same thing with Keeyask.

Hundreds if not thousands of people are working in Manitoba today because we're building Manitoba Hydro for customers that want that power, not just in the United States. To the west of us we have concluded a major agreement with SaskPower, Mr. Speaker, their Crown corporation. They want to buy our hydro, which is profitable for us. They're buying 100 megawatts. They're interested in another 400 megawatts.

The Leader of the Opposition has said he will never export power out of Manitoba on any of the new builds, a colossal mistake which will guarantee Manitobans the highest rates in North America instead of the lowest, which we have now.

Mr. Pallister: Well, kids, you can always tell who's losing the argument. It's the guy yelling the loudest and making stuff up, and that's what the Premier just did.

We don't have the lowest cost power anymore. The Premier knows that. He talks about keeping costs down, and they're going up faster than they ever have, under his leadership, and they're going up because Americans love this.

* (13:50)

Mr. Speaker, buyers of hydro love this elsewhere; buyers of hydro in Manitoba, not so sure. He's using 10-year-old talking points and a 10-year-old plan, and the world has changed around him, but he refuses to change with it.

The Premier wants to use hydro. We all know why he's doing this, Mr. Speaker. Everyone here understands it. He's using our Manitoba hydro to prop up his short-term job creation numbers, but he's doing it at the risk of the children in our gallery today and all Manitobans' future. He's doing it for that reason.

Mr. Speaker, Manitoba Hydro isn't the Premier's or the NDP's political plaything, and this is a very selfish and short-sighted and sad approach.

Now, why not listen to those who know? Why not listen to Ed Schreyer—Ed Schreyer—who describes this plan as an insult to reason? Why not start thinking about the future of Manitoba and Manitobans and put those interests ahead of his own short-term political goals?

Mr. Selinger: Mr. Speaker, the home heating costs for Manitoba Hydro in—here are \$700 less than in the provinces to the east and west of us, and \$500 less than the national average. That's not old information, that's current information. The Leader of the Opposition has his head firmly planted in the sand and he ignores current evidence.

The reality is we have among the lowest rates of North America. We are building hydro for customers that are willing to pay a good profitable amount for it to the south of us, to the west of us, and we know there's more interest in hydro going forward which will create thousands of jobs in Manitoba, keep among the lowest operating costs in North America and make sure that Manitoba is one of the most affordable places to live in the country.

When you put the bundle of auto insurance together, home heating and electricity costs, we have the lowest bundle in Canada, Mr. Speaker. The members of the opposition vote against that. They don't support it. They want to privatize Manitoba Hydro. They want to have two-tier health care. Manitobans reject that vision of the future.

Hydro Expansion Plan Effect on Rates

Mr. Ralph Eichler (Lakeside): Mr. Speaker, this First Minister has zero credibility. Manitobans have been misled by this government. Every member opposite went door to door in the last election and told them the new Hydro expansion is a great deal for hard-working Manitobans and would not cost them one cent.

Mr. Speaker, this NDP government's latest ploy to fool the electorate into believing they're looking after their best interests, the real owners of Manitoba Hydro, is nothing more than smoke and mirrors.

I'd ask the minister simply to admit this is a bad deal for Manitobans and it will double the rates of all Manitoban rates on hydro.

Hon. James Allum (Acting Minister responsible for Manitoba Hydro): It's hard to believe that the member could put more misinformation on the record than the opposition Conservative leader, but he just did exactly that.

What we want to say on this side of the House, of course, is we have among the lowest if not the lowest hydro rates in the country, and then when you put that with our home heating and car insurance

rates, then we have the lowest bundle of utility rates in the country as well.

Now, Mr. Speaker, the opposition and the opposition Conservative leader has one plan and one plan only for Manitoba Hydro. He wants to stop development. He wants to turn the lights off on Manitobans and leave them in the dark. We're never going to let that happen.

Mr. Eichler: Mr. Speaker, I just don't know why this minister hates Ed Schreyer. It don't make any sense. When somebody tells us truth, they just attack them.

Mr. Speaker, former Premier and Governor General Ed Schreyer has made it very clear that this NDP government should call for a rethink of the expansion plan he's considered foolhardily. His mind remains firmly opposed to the risky and wasteful expansion.

Mr. Speaker, I'd like to ask the minister: Is Mr. Ed Schreyer right in asking what every Manitoban has been saying, it's time for a rethink of this multibillion-dollar boondoggle?

Mr. Allum: Well, it's sad, Mr. Speaker, that the member opposite that—would think that energy security for Manitobans is a boondoggle. It shows you what their priorities are on that side of the House versus our priorities to stand with Manitobans every single day.

Now, Mr. Speaker, when we develop our hydro resources, we're doing so to create green, reliable source of energy for generations to come. That's good for Manitobans, it's good for Manitoban ratepayers, and it's good for Manitoba's children as well.

Mr. Eichler: Mr. Speaker, this hydro expansion is so risky that former Hydro ministers, former premiers and hydro experts from all across this country have said it's a bad deal for Manitobans.

'Sik' rate—six rate increases under the watch of the current First Minister and projections for the rates to double if not triple, attacking all Manitobans.

Mr. Speaker, I would like to ask the minister: If he truly wants to listen to Manitobans, will he listen to the real owners of Manitoba Hydro and reassess this project like the leaders before him are asking them to do?

Mr. Allum: Well, Mr. Speaker, it's become pretty clear to me that the members opposite don't believe in publicly owned utilities here in Manitoba. When

they had the chance to deal with the phone company, the first thing they did was sell it. The real owners of Manitoba Hydro still continue to own Manitoba Hydro today.

Now, Mr. Speaker, as I said before, Manitoba Hydro provides a clean, green reliable source of energy that provides low rates to Manitobans. We have partnerships with First Nations that ensures economic development for our friends in the North.

It's good for First Nations, Mr. Speaker. It's good for Manitobans. The only ones who don't think it's any good is the Leader of the Opposition and his out-of-touch member.

Credit Rating Announcement Finance Minister's Response

Mr. Cameron Friesen (Morden-Winkler): Mr. Speaker, on July the 10th, Moody's Investors Service downgraded Manitoba's credit rating after a year of warning about NDP government risky debt and risky deficits, and the Finance Minister was missing in action.

I asked the Finance Minister to account for his absence, and he said he was on the job. However, we filed an information request for a copy of the Finance Minister's schedule for July 10th, the day of the downgrade, and the Finance Minister's schedule for July 10th—and I'll table that document—shows—it identifies no appointments or events.

Did the Finance Minister now want to revise his statement last week that when this international bond rating agency downgraded Manitoba's credit rating, he was on the job?

Hon. Greg Dewar (Minister of Finance): Mr. Speaker, we responded to this question last week, and I just want to remind the House, when we came into office we were a Aa3 rating by Moody's. We're now a Aa2 rating. That, I remind the member, is higher than when they were in office.

I also want to remind the member that we are taking deliberate action to invest in the economy, and that is why we right now are—have the second lowest unemployment rate in Canada, Mr. Speaker. As I said, it's our goal to be No. 1.

Mr. Speaker, I ask the members opposite to work with us—to work with us—to work with business, work with labour, work with our private sector, the educational institutions. All of us collectively should work together.

I think it's a better approach than their approach, Mr. Speaker, would be to fire nurses, to fire doctors, to fire teachers, to kill our infrastructure program. I ask—

Mr. Speaker: Order, please. The honourable minister's time on this question has elapsed.

Mr. Friesen: My Finance Minister suggests that we work together, but his schedule would say that he wasn't working.

Mr. Speaker, Moody's downgrade, the credit rating, it's the first downgrade in 30 years, and the Finance Minister's schedule shows two redacted areas of 30 minutes each at 9 a.m. and 11 a.m. and otherwise no calendar events at all after 11:30. So Moody's issues its downgrade at 1 p.m. Central Standard Time. That would give the Finance Minister plenty of time to get a briefing from staff, go out in the hall, face the music and send a strong message to assure lenders on this downgrade.

I ask the Finance Minister again: What were you doing on July 10th after 11:30 a.m. that you considered more important than this?

Mr. Dewar: Again, Mr. Speaker, I responded to this question several times.

Again I'll remind the member, remind the House that our situation here in Manitoba in terms of our ranking is higher than what it was when the Leader of the Opposition was in government. We are, Mr. Speaker, we came into office, we're spending over 13 cents on the dollar to service our debt. Last year we spent—last year, 5.7 cents on the dollar; this year, 5.6 cents on the dollar to service our debt.

We are making investments in the economy. That is why, as I said, we have one of the strongest economies in Canada, confirmed by the Conference Board of Canada, confirmed by the Royal Bank, confirmed by the TD Bank, confirmed by the CIBC, confirmed by Scotiabank.

All these, Mr. Speaker, all these organizations have confidence in the economy. I wish they did as well.

Mr. Speaker: Order, please. The honourable minister's time on this question has elapsed.

* (14:00)

Mr. Friesen: We now know where the Finance Minister was on July the 10th in the afternoon when Moody's was issuing their downgrade, a move that'll

cost Manitobans millions more in debt and financing costs.

I table this photograph from July the 10th showing the minister posing in front of the hull of a rusting ship. It would seem that the Finance Minister was absent without leave. He was not on the job. His calendar showed no afternoon events, yet here he is getting his picture taken in front of a sinking ship.

Now, will the Finance Minister just admit that his absence and his inaction may well cost Manitobans millions more in further credit rating downgrades from jittery and nervous bond credit rating agencies?

Mr. Dewar: I do want to thank the member for that photo, Mr. Speaker. I believe that ship was called the SS Conservative, a sinking ship.

Mr. Speaker, I do want to remind—and I thank you very much for showing that I was hard at work that day. As the members know, the old Lord Selkirk sat in the Selkirk slough there for 25 years. It was our government, plus the City of Selkirk, that worked together to decommission this vessel, to remove it from the Selkirk slough, to ensure that this rusting relic is removed from Selkirk. We don't have to worry any longer about this causing any harm to young people. It's no longer polluting the waterway in Selkirk.

I want to remind—thank the member for reminding me about this.

Investment in Education Capital Infrastructure Spending

Mr. Wayne Ewasko (Lac du Bonnet): Just recently in September, Fraser Institute reported, based on Stats Canada data, that Manitoba is dead last in capital infrastructure spending and growth within education since 2003.

This is another example of Manitobans paying more and getting less with this NDP government, Mr. Speaker.

Why is this NDP minister so content on being last in Canada when it comes to education, Mr. Speaker?

Hon. James Allum (Minister of Education and Advanced Learning): You know, when we came into office in 1999, we found a education system and schools in an utter state of disrepair. Since that time, this government has invested \$1.4 billion to improve our schools.

Now, Mr. Speaker, today, as an example of that, I was just up at Dakota Collegiate with my sister from Seine River and St. Vital and Riel, and we announced a \$1-million investment there to create the field of dreams along with our partners.

The member opposite would think that that's a waste of money, Mr. Speaker, but you know who doesn't? Not the school, not the students, not the parents, not the 'fundraisers,' not the neighbourhood and not the community. He's an island unto himself.

Mr. Ewasko: Mr. Speaker, we can see over the weekend that the Education Minister is going on a promise-and-spending-spree tour this coming fall. This is typical NDP fashion, going out and making promises with our borrowed money.

Manitobans are tired of broken promises and are looking for a change. The Premier (Mr. Selinger) has a failing record for keeping his promises, Mr. Speaker. How can Manitobans believe them this time? Can the Education Minister table the plan?

Mr. Allum: Mr. Speaker, the one thing we've done over our terms of government is continue to invest in our schools. We have invested over \$26.5 million to build new gyms across Manitoba, and we'll continue to do that.

And, you know, it's interesting: when I was with the member up in St-Georges and we built a new gym there plus a beautiful community hall, he was all smiles. Today, he thinks it's a waste of money.

Mr. Ewasko: With the minister's fall pre-election promise-and-spending-spree tour, can the Minister of Education admit that his government will once again be raising the PST by 1 or 2 per cent?

Mr. Allum: Well, Mr. Speaker, I think the real question for the member opposite is that will he follow his leader and vote for a \$500-million cut to the budget that will have one result and one result only, and that will be to create chaos in our education system.

Mr. Speaker, our government has made it our goal to invest in schools, to create a quality education system for our students and make sure that our education community walks together.

While on the other hand, Mr. Speaker, the opposition Conservative leader wants to cut recklessly from our education budget: not going to be good for schools, not going to be good for parents, it certainly won't be good for students. And—if the member, who is a teacher, should remember

that he should disassociate himself from the Conservative Opposition Leader's reckless agenda for education in Manitoba.

ER Closures Government Record

Mr. Dennis Smook (La Verendrye): There are over 20 ERs closed in hospitals across Manitoba. In the last three years we've had three Health ministers; all three have made promises to reopen these ERs.

The people of southeastern Manitoba have been promised that the ER at the Vita hospital would reopen shortly. Well, Mr. Speaker, three years later and the ER remains closed. Manitobans are tired of NDP broken promises.

Mr. Speaker, how many more Manitoba communities has this Health Minister made promises to and then broke them?

Hon. Dave Chomiak (Acting Minister of Health): Mr. Speaker, one of the—obviously, the most significant factor that affects hospitals and affects the functioning of hospitals, personal-care homes, et cetera, are the people that staff them. In fact, they're the most important component: nurses and doctors.

If we look back over the past five years, Mr. Speaker, this government has hired, net, the past five years number of doctors: in 2010, 33; 2011, 57; 2012, 66; 2013, 61; 2014, 83; and 2015, 66. Let's compare that to the last five years of Conservative government: minus 19, minus 75, minus 3, minus 19, and they closed the training spaces, so it took seven years to rebuild the cache of doctors, hardly an endorsement of rural Manitoba.

Mr. Smook: The Minister of Health (Ms. Blady) has made many empty promises to Manitobans. The minister has made promises about reopening hospital ERs, but her actions show that she is going in the wrong direction. First she covers the hospital signs with a garbage bag, then with a more permanent cover and now, finally, has totally removed all hospital signs for the Vita hospital.

Mr. Speaker, how many more communities has this minister given false hope to? What has she told the people of Altona? What has she told the people of Shoal Lake? How can Manitobans believe a word she says?

Manitobans are tired of paying more and getting less.

Mr. Chomiak: Mr. Speaker, the other component of hospitals is, of course, nurses, and I'm not going to go back to the dreary, mean, firing-nurses years.

Going forward, Mr. Speaker, I just want to remind members opposite that this government has replaced—has replaced—1,230 nurses for a net gain of 677 nurses, including nurses in rural Manitoba.

And we've expanded QuickCare centres, which take a licensed practical—which take nurses that are specially trained to provide assistance, Mr. Speaker, plus we have the family doctor line.

And the only time in history that the large hospital ever closed in Manitoba was the closing of Misericordia hospital and it was members opposite who closed the largest hospital in the history of this province.

Mr. Smook: Well, without hospital signs, a lot of people believe that their hospital is closed.

Mr. Speaker, Manitobans have a Health Minister that is making and breaking promises. They have a Health Minister that says one thing and does the opposite. Sixteen years of broken promises, Manitobans are tired of paying more and getting less.

Mr. Speaker, will this Health Minister admit today that she has lost the trust of Manitobans?

Mr. Chomiak: Mr. Speaker, I think that confidence in the government of the day was lost when the members opposite tried to privatize home care in Manitoba. And we saw a real rally of people, thousands of people and tens of thousands of people that petitioned to keep home care as a public service providing that service.

And members opposite love comparisons with Saskatchewan. They love comparisons with Saskatchewan even though Saskatchewan this year is sort of cancelling its budget, not having a Legislative session; we don't know why. But per capita—per capita—we have more doctors per capita than our neighbouring province of Saskatchewan. We have more doctors per capita, and they've increased, than in our neighbouring province of Saskatchewan.

* (14:10)

And talk about spending, would the member cut the \$9 million that we have spent to relocate nurses to Manitoba? Is that one of the \$500 million that members want to cut? They always ask for things—

Mr. Speaker: Order, please. The honourable minister's time on this question has elapsed.

ALL Aboard Strategy Effectiveness of Program

Mr. Ian Wishart (Portage la Prairie): Mr. Speaker, we also have far more kids in care than Saskatchewan.

Mr. Speaker, in a 2014 report of the national campaign to end poverty, Manitoba had this country's highest child poverty rate; 29 per cent of Manitoba children live in poverty. That's 10 per cent higher than the Canadian average, this despite the Province's much ballyhooed ALL Aboard strategy.

Can the minister offer any explanation as to why children in Manitoba are worse off now than before under the strategy and this government?

Hon. Kerri Irvin-Ross (Minister of Family Services): Every day in this province, not-for-profit organizations are working on the front lines with the support of this government to deliver services to the most needed and vulnerable families of this province. And we do it in a comprehensive way.

We do it by ensuring that there's a good quality education system, that there's employment opportunities, but we don't stop there. We make sure that they have access to affordable—I'll say it again, affordable—accessible child care. We make sure that they have the resources that they need in our health-care system. We're going to continue to work with them.

We have seen reductions within the poverty rate in this province, but we know that we need to continue to work on that with all of our partners to reduce the poverty rate across this province while providing opportunities for everyone to participate in our economy.

Mr. Wishart: Well, Mr. Speaker, our child-care waiting list is now over 12,000, the longest it's ever been.

We all know that children who grow up in poverty are at risk for much poorer outcomes in life: poor school performance, increased risk of disease and disability and associated higher use of health and social services.

Why are we limiting 29 per cent of our children before they even have a chance to succeed? Won't the minister scrap her ALL Aboard strategy and go back to the drawing board?

Ms. Irvin-Ross: I will stand alongside all of our community members and this government as we continue to implement the ALL Aboard strategy.

As I stated early, we have seen reductions: less than 5,000 children living in poverty this year than the previous. We are optimistically happy about these, but we continue to make—have to make sure that we continue to address the need of families across this province and continue to address poverty. We know that one child living in poverty is one child too many.

I would much rather be a part of a strategy that continues to make investments across this province to reduce poverty than continue the reckless cuts of \$550 million and the fear of privatization from the members opposite.

Mr. Wishart: Well, Mr. Speaker, why would a government stick to a strategy that has increased child poverty in Manitoba to a rate 10 per cent higher than the national average, especially when the rest of Canada has been able to lower the rate of child poverty by almost 4 per cent in the last five years, something this government clearly can't do? Clearly this government doesn't have the answer to the problem of child poverty.

How long will it make Manitoba's children pay the price for their ineptitude?

Ms. Irvin-Ross: Mr. Speaker, I will continue to support the strategy where we increase the investment in education, provide good employment and opportunities and training across this province, where we continue to build more housing.

Let me remind the members of this House what the members opposite chose to do. They slashed social assistant rates. They froze minimum wage. They clawed back the National Child Benefit. And they didn't stop there. They never built or renovated affordable housing across this province in all the years that they were in power. And, again, what they did was cut, slash and put vulnerable families at greater risk in this province.

Taxi Services Review Inclusion of Ride-Sharing Services

Hon. Jon Gerrard (River Heights): Mr. Speaker, the Premier, in announcing his review of taxi services in Manitoba, sent out a press release that never once mentioned the existence of ride-sharing services. Indeed, the request for proposal, which I table, also ignored any mention of ride-sharing

services, to the point that it sounds as if the Premier doesn't even know what ride-sharing services are.

Will the Premier's review of taxi services include the ride-sharing services or not?

Hon. Greg Selinger (Premier): The member will recall my statement last week when I said we want a taxi service in Manitoba which is safe, reliable, affordable and convenient, and that's the purpose of the review, Mr. Speaker, to ensure that the taxi services can meet those important public service standards.

Right now it's illegal for Uber to operate in Manitoba unless they have a taxi driver's licence, unless they have a taxicab licence. That is the law right now in Manitoba, Mr. Speaker, and people are expected to follow the law in Manitoba, including members of the Liberal Party.

The review will take a look at all of those issues and identify the best way for the industry to move forward while ensuring that the law is respected.

Ride-Sharing Services Regulation of Industry

Hon. Jon Gerrard (River Heights): Mr. Speaker, if the Premier is really concerned about public safety, he should recognize that ride-sharing services are already a part of Manitoba's evolving ground transportation system. I table a page from just one ride-sharing website in Manitoba, which advertises, find your perfect ride share. This website shows that this site already has more than 300,000 registered users in Manitoba and that they are listing very large savings being achieved as a result of ride sharing.

Does the Premier acknowledge that ride sharing requires regulations to make it as safe as possible for Manitobans?

Hon. Greg Selinger (Premier): Mr. Speaker, let's first of all be clear. Ride sharing does not involve an exchange of resources. It's not the rental of a taxi service. Ride sharing is when people get together and offer each other a ride out to an appointment or a class at university or to go grocery shopping.

So let's not mislead the public about what this ride-sharing Uber program is about. It's a taxi service that is not—it's not operating in Manitoba, Uber, right now. If it does, it has to have a licence for the cabs, it has to have a licence for the drivers, and it has to have proper insurance. Those are the requirements in 'Manitoba.' Those requirements are there to ensure

public safety, to ensure that if anything goes wrong that there's insurance to deal with that, Mr. Speaker.

And the review will look at all of those issues, as well as issues of affordability. Uber rates can go from small rates to very large rates at times when people need the service the most. In Manitoba there's a regulated rate structure which ensures people have the same rate no matter what the demand is to allow everybody to have certainty of what they're going to pay for a cab ride.

Taxi Services Review Inclusion of Ride-Sharing Services

Hon. Jon Gerrard (River Heights): Mr. Speaker, ride sharing covers a spectrum. That spectrum includes people paying for gas for a ride share that they've arranged on the Internet to companies like Uber which have apps which allow for easy ride sharing.

But, Mr. Speaker, the Premier's announcement of his taxi services review, not including ride-sharing services, did not set any goals at all. Surely a review should've set some sort of objective.

What are the Premier's goals and objectives? Is the Premier's goal to recognizing that ride-sharing services are a reality in Manitoba and to look at the implications of this, including ride-sharing services in the transportation options for Manitobans, or is the Premier going to maintain the status quo?

Hon. Greg Selinger (Premier): Mr. Speaker, the member just has to read the description of the taxicab services review to know what the whole point of it is, and I invite him to read the document that he has provided for me.

The document says as follows: a comprehensive review of the taxicab industry in the city of Winnipeg and provide the Taxicab Board with recommendations to ensure a financially viable, safe and modern industry while meeting acceptable service levels. The objective of the proposed consulting assignment is to conduct a comprehensive review in the city of Winnipeg and provide the Taxicab Board with recommendations designed to ensure the number and types of taxicabs in service are sufficient to meet the ongoing demand, to establish and maintain an equitable and consistent fare structure which supports and sustains an economically viable taxicab industry.

It's very straightforward, Mr. Speaker. All he has to do is read it.

Maintenance Enforcement Improvements to Program

Mr. Andrew Swan (Minto): Mr. Speaker, last Thursday morning the member for Lakeside (Mr. Eichler) stood up and complained that complying with—compliance with the Maintenance Enforcement Program was red tape and an unfair burden for business.

* (14:20)

Mr. Speaker, the MEP can direct employers to divert wages where their employees fail to pay spousal support and child support as ordered. The recipients of support, mostly women, use the money to pay rent, feed their children and buy winter clothing, and the effective collection of that support keeps families out of poverty and off welfare.

The member for Lakeside shows how he and his Conservative colleagues put profits before people day after day and how disastrous a Conservative government would be for Manitoba families.

Can the Attorney General educate these members about the work of the Maintenance Enforcement Program?

Hon. Gord Mackintosh (Minister of Justice and Attorney General): Well, Mr. Speaker, last week in question period we were asked by the member for Emerson (Mr. Graydon) to please not pay attention to what members opposite were thinking, and I'm glad the member never took that advice.

But I—actually, I'm disheartened if that indeed was said in this House. I think there are some issues that perhaps we can be divided on, Mr. Speaker, but, you know, I don't think that parents and children should have to choose between abuse and poverty, for example. And I think we have to remind all Manitobans that when you divorce or separate, you don't divorce or separate from your children and the financial responsibility to them.

When we came into office about 20 per cent of the full amount owing by parents was being collected by the Maintenance Enforcement Program and today it's 60 per cent. That's an improvement, but it's not good enough.

That's why we have a family law act before this Legislature. We've got eight improvements. We've got to move it to a new level.

Will they get behind the modern family, or are they stuck in the '60s?

Mr. Speaker: Order, please. The honourable minister's time has elapsed.

The honourable member for Morris.

Conservation Department Funding Reduction

Mr. Shannon Martin (Morris): —attention for headlines rather than hard work when it comes to zebra mussels. Zebra mussels were first discovered in the Red River basin back in 2009, and yet here we are in the last week of October and the minister is again trying to close the barn door that his government left open.

Mr. Speaker, can the minister confirm today that the announcement fails to—that today's announcement fails to even address the 15 per cent cut to water sciences and the 20 per cent cut to fisheries that have occurred under his watch?

Hon. Thomas Nevakshonoff (Minister of Conservation and Water Stewardship): I thank the member opposite for raising the topic of zebra mussels today because it allows me to put on the record that we made a very big announcement today.

We have committed to doubling our resources for the combatting of zebra mussels going into the following season, not to mention, Mr. Speaker, the fact that we have brought some very important people, some very respected scientists into the mix as well. I'd like to just put on the record that we've asked that Dr. Annette Trimbee, president of the University of Winnipeg, no less, has been brought in to co-chair the Lake Friendly Stewards Alliance steering committee. That's just one of, oh, three or four other—

Mr. Speaker: Order, please. The honourable minister's time on this question has elapsed.

Zebra Mussel Infestation Proclamation Timeline

Mr. Shannon Martin (Morris): The minister has released 18 invasive species bulletins since two thousand—since June 26th, yet not a single one of these bulletins references that under Manitoba law it is illegal to possess or transport zebra mussels, and I'll table those for the minister. That's because, despite unanimous consent in this House, the NDP have yet to proclaim their own legislation.

A simple question for the minister: Why hasn't Bill 12, The Water Protection Amendment Act, been proclaimed? Why the delay?

Hon. Thomas Nevakshonoff (Minister of Conservation and Water Stewardship): I was addressing the issue of the science advisory committee, which is a group of scientists, Mr. Speaker. This is a scientific and technological problem we're facing. We are bringing in some of the most respected scientists across the land to address this particular issue.

As I said, Dr. Annette Trimbee, also Dr. Margaret Docker, who is a biologist at the University of Manitoba—so we've got both universities, our top educational organizations as a part of this—not to mention Dr. Jim Reist of Fisheries and Oceans Canada, so we're—not only are we engaging our universities, we're bringing in resources from the federal government as well.

And last, certainly, but not least—

Mr. Speaker: Order, please. The honourable minister's time on this question has elapsed.

Mr. Martin: This issue so exemplifies the NDP's failure than the establishment of zebra mussel population under their watch. They knew for years that this invasive species posed the single greatest environmental and ecological threat to our water systems. They knew it was preventable, and yet today we get the same promises of action.

The minister has cut funding to his department. He won't proclaim his own legislation.

Mr. Speaker, why should Manitobans have to pay more and get less under this NDP government?

Mr. Nevakshonoff: Well, Mr. Speaker, I think what's most important at all about the announcement that we made today was the doubling of resources, and a good percentage of that will be invested in public education, in information. This is what matters most of all, that each and every Manitoban realizes that they have a role to play in the prevention of spreading of zebra mussels to other bodies of water in our province.

We have 100,000 lakes in this province, Mr. Speaker; just two of them are affected. It's incumbent upon all Manitobans to do the thing: drain, dry and dispose of the—any aquatic invasive species or weeds or what have you in order to prevent the spreading of zebra mussels to other bodies of water across our province.

Mr. Speaker: Time for oral questions has expired.

PETITIONS

Mr. Speaker: It's now time for members' statements. The honourable member for St. Paul (Mr. Schuler)—or pardon me, for petitions.

Provincial Trunk Highway 206 and Cedar Avenue in Oakbank—Pedestrian Safety

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

The background to this petition is as follows:

(1) Every day, hundreds of Manitoba children walk to school in Oakbank and must cross PTH 206 at the intersection with Cedar Avenue.

(2) There have been many dangerous incidents where drivers use the right shoulder to pass vehicles that have stopped at the traffic light waiting to turn left at this intersection.

(3) Law enforcement officials have identified this intersection as a hot spot of concern for the safety of our schoolchildren, drivers and emergency responders.

We petition the Legislative Assembly of Manitoba as follows:

To urge that the provincial government improve the safety at the pedestrian corridor at the intersection of PTH 206 and Cedar Avenue in Oakbank by considering such steps as highlighting pavement markings to better indicate the location of the shoulders and crosswalk, as well as installing a lighted crosswalk structure.

This is signed by D. Lowdon-Wiebe, D. Beddall, B. Brown and many, many other fine Manitobans.

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

Proposed Lac du Bonnet Marina—Request for Research into Benefits and Costs

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

And these are the reasons for this petition:

(1) Lac du Bonnet is a recreational area with great natural beauty.

(2) The Winnipeg River is one of the greatest distinguishing cultural and recreational resources in that area.

(3) Manitoba marinas increase recreational access and increase the desirability of properties in their host communities.

(4) The people of Lac du Bonnet overwhelmingly support a public harbourfront marina in Lac du Bonnet.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to consider collaborating with other levels of government to research the economic benefits and construction costs of a marina in Lac du Bonnet.

This petition is signed by C. Larson, K. Tetrault, D. Erickson and many, many more fine Manitobans, Mr. Speaker.

Minnesota-Manitoba Transmission Line Route-Information Request

Mr. Dennis Smook (La Verendrye): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

(1) The Minnesota-Manitoba transmission line is a 500-kilovolt alternating-current transmission line set to be located in southeastern Manitoba that will cross into the US south of Piney, Manitoba.

(2) The line has an in-service date of 2020 and will run approximately 150 kilometres with tower heights expected to reach between 40 and 60 metres and be located every four to five hundred metres.

(3) The preferred route designated for the line will see hydro towers come in close proximity to the community of La Broquerie and many other communities in Manitoba's southeast rather than an alternate route that was also considered.

(4) The alternate route would have seen the line run further east, avoid densely populated areas and eventually terminate at the same spot at the US border.

(5) The Progressive Conservative caucus has repeatedly asked for information about the routing of the line and its proximity to densely populated areas and has yet to receive any response.

(6) Landowners across Manitoba are concerned about the impact hydro line routing could have on land values.

* (14:30)

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister responsible for Manitoba Hydro to immediately provide a written explanation to all members of the Legislative Assembly regarding what criteria were used and the reasons for selecting the preferred routing for the Minnesota-Manitoba transmission line, including whether or not this routing represented the least intrusive option to residents of Taché, Springfield, Ste. Anne, Stuartburn, Piney and La Broquerie.

This petition is signed by M. Davis, L. Aldaba, P. Main and many more fine Manitobans.

Mr. Speaker: That concludes petitions. We'll now move on to grievances.

ORDERS OF THE DAY

GOVERNMENT BUSINESS

Mr. Speaker: Seeing no grievances, orders of the day, government business.

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, would you—we would like to call the following bills for second reading: Bill 45, Bill 37, Bill 38, Bill 41 and Bill 27. Following that, we would like to call for report stage and third reading of Bill 18 and Bill 70. After that, we will do third readings on Bill 4, Bill 13, Bill 15, Bill 23, Bill 28, Bill 30 and Bill 32. And finally, after we call second readings—after that, pardon me, we will call second reading on Bill 33.

Mr. Speaker: On orders of the day, government business, we'll be calling bills in the following order: starting with second reading of Bill 45, Bill 37, Bill 38, Bill 41 and Bill 27; followed by report stage and third reading of Bill 18 and Bill 70. After that we will proceed to do third readings on Bill 4, Bill 13, Bill 15, Bill 23, Bill 28, Bill 30 and Bill 32, and following that we will move to second reading on Bill 33.

SECOND READINGS

Bill 45—The Elections Amendment Act

Mr. Speaker: So we'll start now by second readings of—calling Bill 45, The Elections Amendment Act.

Hon. Dave Chomiak (Minister of Mineral Resources): Mr. Speaker, I move, seconded by the Minister of Family Services (Ms. Irvin-Ross), that Bill 45, The Elections Amendment Act; Loi modifiant la Loi électorale, be read a second time and be referred to a committee of this House.

Motion presented.

Mr. Chomiak: Mr. Speaker, I'm—I-it's a pleasure to be able to speak to this bill, and I again want to thank all members of the House and thank the opposition parties, both, that is, the Opposition House Leader and the leader of—the Liberal Party member for reviewing this bill or having a chance to allow us to introduce it.

Mr. Speaker, Bill 45 amends The Elections Act following on recommendations from Elections Manitoba to move towards creation of a permanent voters list. There was a study undertaken by Elections Manitoba that was made public in 2013 that recommended the creation of voters list. The study showed that benefits to a permanent voters list could strengthen voter participation and eventually save on the efforts for the—for a province-wide enumeration. There are challenges laid out in the report that other jurisdictions have shown that in the long run it's worth it to spurt a—to support a permanent voters list. Bill 45 will allow Elections Manitoba enumerators to do an enhanced enumeration in the 2016 general election as part of that work.

Mr. Speaker, I'd like to thank Shipra Verma, the Chief Electoral Officer for Elections Manitoba, and all her staff who carry out elections, ensure that they are free—they are fair and free of influence. Elections Manitoba is doing excellent work in preparation towards the 2016 election in creation of a permanent voters list.

Mr. Speaker, there are a number of changes to pose in this bill which I think is—meets with a general consensus in order to create a permanent and an accurate list, as well as in this list it's inclusive. The extent to which people are enumerated, the extent to which people are informed of their right to vote has a direct bearing on the participation factor.

And I know that all members of this Legislature, regardless of political bend or—want to ensure that as many people get out and exercise their franchise as possible.

And we believe this step and this amendment to The Elections Act will assist in moving forward, so

that in 2020 there will be a permanent voters list that will be established that will provide for a better informed and a more open election process. I anticipate, and we certainly anticipate, that by then there'll be a significant amount of technological changes that have and will occur.

And one of the reasons that we're undertaking this process in a staged fashion, Mr. Speaker, is in order to allow matters to be put in place in an accurate and in an appropriate fashion. And—so that is why this bill is before us today, and that we're looking for speedy passage of this bill.

And I anticipate there'll be further steps as we move towards the process into the future.

With those few comments, I urge members of this Assembly to pass this bill. Thank you.

Mr. Speaker: As is now permitted under the rules of the House, members are permitted the opportunity to ask questions, with the understanding that there's a time limit of 45 seconds for the questions and the answer.

Are there any questions with respect to second reading of this bill?

Hon. Jon Gerrard (River Heights): Yes, Mr. Speaker, my question is, as it has been argued that the inclusion of gender is a requirement in order to be able to uniquely identify a voter. And yet it seems to me that the—or the birthdate would be more than sufficient. And I would ask why the decision has been made to include gender as well and whether that's really necessary.

Mr. Chomiak: Mr. Speaker, that's an excellent question. And the recommendation that came from the Chief Electoral Officer in order—recommended that we include gender on the basis of accuracy of the voters list.

But we do recognize, Mr. Speaker, that it's an issue that there's different viewpoints on. And so the bill has been prepared and the amendments have been prepared in such a fashion that it's not a mandatory provision, as it respects both providing that information at the polling booth or providing that information with respect to enumeration.

It has been—it's been specifically a change so that it's not a mandatory provision, Mr. Speaker, but in fact it's a quasi-volunteer—I say—it's a—you don't have to necessarily reveal that, in line with other legislation that we have in vital statistics and other areas of government.

So it's a very good point by the member. We looked at it carefully, and this bill was designed in order to accommodate as many Manitobans as possible.

Mr. Gerrard: Will the categories of gender include male and female and transgender or other?

Mr. Chomiak: Mr. Speaker, I believe that the—I believe the allocations will be similar to as—ad—exist in other provincial law including The Vital Statistics Act, but I want to stress to the member that the answering of this particular question need not be provided by the—either the person enumerated or the person at the voting station, if they choose not to.

Mr. Kelvin Goertzen (Steinbach): I recognize this would be a change for those who are doing the enumeration, but also a change for those who are being enumerated, as they're being asked questions that they wouldn't have been asked before.

Mr. Speaker, my question to the minister responsible for this bill is whether or not Elections Manitoba's indicated whether or not there'll be a public education campaign, so that when those questions are being asked of the individuals at the door or through other ways of enumerating, that they'll be expecting that that information is for a legitimate purpose and what the reason is.

* (14:40)

Mr. Chomiak: Mr. Speaker, I think that that's also an excellent question. I think that the Chief Electoral Officer has exhibited a great deal of knowledge in terms of education being the most fundamental aspect of the job that's undertaken.

And I believe that—I can't specifically answer that per se. I don't recall asking that specific question, but I believe it's—I can say almost without equivocation that that will be part of the process, that the education of this issue and the options that one has in this regard will be provided to individuals.

Mr. Gerrard: The minister has said that the identification of the birthdate and the gender will be not mandatory. If the Elections Manitoba enumerators are going around as officials with official cards and all that sort of thing, it will probably come across to many people that these are mandatory. What efforts will be made to reassure people that this is not mandatory, that this is a voluntary request?

Mr. Chomiak: Again, a very interesting question, Mr. Speaker. As we see in the development of voters'

lists and matters in this regard, we have seen, obviously, a move towards privacy and a move towards not identifying information. The information that is received by Elections Manitoba will be kept confidential along the same lines as other privacy information that will have that particular protection.

I can recall, Mr. Speaker, not that long ago when voters' lists were actually put up literally and physically on telephone poles and in elections where you could go and—that was a remnant from a different age, when you could go and see if your neighbour was on the voters' list. And, in fact, I think occupations and other matters were included on those lists. Obviously, in our Internet and IT society, that is no longer necessary. It's a valid question. I don't think that privacy will be compromised. The work of the Elections Manitoba has been outstanding. There's credentials, there's certain protocols that'll be followed, and there will be an education process clearly to provide people enumerated and people at voting stations with the—with both the information that they require and the protection—and any requirements for protection of that information.

Mr. Goertzen: Mr. Speaker, as the minister aware, we've just come through a federal election and, of course, Manitobans and all Canadians would have gone through a process, whether or not enumeration directly, but they've gotten voters' cards. Would this bill allow Elections Manitoba to be in connection with the federal officials to ensure that there is information that goes back and forth in sharing the information to try to ensure that the lists in Manitoba at least are as close to the federal lists and as close to accurate as possible, that people aren't getting multiple voting cards or multiple contacts in the future?

Mr. Chomiak: Mr. Speaker, again, that's a useful question with respect to this. Elections Manitoba shares information with Elections Canada and the City of Winnipeg and rural jurisdictions as well as other entities under exchange-of-information protocols and confidentiality permits, permission between those entities. I can't say for certain, but I would believe that voters—again, technology may play a part in 2020, but certainly in the next election, voters will be provided with some form of notification of being on the list that can be utilized as both a check on individuals who are enumerated as well as providing for the creation of lists. So it is shared. The goal at the end of the exercise for all entities, all levels of government, is to try to have an

appropriate combined inclusive list that stands the test of time and provides for the most appropriate number of people that vote as possible.

Mr. Gerrard: Mr. Speaker, I asked the minister to the extent that the lists are shared back and forth between federal Elections Canada and our provincial Elections Manitoba, will there be sharing of information on dates of birth and gender?

Mr. Chomiak: I can't specifically speak to that particular issue, but what I can state is that that sharing has already taken place, and that sharing actually literally has taken place over the past few election cycles so that lists have been already shared and utilized.

With respect to birthdates, the gender will be a new provision, and we are advised that the gender provision has been added in order to provide more accuracy with respect to the voters list, and I am under the impression that once the lists have been finalized and put together, Mr. Speaker, that there will be less possibility of any duplication or any difficulty.

So, with respect to that information, most of it is already shared. There hasn't been, as I recognize, any difficulty or any violations of privacy at those levels of Elections Canada, Elections Manitoba or elections Winnipeg. That information will continue to be shared, and the addition of the gender provisions has been put in place for accuracy and has been done in a fashion that makes it most effective for Elections Manitoba and, at the same time, allows for individual voters to make a choice with respect to providing that information.

Mr. Goertzen: Mr. Speaker, the bill refers, I believe, to the subsequent election after the coming one in April as being in 2020. My understanding and my recollection is when this—we were supposed to have an election in the fall of this year when it was put off to the spring of next year, that the cycle for the set election dates could be in three and a half years, and so that we would have by then a fall election in 2019, but the bill seems to indicate that the subsequent election would be in 2020.

Mr. Speaker, can the minister speak to that, about whether or not there's been a change in the philosophy of the government about when the regular cycle for the set elections will come back into play?

Mr. Chomiak: Mr. Speaker, it's not the intention, and there's no change of philosophy with respect to

the government in terms of the particular election cycle. I'll have to take that specific point under advisement and provide information back to the member with respect to the cycle. I recall discussion concerning this, but it doesn't come to mind at this point.

Mr. Speaker: Are there any further questions on the second reading of Bill 45? Is the House—any further debate on this matter?

Mr. Gerrard: Yes, I rise to put a few comments on the record. I think it is important and significant and I think a good move that we are moving towards a permanent election list, and this should help in the future, both in having greater accuracy, we hope, but also in reducing some of the costs of having to enumerate from scratch beginning every time.

I am a little bit disappointed in a couple of the responses that were provided by the minister. I still don't have a clear understanding of why you would need to have gender as well as date of birth when date of birth plus name should surely be sufficient to ensure that there are unique—we have unique individuals on the list and we don't have duplications. So if, at some point, the minister has further information, that would be helpful, but at this point it's not really clear to me that that's going to give additional useful information.

Second, on the date of birth and the gender question, which the enumerators will apparently be asking at the doorstep to get this information, as they are people from Elections Manitoba who will come with what look like, you know, and which are official cards representing Elections Manitoba, it seems to me that it is really necessary that they make it clear to people that they are requesting the date of birth and the gender, but that these are voluntary, not mandatory, if people want to vote. And so I think it is important that this be clearly explained to people, that there's good communication. I think we want a list which is as complete and accurate as possible, but we also want to make sure that we are respecting people's, you know, privacy, and when we say that it is voluntary, that that's what we mean and we're not going to punish somebody for not providing their date of birth or gender by not allowing them to vote.

I think with those couple of comments, those were the things that I wanted to mention in particular.

Thank you, Mr. Speaker, and I look forward to this bill moving forward.

* (14:50)

Mr. Goertzen: Mr. Speaker, just a few words for the record. I want to thank the Government House Leader (Mr. Chomiak), the member responsible for this particular bill, for sharing the bill in advance so that we could look it over and have some discussions about it. That's not always been the case with election reform bills here in the past, and I think that it was helpful, particularly in this case.

I recognize that this has been a long-standing recommendation from the Chief Electoral Officer, and we thank you—thank her for her work on this, that it's been something that she's been recommending for a long time and it's taken a while for us to get it to this stage of the House in terms of allowing her to prepare for a permanent voters list.

You know, this last federal election has given us lots of food for thought in terms of how to better engage people. Obviously, we had a very good turnout federally—I think one of the best in the last 20 years and so that's positive. But I continue to hear people's experiences when they went to vote, that there were some challenges, that's it's still a very much a paper-based system, that it can be a slow system, Mr. Speaker. And I heard more than once, probably dozens of times, over the federal election, people asking about things like electronic voting and Internet voting and ways to better allow people to vote in this modern society that we have. I recognize there are issues and challenges with that, and I wouldn't want her to dismiss or minimize any of those challenges. But it does point us in a direction of trying to find a way to engage people.

Obviously, some elections engage people by virtue of the issues that are in play in those particular elections, and that's great. The federal election obviously motivated a lot of people to vote, and that's positive too. But that's not always the case, and we need to continue, as legislators, to continue to dedicate ourselves to finding ways to make voting easier and to make it more convenient, particularly for young people who I think expect a certain level of convenience and a certain level of technology.

I relayed my own experience. When I went to vote in this last federal election, I advance polled, Mr. Speaker. I went together with my wife, and she had to make a revision to her voting card, and that resulted in a form being filled out in duplicate, and then they stroked her name off at a station where we walked in, and then they stroked her name off again when we went to get the ballots. And it was not a

long process, because there weren't a lot of people waiting, but had there been a lot of people waiting, I suspect it would have been a long process.

So it's still a very cumbersome process, and I think that there are good reasons why we should have discussions about how voting can change and make things more accessible in the future.

I suspect some of those discussions will be happening federally. I know our former friend from—Mr. Lamoureux. I can't remember; the riding has changed since he left here. Tyndall Park? But the—he often talked about the change in the way voting was done here in Manitoba, and I suspect that he'll have some voice in federally when he talks about electoral reform. And I know that the federal Liberals have dedicated or committed to electoral reforms; I look forward to seeing what impact that has—plays out federally and what lessons we can learn provincially.

So we look forward to this bill going to committee. I, again, thank the Government House Leader for his co-operation in bringing this bill forward. And we look forward to any presenters that might come to committee, if there are any, Mr. Speaker. Thank you.

Mr. Speaker: Is there any further debate on second reading of Bill 45, The Elections Amendment Act?

House ready for the question?

Some Honourable Members: Question.

Mr. Speaker: Question before the House is second reading of Bill 45, The Elections Amendment Act.

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

Bill 37—The Radiation Protection Act

Mr. Speaker: We'll now proceed to call, for second reading, Bill 37, The Radiation Protection Act.

Hon. Dave Chomiak (Minister of Mineral Resources): Mr. Speaker, on behalf of the Minister of Health (Ms. Blady), I move, seconded by the Minister of Family Services (Ms. Irvin-Ross), that Bill 37, The Radiation Protection Act; Loi sur la radioprotection, be now read a second time and be referred to a committee of this House.

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

Mr. Speaker: It's been moved on—by the Minister of Mineral Resources, on behalf of the honourable Minister of Health, seconded by the

Minister of Family Services (Ms. Irvin-Ross), that Bill 37, The Radiation Protection Act, be now read for a second time and be referred to a committee of this House.

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

Mr. Chomiak: Mr. Speaker, Bill 37, The Radiation Protection Act, will modernize our regulatory framework for ionizing radiation equipment, including X-rays, CT scanners and PET scanners, to make sure that these needed tests are delivered as safely as possible and ensure that the use of this equipment continues to provide high-quality results.

Currently, this equipment is regulated by regulation under The Public Health Act. This bill will establish a new act for this purpose similar to other jurisdictions in Canada including Alberta, Saskatchewan, New Brunswick.

The government is continuing to improve a—the safety of ionizing radiation diagnostic imaging equipment like CT scans. For example, in 2013, Manitoba participated in the national survey of CT doses implemented by Health Canada. The data from the 2013 survey is still undergoing analysis, but the preliminary findings include that a significant reduction average patient dosage has been observed and nine out of 18 CTs are equipped with dose reduction software in contrast to none in 2010. This number will go up as all new scanners will have this feature.

As new 'techtologists' continue to be developed into the future, the act can provide radiation protection officials with additional tools to continue their important work.

In developing this legislation, the department consulted with a representatives from Diagnostic Services Manitoba, the Winnipeg Regional Health Authority, the Manitoba Quality Assurance Program, CancerCare Manitoba, the Manitoba Dental Association and the Manitoba Chiropractors Association.

The bill will continue the current requirement for registration of ionizing radiation equipment. It will also continue to prohibit the application of ionizing radiation to humans and animals by any person unless the person applying it meets the requirements set out in the legislation.

The act will require approval of any site in which this equipment is to be installed and operated,

and it will expand the requirement for approval to sites for the use of mobile equipment. Consistent with current practice, before approval is given by the director appointed under the new act, he or she will be required to assess whether the equipment can be installed and/or used at a site in a manner that is safe and appropriate for its intended purpose.

In addition, the bill will continue to enable maximum radiation dose limits for workers in public to be established by regulation and consistent with current practice. It will require equipment owners to keep records of workers' exposures to radiation and provide these records to the national dose registry.

The bill will require that any exposure of a worker or member of the public to radiation in excess of the dose limits is to be reported to the director appointed under the act to require that the equipment be inspected by an inspector after any such exposure to ensure that it is operating properly.

Equipment owners will be required to keep records of each patient's radiation exposure and to report to the director under the act any exposure of patient in excess of the intended radiation dose or that is otherwise unintended. And the legislation will require the equipment to be inspected by an inspector after any such exposure to ensure that it's operating properly.

In addition, equipment owners—in addition, the bill will require that equipment owners provide to workers dosimeters and appropriate protective equipment such as lead aprons, lead thyroid shields or protective eyewear. If appropriate, based on their clinical condition this equipment must also be provided to patients. Equipment owners will be required to ensure this equipment is properly maintained.

Mr. Speaker, in terms of maintenance of the ionizing radiation equipment, the bill will require that ionizing radiation equipment be maintained to specified safety standards. If the equipment is used for health-care purposes, equipment owners will be required to implement quality assurance programs in accordance with specified standards to ensure the results of using the equipment are of a satisfactory quality to achieve the purpose for which it is used.

The legislation will provide updated and expanded authority to inspectors enabling them to carry out their enforcement responsibilities, including authority to inspect ionizing radiation equipment and the location that is being used. They

will also be empowered to issue radiation protection safety orders if there is a health or a safety risk or a failure to comply with the legislation.

Mr. Speaker, it will also require the sharing of information between the director, inspectors and health professions as required for the purpose of providing information about the amount of radiation the person received, or may have received, and their potential health impacts to assist professionals determine the care needs of these individuals.

Mr. Speaker, it is fitting that we're talking about this bill regarding patient safety during a period of Patient Safety Week. We have launched a framework and a strategy to ensure that we follow up on the safety work to ensure that both workers' and patients' safety is protected when an injury occurs in the course of offering or receiving health-care services. We can't ignore it. We have to talk about it and learn from it rather than not deal with it.

Manitoba's new patients' safety framework includes a vision for safe, high-quality health-care system. It sets out strategic direction to guide patient safety improvements in the health-care delivery system over the next five years.

Work will be undertaken in five areas including supporting a client-centre focusing on this issue including: enhancing the patient-family-centred care; ensuring transparency and accountability; developing trust and open communication between health-care providers, patients and the public; and public reporting of cases, performance and trends proving governance and leadership such as ensuring a visible commitment to patient safety at the highest levels and throughout the system, continually improving clinical services with targeted strategies to improve patient safety in the way care is delivered to reduce the risk to the patient being harmed and developing organizational cultures that support continuous learning and improving.

* (15:00)

Research has shown that in the vast majority of cases, health-care professionals are not at fault when patient safety is compromised. Often, it's the system, processes, procedures, conditions in the workplace that lead and contribute to patient safety issues.

This bill recognizes that we can do more to provide a safer workplace for both the health-care professionals and patients who need these services. The framework will support individuals involved in the care process from health-care administrators and

board members to front-line providers and patients as they identify and report incidents as well as potential risks, and learn from these to help prevent future issues.

Mr. Speaker, key objectives of the patient-safety framework include developing formal processes for clients and staff administrators to identify needed improvements, publicly reporting on patient safety indicators such as health-care providers, hand hygiene compliance rates, providing regular patient safety trained organizational boards such as regional health authority boards, enhanced leadership skills, undertaking additional work to implement evidence-based care to reduce patient safety, measuring success in several areas including surgery, medication safety, infection prevention and control, pressure ulcers and identifying, reviewing and learning from reported patient-safety incidents and sharing the lessons learned to improve patient planning.

The updated framework of the bill is another way to enhance patient safety including the establishment of the Manitoba Institute for Patient Safety in 2004, the only provincial institute of its kind in Canada with a mandate and mission to promote enhanced patient safety, introducing legislation in 2006 to make it mandatory to report critical incidents across the health-care system to support a culture of learning and openness. The second province to do so, introducing The Apology Act in 2008 to improve Manitoba's patient-safety culture by acknowledging and being accountable for harm that may occur, introducing the health-care-Regulated Health Professions Act in 2009 to ensure all health professions in Manitoba are governed by consistent, uniform regulation with an enhanced focus on patient safety and accountability and establishing the Manitoba Quality and Patient Safety Council in 2013 to provide leadership for provincial health-care service quality and patient safety.

In addition, the Province is also working with regional health authorities to further improve community involvement in the regional health authorities by providing—by supporting regions as they consult with area residents to develop and implement a declaration of patient values. The declaration will help regions to establish a process to receiving and addressing patient concerns including complaints, while to ensure that regions are accountable to people they serve by clearly defining patient values that can help ensure patients have a voice in the care they receive.

There are those who don't share the principles, Mr. Speaker, but I believe that investments in patient and worker safety are often supported—usually supported by all members of this House. I'd like to thank—take this opportunity to thank all those dedicated professionals who are making life better for patients, and I'm happy to have had the opportunity to bring this legislation for a hopefully speedy passage under—in this session of the Legislature.

Thank you, Mr. Speaker.

Mrs. Myrna Driedger (Charleswood): Thank you—

Mr. Speaker: Oh, pardon. Is this—as is permitted under rules where questions are allowed on second readings, are there questions on this matter?

The honourable member for River Heights, with questions?

Hon. Jon Gerrard (River Heights): Yes, I have—my first question is this. The minister referred to the fact that nine of the 18—I think that was CT scan units that were referred to—have reduced radiation software that would suggest that nine of the 18 units do not have such reduced-radiation software. And I would ask the minister whether the nine that don't have the reduced-radiation software will qualify under this act in terms of the amount of radiation that's given off, or whether they will have to be changed so that they too have reduced radiation levels.

Mr. Chomiak: I thank the member for that question and I'll take that question under advisement.

Mr. Gerrard: Mr. Speaker, my second question is this. I notice on the bill that the timing of this bill coming into effect would be—depend on when the government decides to proclaim it. We've had some problems with delays in proclaiming acts, particularly recently with the act dealing with the safety of Lake Winnipeg and other lakes in Manitoba with regard to zebra mussels because that act is still not proclaimed many months after the measure was passed and received royal assent in this Legislature.

What is the intent of the government? Will the government be proclaiming this quickly so that it can come into effect soon so that Manitobans can be protected or will the proclamation be delayed?

Mr. Chomiak: Mr. Speaker, the member will understand that we already have regulations and a regime in place, and that this legislation is being introduced in order to put in place a more up-to-date

and a more appropriate piece of legislation which will require the usual review and updating of regulations as well as, you know, further to the initial question of the member, to allow for the appropriate amount of procedures to be undertaken in a safe fashion.

We have not as a government shied away from safety—from patient safety and health-care professional safety since we formed government, and have moved swiftly, Mr. Speaker, on all these matters because these matters are important to the health of Manitobans.

And providing that the legislation is passed in this Chamber and moved forward, the government will move forward as quickly as is possible.

Mr. Speaker: Are there any further questions on second reading of this bill?

The honourable member for Charleswood, with a question.

Mrs. Driedger: I do have a question for the minister around the age of the CT scanner at Children's Hospital. I understand that that machine was put in in 2002, so that makes it a very, very, very old machine. I understand from experts in the system that older machines have possibilities of higher level of radiation exposure to patients.

I have heard that that is a concern by those experts that have knowledge about the CT scanner at Children's Hospital, and I wonder if the minister can tell us when that CT scanner at Children's Hospital is going to be replaced.

Mr. Chomiak: Mr. Speaker, I'm very proud to be part of a government that's renewed capital and renewed CT scans and doubled and tripled the capacity to provide that. I'm also provided with information that the Children's Hospital scanner was operated at a—the relatively lower dose than the provincial average by up to 50 per cent.

Mrs. Driedger: When I had my briefing with the Minister of Health (Ms. Blady), there was a commitment to provide to me a list of all of the equipment we are talking about here in this bill and putting an age to all of that equipment. I wonder if the minister could indicate when I might expect that list to be given to me.

Mr. Chomiak: Mr. Speaker, as concerns that matter that—I can indicate that the Minister of Health will provide that information to the member.

Mr. Chairperson: Any further question in second reading of Bill 37? Is there any debate on this matter?

Mrs. Driedger: Mr. Speaker, this is a very highly technical bill that is being introduced and it is also a bill that would require updates of X-ray equipment, and it is a bill that is going to ensure that equipment is being operated to the higher standards to best protect Manitoba health-care workers and patients.

And we do support the intent of this legislation and the premise of the bill. This is certainly something that we would have no argument against. We were told during briefing as well that other provinces have already moved in this direction and that the current legislation under which Manitoba operates is actually decades old.

So I am glad that we are following other provinces in bringing forward this legislation. I would wish that we had done it perhaps a little bit sooner, because this is all about safety, whether it's safety for those that are working with the equipment or safety for the patients that are undergoing the different tests.

The—this act, which is a radiation protection act, would update the requirements for the installation and operation of X-ray equipment to better protect patients and health care providers. And I think this is a good position for Manitoba to be taking, again, considering our legislation to address all of this is very outdated. We are probably past due in having something like this brought forward.

* (15:10)

I would note that the key provisions of the bill relate to one of them being equipment registration, that ionizing radiation equipment other than certain equipment, such as a stand-alone PET scanner, must be registered with the director appointed under the act before it may be operated.

Location approval: ionizing radiation equipment, other than portable equipment and certain other equipment may be installed or operated only in locations approved by the director. In considering an approval the director must determine whether the equipment is appropriate for its intended use at the location and can be safely operated there.

I do have some questions, I guess, around this which, you know, I guess we'll see, as this legislation moves forward, what exactly this means. But, certainly, having one's eye on the ball in terms of the

equipment that is being put out there and that all the equipment is accredited is certainly something that we support. I do understand from my briefing with the minister that there is an accreditation process in place in Manitoba and I certainly support that.

Another provision of the bill is the—under maintenance and quality assurance, that owners of ionizing radiation equipment must maintain the equipment to specified safety standards and if the equipment is used for health-care purposes must implement quality assurance programs.

I do think that that is important, that we do have quality assurance programs around equipment. That was one of the concerns I had around our mammography equipment here in Manitoba because some of that equipment was extremely old. I heard that some of it was being held together by duct tape. I do have concerns when we've got, you know, patients and doctors and nurses, lab technologists that want to work under the best circumstances and want to count on the results that come forward from a test, want to be assured that the equipment that is out there is certainly in good working order. It's troubling to hear when there's really old equipment and it's being held together by duct tape. I do have grave concern what that could mean in terms of test results and, you know, I have spoken about it before and it certainly is no secret that my—a lot of my passion around digital mammography has come from the fact that I've had a couple of breast cancer scares. I've been very lucky but I, you know, also know that I'm counting on those mammography machines to have had a quality assurance program, that they were accredited.

And so I do support quality assurance programs. When we were looking at digital mammography, however, in Manitoba, we were the only province, the last province in Canada, to introduce digital mammography. We're years behind other provinces—years and years. In fact, some of the tiniest provinces in Canada have, you know, a dozen or more digital mammography machines. Manitoba didn't, and Manitoba is only now introducing digital mammography. That causes me huge concern. It's caused us concern for a long time because we were advocating for the introduction of digital mammogram machines here because we know that they present better images.

I'm very disturbed that the government did not do it sooner because it disadvantages women here because of geography that women in other provinces

are having better test equipment than what Manitoba had. So that's why I think, you know, when we talk about safety standards we talk about quality assurance programs. Those are very important. I'm disturbed that it has taken this government so long to introduce, as an example, digital mammography and that does cause me huge concern.

So I am supportive of the quality assurance that is being addressed in this legislation and it certainly should be something that is important to us when we look at any testing equipment, diagnostic equipment in Manitoba because the results that come from those machines are what determines what happens with a patient's course of treatment. And if somebody has cancer, you certainly want to know that the test results are coming out of machines that are up to speed, that are current, that are safe. And while the, you know, the government talks about putting in new equipment, all governments do that; I mean, that's part of what, you know, governments are supposed to do, is to continue to upgrade their equipment.

Another provision of this bill is around application and exposure, indicating that ionizing radiation must not be applied to a human or an animal unless the person applying it is authorized to do so. Why we have to put that in legislation is a little bit interesting, but, certainly, I would hope that anybody that is using these machines is authorized to do so, because we are talking about radiation exposure that can be, you know, perhaps too high, and one hopes that never happens—or too low—and then you don't get the right results. So certainly we hope that the people that are working in this are actually authorized to do so.

Mr. Rob Altemeyer, Acting Speaker, in the Chair

Maximum exposure limits for persons who work with ionizing radiation equipment may be set by regulation. Owners must keep records of workers' exposures and provide the records to a central registry. I asked about that in the briefing because my question was around, well, how do you ensure that if somebody has accidentally perhaps exposed a patient at a too-high level, how do we expect that we're going to know that? And it was indicated to me that it would be up to the workers that are actually running a test to track that, document it. And it does become a system of trust.

And my question then had been, well, what is the penalty then, if you know that somebody is not or has not followed the regulations and there is too much exposure to a patient? The fines are actually

quite substantive. It's \$50,000 for an individual and \$500,000 for a corporation if they do not follow these provisions of the bill. So, certainly, the fines are high and the minister's office was, I guess, hopeful that if people knew the fines were high, then they would be more inclined to do the reporting that would be expected if there is, you know, too-high exposure to radiation. So the system itself does depend on honesty.

And it was made clear to me that the radiation protection responsibilities around the equipment is under the responsibility of CancerCare Manitoba. And CancerCare Manitoba has the responsibility to maintain provincial standards of radiation safety across the province through their radiation protection program. So, certainly, with the good work that is being carried on at CancerCare, this is one of the jobs that they have to do in ensuring that there is adequate protection around radiation exposure and radiation safety.

* (15:20)

Now, I would note that a Manitoba study had been done a number of years ago. In fact, I believe it was around 2010, and I did speak to a physician that had been part of that study. And the Manitoba study in 2010—and it was reported, I believe, in 2011—they had found that the amount of radiation patients received from a CT scan can vary widely, and the recommendation was that it should be reduced to better protect patients against the risk of cancer and better protect the people that are operating the equipment as well. This particular study recorded the dose of radiation to patients getting a CT scan at 13 Manitoba hospitals and compared that to similar surveys done elsewhere. The researchers found that the average effective radiation dose for abdomen pelvis exams was 21 per cent higher in Manitoba than in Saskatchewan and 15 per cent higher than in British Columbia. For a chest scan, the radiation dose for Manitoba was 3 per cent higher than in Saskatchewan and 25 per cent higher than in British Columbia.

One of the questions that arises from all of that that was asked, actually, by CBC, who had sought out this information through a FIPPA, you know, was the question: Are you concerned about CT scanning where you live? And I guess that is a fair question. Despite the radiation doses being somewhat higher, the study concluded that they are still comparable to those in other provinces. So while the radiation doses in Manitoba were higher than

what they were looking at in other provinces, the government did indicate that they still felt it was within safe regions.

This study identified CT sites with relatively higher doses where hospitals could take steps to reduce patient risk through either protocol optimization or the proper utilization of dose reduction, features available on the scanners themselves, and that was what the authors of this study had done. And certainly we would hope that where there was any concern on any of the machines that, in fact, there are protocols that are put in place so that we do have, you know, optimization, or the proper utilization of dose reduction features available in the scanners themselves would be important as well.

So certainly the fact that this is—this information was out there, the study was done, it did raise awareness about the safety issues around Manitoba equipment. The results of that survey were not made public. They were reported to each hospital, but it never did identify publicly which hospitals had lower or higher radiation dosages. Hopefully, the minister's office is fully aware of it and has been able to monitor and track it to ensure that, indeed, this is, you know, moving ahead to ensure that there is some oversight from the minister's office in terms of having an eye on the ball on these issues.

Dr. Richard Semelka, who was a former Winnipegger who now teaches radiology at the University of Northern California, said that having the newest machines and methods is crucial for patient safety. That is what really triggered some alarm for me, to know that the Children's Hospital machine is 13 years old is when you have an expert that teaches radiology that, you know, indicates that the newest machines are crucial to patient safety.

I had been told by somebody in the system that there was concern about the Children's Hospital CT scanner, that it is old, that there were some significant concerns about the high level of radiation exposure of patients and of staff. I did bring this up in the briefing with the Minister of Health (Ms. Blady), and I would hope that there might be follow-up to ensure that that machine that is treating children at Children's Hospital has reached a higher level of priority than allowing a 13-year-old machine to still be used and that they in fact are keeping a really good eye on the radiation exposure from that machine because according to Dr. Semelka, he says that we can see higher ranges

and we do see higher ranges of radiation from older equipment and older approaches. So it's important, especially with children that, in fact, that that machine is in good order and that it's a priority for getting a new CT scan machine there.

I know at the time of this study that the WRHA had indicated that they think that all of the machines that are used in this program are all safe, and I certainly hope that they are right. Apparently, also, this study was going to be followed by a second study, and I understand that that second study has been done. I understood that it might have happened in 2013 or in that range, 2014, but the results are not back yet. So, if it did take place as it was supposed to three years after the first study, then it seems to be taking a while for the results of this second study to come back. So I would be interested at some point in finding out how far we have progressed from the first study to the second study.

And, Mr. Speaker, I think with those few comments on this legislation, I don't have any other issues to raise about it or to comment about it. Certainly, supportive of the intent of this.

As I indicated earlier, too, it's a highly, highly technical bill, but, you know, anything we can do to always bring safety to the forefront of health-care is certainly something that all of us are fully supportive of.

And we all want to know that any time we go—whether it's for X-ray, CT scan or a PET scan, we want to feel comfortable that the machine is in good functioning order, because I would repeat again, too, that, you know, I have raised concerns in the past that there had been concerns about the digital mammography machines and it concerns me that Manitoba had to be the last province in Canada to get digital mammography machines.

I really, really hope, Mr. Deputy Speaker, that there was a legitimate reason for the delay, and that the delay of putting digital mammography machines in place doesn't have anything to do with the upcoming election. I hope that there is some very legitimate reasons that we were the very, very, very last in Canada to introduce them and they're being so very slowly introduced across Manitoba right now.

So with those few words, I will indicate that the bill certainly seems to be one that we support, and we look forward to seeing it move through to Committee. Thank you.

Mr. Gerrard: Mr. Speaker, I rise to comment briefly on this piece of legislation which deals with protection from radiation.

It has been known for many years that we should be concerned about exposure to radiation from X-rays and from CT scans and, of course, from PET scans. And it is good to know that there is some progress being made. It is particularly important that we make progress here in Manitoba because we have been behind other provinces and have had machines which have tended to have more radiation given off, and so it is something which we have to be particularly careful of here.

* (15:30)

And so it is glad to be—it is good to be moving forward on this legislation and providing the digital images from X-rays, from CT scans, from PET scans, which are without as high a level of radiation exposure as we've had in the past.

It, of course, has been particularly a concern for people who've had repeated X-rays or repeated CT scans, in particular because the repeated scans add up significantly and can provide doses of radiation which are above what we would really want people to have.

That being said, that there's always been a trade-off, and that is that the advantage of having the X-rays and the CT scans and being able to more easily diagnose medical conditions and to identify diseases and to be more refined in the way that we provide treatment of cancers and other illnesses so that these CT scans and X-rays and PET scans have provided enormous advantages in helping us improve health care and medical care in particular. And so we need to recognize that even as we are moving forward in trying to improve the level of radiation protection and decrease the level of exposure that's happening both to people who are working with the machines and people who are getting CT scans or X-rays or PET scans done.

So I'm here to support this legislation, to encourage the government to move as quickly as they can to proclaim this right—legislation when it is passed and to make sure that it's implemented. It's apparent from the situation at the moment that, as I understand, nine of our current CT scans do not have the software to reduce radiation, and that clearly is something that should be moved on as quickly as possible.

So, with those few remarks, Mr. Speaker, I look forward to seeing this legislation passed and to having better radiation protection in our province. Thank you.

The Acting Speaker (Rob Altemeyer): Is the House ready for the question?

Some Honourable Members: Question.

The Acting Speaker (Rob Altemeyer): The question before the House is second reading on Bill 37, The Radiation Protection Act.

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

Bill 38—The Intimate Image Protection Act

The Acting Speaker (Rob Altemeyer): Next item on our agenda is second reading on Bill 38, The Intimate Image Protection Act.

Recognizing the honourable Minister of Justice.

Hon. Gord Mackintosh (Minister of Justice and Attorney General): Move, seconded by the Minister of Agriculture, that Bill 38, The Intimate Image Protection Act; Loi sur la protection des images intimes, be now read a second time and be referred to a committee of this House.

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

The Acting Speaker (Rob Altemeyer): It has been moved by the honourable Attorney General, seconded by the Minister of Agriculture, that Bill 38, The Intimate Image Protection Act, be now read a second time and be referred to a committee of this House.

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

Under our new—or recognizing the honourable Attorney General.

Mr. Mackintosh: Mr. Acting Speaker, we all have to recognize that we're living in a texting culture. We understand that about 96 per cent of young adults have a cellphone, and I understand that about 100 texts a day are being sent by young adults. I understand that even a quarter of the children in grade 4 have devices. It really is a culture characterized, I think, best when I say it's about send, send, send. We're increasingly communicating by thumb.

Now, we all know that cyberspace communications are generally fantastic and have allowed us to move forward and make things so much easier, access information, access people, but there, as well, is a dark side to the Internet that we have to guard against. We here in Manitoba, of course, have been working hard to defeat that dark side. We've had legislative tools that have been innovative and we've had tremendous organizational efforts developed in this province, and I notably think of the Canadian Centre for Child Protection.

But we're being called on again, Mr. Acting Speaker, in our relatively new texting culture, and along with the Canadian Centre for Child Protection we've raised awareness about the dangers of sexting going back several years. And in that regard our message has been don't take an intimate image and press send, because you can't get it back. But, when a sexual or nude image is sent, there's a real risk of some horrid victimization, and there will be a call for help. We've even heard of new technology now, sexting coercion is one that I have heard, sextortion is another one, and what this legislation specifically deals with and, in fact, I guess it could be called, the revenge porn act.

But, Mr. Acting Speaker, sexting coercion or revenge porn elevates bullying to cyberbullying. We're told that cyberbullying based on images has an instant impact. It engages way more participants than physical bullying, invades the victim's own home and personal space through just a cellphone. It's psychologically devastating. And we know sometimes it's hormone driven and sometimes it's for money. But sometimes it acts as extraordinary and easy cruelty and malice. It can result in torment and long-term mental trauma. It can result in suicide.

I think of 18-year-old Jesse Logan who took her own life in 2009. It was a horrible introduction for me to the impact of this kind of wrong. She was called a slut, a porn queen and a whore. Just absolutely devastated. Of course, here in Canada, 15-year-old Amanda Todd in 2012, 17-year-old Rehtaeh Parsons in 2013 were so horribly tormented and took their own lives.

I want to just add as a footnote, I was able to meet Amanda Todd's mother and I'm so inspired by her message—message, by the way, please be kind, quite frankly, just on a basic level, but to raise awareness of what can happen.

So we know that there is help and there's growing help, and in this province we've taken a lead

in the areas of education. For example, Canadian Centre for Child Protection has the NeedHelpNow line that deals with questions about how to remove an image from the Net. There's Kids Help Phone which is an extraordinary resource that goes to work for Manitoba kids that are looking for help in this regard.

And I know that here in Manitoba our—member for Minto (Mr. Swan) was involved and, I believe, the Minister of Education involved in working on the federal legislation Protecting Canadians from Online Crime Act which came into force, I think, back in March, which really was an effort of Canadian ministers and stakeholders to deal with intimate images and revenge porn. But there are gaps and there are gaps that the provinces can fill. And I think that the legislation before us is a leading-edge effort and I certainly hope for unanimous support to move it forward.

The youth that come forward, and it's not just youth. It's anyone that comes forward dealing with revenge porn. They just want help taking the image down and destroying it. Like, get it down is the message that people are getting from those that have been victimized and they need assistance, especially for youth and young adults. And they want that kind of help without always having to go to the police or the court. So they don't even sometimes want to go to their parents.

There also should be a right to seek damages, and so this legislation is new help for those that have been victimized by the distribution of intimate images. And it'll be, on passage, the first legislation, I understand, in the country to enable lawsuits so victims can sue when nude images are distributed without consent. And you don't have to show you were bullied with the image. And it's not just about online distribution, I should add, even though that is—that's really elevated the threat.

* (15:40)

And it's not just involving obscenity or porn. It's for all Manitobans, youth and adults alike. It will allow for damages, allow for injunction, allow for publication bans. But the other thing that is important, getting back to the call for help, just to get it down, get the image down, we've—we're engaging the nation-leading Cybertip.ca through the Canadian Centre for Child Protection to provide help for victims on request, to get those images off the Internet and otherwise distributed.

Now, the extent and nature of that help will depend on each victim's needs and their recognized vulnerabilities. Cybertip.ca could help in three ways: deal with the perpetrator, avoid police or the courts and work anonymously; when that's not successful, help the victim engage police when charges are required and give other help, including information about the new right to sue.

So the new law will help get intimate images back. It will help get lives back. It will help make perpetrators financially accountable when that works for a victim. When you're tormented or extorted, there has to be someone on your side and this legislation goes to work to achieve that.

I will add this, in conclusion, that a five-year review, I think, is called for. This technology is changing so fast. The risks on the Internet are changing so rapidly that we always have to remind ourselves to keep informed, keep current and keep moving with the times and the risks that are being posed to, especially, younger Manitobans, on an ongoing basis.

I look for support of the House in getting this to committee. Thank you.

The Acting Speaker (Rob Altemeyer): Under our new rules, there's now 15 minutes of potential question time on this matter. Seeing no member from the official opposition standing, I'm going to recognize the honourable member for River Heights to have the first question.

You have 45 seconds for question and for answer. Please begin.

Hon. Jon Gerrard (River Heights): Mr. Speaker, my first question: Since the Internet is global, what sort of approaches the government will take where we're dealing with people who are outside the province who are involved on one side or the other here. Will there be any ability to interact with other jurisdictions and to address this if it is outside of—one of the partners is outside of Manitoba?

Mr. Mackintosh: Well, that really is a great question because that is the additional challenge of countering crimes and wrongs on the Internet. It's the boundary-less aspect to that. And that's why the Canadian Centre for Child Protection is so amazingly positioned to be the body that deals with this because they have all those connections across the lines. They're dealing now with online child pornography, for example. They know the international agencies.

They know the Internet service providers. This is their business.

And so, good question, but there is a good answer available. By the way, having the Canadian Centre for Child Protection here, and the member for Charleswood (Mrs. Driedger) was—

The Acting Speaker (Rob Altemeyer): I'm sorry; the minister's allotted time has expired. He can continue in answer to the next question.

Recognizing the honourable Opposition House Leader.

Mr. Kelvin Goertzen (Steinbach): To the Minister of Justice: Can he advise the House, based on past experience and perhaps different contacts that he's had with various law enforcement in Manitoba, how often this scenario has arisen in Manitoba over the last year or two and how often he expects this bill might be used? Obviously, we would hope it would never be used. But given past experience, how often would the expectation be?

The Acting Speaker (Rob Altemeyer): Recognizing the honourable Attorney General.

Mr. Mackintosh: Yes, the—I think the best answer there is we know of the tragic cases all across North America. We know that Cybertip.ca has had 100 reports to the—to their help site that is called help—NeedHelpNow. And so—and that was back a little while.

So that—we know that those numbers are only going to increase as well, unless we take real action like this. And it may be that the federal law will help to start reducing that number when people recognize it's also a crime. But we think the civil action is also necessary.

But there's every reason to believe that even one too many has to be dealt with.

Mr. Gerrard: Mr. Speaker, it is sometimes useful for judges to know the intent of the minister who's responsible for legislation when he puts words on the record, and one of the phrases that's used here is a reasonable expectation of privacy.

Could the minister provide you know, what he means by reasonable expectation of privacy?

Mr. Mackintosh: Yes, that term has been defined by the courts over years. Our Privacy Act, and there was some initial thinking that this legislation was perhaps just a useful addendum to that legislation, instead it really has to be recognized as a stand-alone issue

and project. But that's—that term has been defined carefully by the courts over some period of time and will provide guidance in terms of its application to different circumstances.

Mr. Goertzen: Can the minister indicate, Mr. Deputy Speaker, whether or not the victim will be responsible for bringing forward the civil litigation directly themselves, or whether or not there will be somebody within their department, in the Department of Justice who will act on behalf of the victim?

Mr. Mackintosh: Yes, it's contemplated that the right is given to the victim, but the Canadian Centre for Child Protection can provide assistance in terms of how to move that forward. In fact, that might be one of the requests for help that goes to Cybertip.ca.

Mr. Gerrard: The minister is well aware that we're in a society which is very diverse with many, many different cultural backgrounds.

One thing that is common is the posting of photos of newborn babies without clothes, and so the question that I would ask the minister is: What is his expectation in terms of what age and what circumstances and approaches would be taken for very young infants, for example?

Mr. Mackintosh: Well, I think that will depend on the circumstances of a case.

Is that while sharing—you know, a newborn at the hospital and that's just for the purposes of, you know, family announcements, or is there a more nefarious purpose? Is it child pornography? Those are all questions that would arise based on a particular image.

Mr. Goertzen: Under the community safety act, I believe—and there was an act that was brought in under Mr. Toews as Justice minister in the Filmon government. The government, this current government then changed it so that it would be a director who would bring forward a civil litigation under the community safety act.

Is there been any contemplation followed to my last question about whether it would be wise to have someone other than the victim have to bring forward the act, or bring forward the civil litigation because they might be given the circumstances not feel comfortable doing it.

It's the same sort of rationale I think that this government did in changing the community safety act and having a director bring forward the litigation.

Mr. Mackintosh: In putting forward civil litigation it'll be critical that the damages suffered by victim be put to the court, which is why it has to be a personal suit.

On the other hand, as an alternative, and what a victim may be counselled to pursue are the—is a criminal response, which, of course, then would be handled by the state on behalf of a—well not on behalf of a victim but on behalf of the public as a result of a victim complaint.

So, in other words, if it's not damages that the individual seeks, the criminal procedure is there as a result of the new provisions of the Criminal Code of Canada.

Mr. Gerrard: Yes, one of the provisions of this bill—bill deals with the allowing of distribution of images in the public interest.

And just for clarification, I wonder if the minister would give an example of what might be appropriate distribution of an intimate image in the public interest.

Mr. Mackintosh: Yes, I'd have to seek the advice of officials in terms of what—if there had been some experiences that would come to bear. I just don't want to sort of sit here and muse about what those might be. So perhaps in committee we can have a discussion around when images are rightly in the public interest.

* (15:50)

Mr. Goertzen: In some of the past legislation—and I'm sorry; I didn't hear all the minister's comments on second reading, Mr. Speaker, and so maybe he's covered some of this. But in some past legislation there's been the ability to seize equipment and that sort of thing that was used to commit a crime. Is this contemplated in this act, to be able to seize the equipment that was used to distribute the images?

Mr. Mackintosh: Yes, it's my understanding, that the hugely successful Manitoba Criminal Property Forfeiture Act would be available for that.

Mr. Gerrard: Mr. Speaker, this legislation includes a clause which says the department must make appropriate information or resources available on request. I am presuming this is the Department of Justice and perhaps the minister can clarify that.

But also, I ask the minister what kind of, you know, secretariat or what have you within his

department he will be setting up in order to implement this.

Mr. Mackintosh: It's a really important point to clarify. It was in my remarks, but the—it is not the intention of the department to set up a new unit, it's to contract with the Canadian Centre for Child Protection, which has expertise right here in Manitoba. In fact, I suspect that this may incubate a new service that is provided by the Canadian Centre for Child Protection and Cybertip.ca that other provinces could then tap into, just as Cybertip grew.

But it's always important to use the resources that are already there, the expertise, and we have world-class expertise right here in this city.

Mr. Gerrard: Yes, I would ask the minister, is it the minister's intent to provide funding so that the Canadian centre for child 'protection' can provide that service?

Mr. Mackintosh: Yes, and I don't have the figures here, but we've already developed—we've already had discussions with Canadian Centre for Child Protection in terms of what resources they would need and, of course, we'll have to keep abreast of what their need is over time. But we can talk about that in committee in terms of what that contract looks like and what the value is.

Mr. Gerrard: I would ask the minister, one of the things which is in here is the provision of what are called remedies for somebody who has had an intimate image distributed wrongfully. That word—remedies—could be very broad, and I wonder if the minister could provide, you know, a little bit more detail of what he would see as appropriate in the way of remedies under an individual who has been affected under this law.

Mr. Mackintosh: I want to just reiterate what were—what was in my remarks: that each victim's needs and vulnerabilities will be assessed in terms of the extent of the remedies made available. It may be that there is an adult who is very capable of dealing with a situation and just needs help in a certain area and doesn't seek intensive supports. It may be that there's a young adult who is being tormented and needs very different approaches.

So that flexibility is contemplated in the legislation so that Cybertip can tailor the interventions as needed.

Mr. Gerrard: An individual who's been affected, as the minister would well know, might suffer, for

example, from post-traumatic stress disorder. Would it be the intent that there be a provision of psychological services or other things like that?

Mr. Mackintosh: I'll just double-check again on the triggers but, of course, Victim Services in Manitoba provides nation-leading supports and interventions of the nature noted by the member. And it may be that that could assist or could be a referral to resources. And indeed the legislation allows for a recovery, if in fact there are—on an application, on a—in an action, if in the event that there are costs that flow from the victimization.

Mr. Gerrard: In the realm of remedies, would the minister, you know, include financial recompense for somebody who has been grievously affected by this?

Mr. Mackintosh: That is, in fact, the legislation, which allows a civil action.

The Acting Speaker (Rob Altemeyer): Seeing no further questions for the question period on this item, we will now move to further discussion of second reading of the bill.

Is the House ready for the question?

Oh, recognize the honourable member of River Heights to speak to second reading.

Mr. Gerrard: Mr. Speaker, I want to speak briefly on this Bill 38, The Intimate Image Protection Act.

I think that, you know, it is a bill which is—certainly has some merit, given what we have seen in this country with people being affected by the transmission of intimate images, cyberbullying and so on. I think that it is clearly an area which is changing. That is to say, that the culture and the ability, technologically to transmit images has changed dramatically in the last 10 or 15 years. And, certainly, the legislation is, I think, a reasonable attempt to try and address this situation. There are clearly quite a number of areas in this legislation which will be subject to interpretation and in which the courts will need to use considerable wisdom in making decisions.

I think that, you know, this is legislation which I'm prepared to support. I think it bears watching very closely how it develops and how it is implemented, and I think that we need, as legislatures, to be ready to look carefully at what's happening. And we may need to review the situation before the five years is up depending on what happens not only here, but in other jurisdictions who also are trying to address this issue. Thank you.

Mr. Goertzen: Yes, just quickly, I look forward to this bill going to committee.

This is a serious issue and a significant issue, and I think it needs to be dealt with seriously, and so I hope that we'll have presentations from the Canadian centre of child protection at committee, because they're obviously an integral part of this bill.

I think it's worth leaving as a caution, obviously, that, you know, we hope that as time goes along that there'll be greater responsibility for those who, of course, have access now to be able to bully—and essentially it is a form of bullying, Mr. Speaker—others through the Internet and through other forms of communication. And we certainly hope that this crime will lessen over time and that with education and with greater understanding people will recognize the harm that causes from distributing images without consent, particularly personal images, that as there is a greater awareness about the great damage that can be done to an individual, which often leads to fatal consequences, that there'll be more appreciation that it has to stop.

So we certainly agree with the intent of this bill. We look forward to hearing more at committee about the operation of the bill and we hope that there'll be presentations in that regard.

The Acting Speaker (Rob Altemeyer): Is the House ready for the question?

Some Honourable Members: Question.

The Acting Speaker (Rob Altemeyer): Question before the House is second reading on Bill 38, The Intimate Image Protection Act.

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

Bill 41—The Statutes Correction and Minor Amendments Act, 2015

The Acting Speaker (Rob Altemeyer): Next on our agenda is second reading of Bill 41, The Statutes Correction and Minor Amendments Act, 2015.

Hon. Gord Mackintosh (Minister of Justice and Attorney General): I move, seconded by the minister of child and youth opportunities, that Bill 41, The Statutes Correction and Minor Amendments Act, 2015, be now read a second time and be referred to a committee of the House.

Motion presented.

* (16:00)

Mr. Mackintosh: Part 1 of the bill contains amendments that correct spelling, translation and drafting errors. Part 2 of the bill contains a series of amendments that deal with appointments to government boards and agencies.

Mr. Acting Speaker, these amendments implement a recommendation made by the Auditor General that government appointments to boards and agencies should have staggered terms in order to prevent a mass turnover of board members when all appointments simultaneously expire. Amendments are also included that clarify wording around term limits on appointments.

A few other matters in the bill should be brought to the attention of members. The House will note that the bill contains multiple amendments to The Highway Traffic Act. Most of these deal with vehicle seizure and licence suspension provisions relating to prostitution. The amendments are all required due to amendments made to the Criminal Code by the federal government in 2014 that significantly change the Code's provisions about offences in relation to obtaining or providing sexual services for consideration.

The amendments ensure that language used in The Highway Traffic Act is consistent with the amended Criminal Code and ensures that cross-references to the amended Code are accurate. The amendments do not make a substantive change to the way in which vehicle seizure and licence suspension provisions in this area currently operate. These amendments conform to the government's policy not to apply the sanctions to sex workers themselves.

The cattle producers' act is amended to allow the Manitoba Cattle Producers Association to engage in the production, purchase and sale of cattle, if it does so in the course of carrying out the objectives of the association as set out in clauses 6(1)(a) to (c) of the act.

Mr. Acting Speaker, the bill will repeal a private act that is no longer required because the entity established under the act is no longer active. It also repeals an unproclaimed act that made amendments to The Highway Traffic Act dealing with the registration of written-off vehicles that was passed in 1998. The bill was never proclaimed because the registration of vehicles is now dealt with under The Drivers and Vehicles Act and the provisions would no longer work within the current structure of The Highway Traffic Act. Thank you.

The Acting Speaker (Rob Altemeyer): We'll now move to a 15-minute question period for questions back and forth on this bill.

Seeing none from the official opposition, recognize the honourable member for River Heights.

Hon. Jon Gerrard (River Heights): Yes, I notice that the minister is repealing The Farm Practices Protection Act, and I would just ask the minister for an explanation for why this act is being repealed and what the repercussions may be.

Mr. Mackintosh: Yes, we'll obtain the—we'll take that as notice and provide the information at committee for the member.

Mr. Gerrard: I thank the minister. I'm a little bit surprised that there is not more information immediately but I will look forward to receiving that at the committee stage.

One of the changes in this act deals with the boards, and there are boards under quite a number of acts: the University of St. Boniface board, the University of Winnipeg, et cetera, et cetera. But I know that there are a number of boards to which the province will appoint board members which are not necessarily included in legislation, and so I would ask the minister whether these other boards which are not necessarily a part of legislation but which may be still order-in-council appointments—will they also be covered with the same principles, that there be a rotation of members and that—

The Acting Speaker (Rob Altemeyer): Order, the honourable member's time for the question has expired.

Mr. Mackintosh: Just speaking within the confines of this legislation, this just addresses the boards that are established by law.

Mr. Gerrard: Just to follow that up: so that the government has no intention of applying the same principles to boards to which it appoints, for example, The Forks corporation, the same principles of renewal of people on boards and of making sure that the appointments are staggered so that there is a rotation and continuation of representation.

Mr. Mackintosh: Yes, well, the legislation is directed to organizations established by law. It's interesting to hear the example of The Forks North Portage board. I don't know what other ones the member might have an interest in. We could get answers in terms of what the strategy is with regard

to non-statutory boards and provide that information to him for committee.

The Acting Speaker (Rob Altemeyer): Seeing no further questions under our 15-minute question period, we'll now move to further debate on second reading of the bill.

Are there any speakers?

Recognizing the honourable member for River Heights.

Mr. Gerrard: This BITSA bill, which covers a fair bit of ground from repeal of the farm practices act to changes to The Highway Traffic Act to changes in terms of how board appointments are made, I would comment on one particular area in this act. And that deals with the matter of the change in legislation which deals with—I think it's The Highway Traffic Act, just one minute here. And it is a provision that in this act where a individual is identified by police and thought to be involved in activities related to prostitution, that the police must now take away the vehicle that is being used in this instance.

And I think that all I want to point out is that it is—this section here, a peace officer who, on reasonable grounds, believes that a motor vehicle is being operated in the course of committing a specified offence related to obtaining sexual services or procurement must seize the motor vehicle and take it into the custody of the law. Where it is very clear that there is an individual who is at fault, the vehicle is going to be taken away before an individual is convicted. And I think that although this is of good intention, that I think that it's going to be rather important that good judgment be used here because this provision that the vehicle must be taken away is fairly strong language. And it's important that individuals, even under circumstances like these, are still innocent until proven 'ginty' and that we need to make sure that the law is used in appropriate fashion and not used arbitrarily to punish somebody who may or may not be involved in this activity.

Thank you.

The Acting Speaker (Rob Altemeyer): Is the House ready for the question?

Some Honourable Members: Question.

The Acting Speaker (Rob Altemeyer): Question before the House is Bill 41, The Statutes Correction and Minor Amendments Act of 2015.

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

Bill 27—The Veterinary Medical Amendment Act

The Acting Speaker (Rob Altemeyer): Up next we have second reading on Bill 27, The Veterinary Medical Amendment Act.

Recognizing the honourable Minister for Tourism, Culture, Heritage, Sport and Consumer Protection.

Hon. Ron Lemieux (Minister of Tourism, Culture, Heritage, Sport and Consumer Protection): I move, seconded by the Minister of Infrastructure and Transportation (Mr. Ashton), that Bill 27, The Veterinary Medical Amendment Act; Loi modifiant la Loi sur la médecine vétérinaire, be now read a second time and be referred to a committee of this House.

Motion presented.

* (16:10)

Mr. Lemieux: This bill will allow pet owners to be guaranteed clear and upfront pricing when they visit their vet. Any pet owner knows how important their pets are in their lives. It's remarkable how quickly a pet can become a part of one's family.

Taking your pet to the vet for surgery, calling your local vet to help your farm animals or even something as simple as a checkup can be stressful. The last thing you want is to worry about is facing the extra and unexpected charges, Mr. Speaker. That's why I'm thrilled that we're bringing in this legislation amending The Veterinary Medical Act to ensure pet owners get clear, upfront pricing for veterinary care. Veterinarians are the professionals that provide life-saving animal care and we know the vast majority already provide clear, upfront pricing and transparency for the clients.

Mr. Speaker, this new legislation means all Manitoba vet clinics will follow this practice. This legislation will not only help pet owners but it will also help modernize and strengthen regulatory role of the Manitoba Veterinary Medical Association.

Mr. Speaker, The Veterinary Medical Act will improve public protection by adding public representation to the MVMA council as well as strengthening the complaints and disciplinary process. It will also increase fines for breaching the act, allow veterinarians to incorporate their practice and better recognize the role of animal health

technologists and update their title to veterinary technologist.

On behalf of myself and the Minister of Agriculture and Rural Development I'd like to thank the MVMA, as well as the Manitoba Animal Health Technologists Association for their advice and collaboration and consultation on this legislation.

Mr. Speaker, our government has a strong record on consumer protection, from fair cellphone contracts to upfront pricing for cars and car repairs to protecting your home with new home warranties. We brought in legislation that keeps life affordable for all Manitobans and this legislation for all those who own pets, and indeed for those who don't have pets, would agree that transparency and clarity is really important when people take their animals to a veterinarian or have a veterinarian look at their animals, knowing what that price would be and what the cost would be to having your pet or your livestock or your animal looked after.

And, Mr. Acting Speaker, indeed, yes, we know that there are exceptions when things are unexpected and veterinarians do further study; they do find other problems or concerns with a pet or an animal—livestock, for example—and that's to be acknowledged. But still it's still to be part of this legislation where a veterinarian or someone administering help to a pet or to livestock still has to consult and talk to that owner and let them know what the problem is and indeed from that initial price that they told the consumer that that may change because of the exceptions that they have discovered when they've examined the animals and that may mean further procedures that'll have to take place.

So, with that, Mr. Deputy Speaker, I will say thank you and allow members opposite to support in favour of this. Thank you.

The Acting Speaker (Rob Altemeyer): We'll now move to the question period, 15 minutes.

Mr. Blaine Pedersen (Midland): Mr. Deputy Speaker, through you to the minister, I'm just wondering why this minister is bringing this forward and not the Agriculture Department which is—in my understanding does work with the veterinary association.

Mr. Lemieux: This is certainly twofold and I thank the Minister of Agriculture and Rural Development for the department's participation in this because it's not just veterinarians that deal with pets, but also animal livestock. But this is a consumer protection

issue and it is the government that determines which minister will bring what bill forward; it's not the opposition.

But, having said that, it's a bill that deals with consumer protection, and we've seen the opposition on a number of different bills on how they've reacted. We look at it as cutting red tape, more clarity, more transparency and we want the opposition to finally agree with a piece of consumer protection we're bringing forward.

Hon. Jon Gerrard (River Heights): Yes, very often a bill which comes before the Legislature comes becomes there's been a specific instance where the government is concerned about abuse or a concern that the prices have been misleading.

I would ask the minister if he would explain what—was there a specific instance or a specific problem which initiated this bill.

Mr. Lemieux: Well, thank you very much for the question.

Not so much that there's been huge amounts of complaints. In fact, we're very pleased to hear through the Consumer Protection Office that many our veterinarians in the province of Manitoba, whether they're dealing with farm animals or whether they're dealing with pets, are very open and up-front and there's a lot of clarity with regard to their billing practices where they will let the consumer know what they think the initial cost would be, and if that changes, they will often get hold of the individual, the owner or farmer or individual that may have livestock or the pet and let them know that there will be an increase in cost.

So—but there's other changes to this legislation, more than just the consumer protection side.

Mr. Pedersen: Mr. Deputy Speaker, I would like the minister to be able to explain to us how this will actually impact large animal practice versus small animal practice in terms of—we have many variables, particularly in the large animal practices. You can involve mileage, you can involve time.

So how does this legislation supposed to actually work? Will the veterinarian have to actually put out a price quote before answering, before going to a call if it's a large animal practice in order to—before they do that?

Mr. Lemieux: We believe that there's enough flexibility built into this legislation where not only will the clarity or transparency be there when you

have the interaction between a veterinarian or a veterinary or an animal health technologist.

We believe that all those previously mentioned items that the member opposite raised is certainly built in now, but certainly will—going forward—also be able to be addressed, and a person can make the case for that. But they should be making that case to whoever's receiving the service. They should be able to explain and have that transparent, open process to explain mileage costs and other extenuating circumstances that may increase the cost compared to what the consumer was initially quoted.

Mr. Gerrard: Mr. Speaker, I note that there has been some CBC coverage of the variability of charges by veterinarians. Mostly in an open market such variability is actually good because it means you can look around on a consumer basis and find lower prices if you would like, provided that veterinarians are, you know, openingly posting their prices.

So I would ask the minister: Is it his objective that there be uniform pricing, or is his objective primarily to make sure that each veterinarian provides clearly what their price scales are so that people can check and evaluate?

Mr. Lemieux: Thank you for the question.

This is not price fixing in any way, shape or form and the vets will be required to provide clear and upfront pricing, as I mentioned before, to pet owners or farmers. That doesn't mean that government will require vets to charge a certain amount rather than vets will be required to clearly state how much their services cost. And in rural Manitoba where you may have a lot of mileage between, distances between different veterinarians or veterinary agencies, rural Manitobans understand that when there's only one particular player in the marketplace in that area that they are familiar with often the costs that will administered with the bill.

But, Mr. Acting Speaker, I mentioned before to the member opposite that this bill is more than just about agriculture or consumer protection. Thanks to this legislation veterinarians will be able to incorporate, much like doctors or nurses, animal health—

The Acting Speaker (Rob Altemeyer): Order. The minister's time on this question has elapsed.

* (16:20)

Mr. Pedersen: Mr. Deputy Speaker, the—I would like to know what the composition of the association's governing council is now and what will be after this legislation—should this legislation pass.

Mr. Lemieux: Well, thank you for that. I'll have to check. I know that there are going to be laypersons on the board. I don't know the exact numbers but I will definitely get back to the member with that answer, instead of guessing. I'll be specific and I'll get that answer back to the member opposite.

As far as the composition of the board, I know that now there's going to be two laypersons on that board to act as ones representing the community. So I'll have to get back to the member on the specifics of the board makeup.

Mr. Pedersen: One last question for the minister. Amendments are made to protect the public from being misled about the qualifications of service providers who are not veterinarians, and I know they're changing the name to veterinary technologist. Have they received complaints from the public about animal health technicians, who are now going to be called veterinary technologists? Have there been complaints about services rendered?

Mr. Lemieux: You know, Mr. Acting Speaker, the opposition's always looking for a dark cloud someplace. We understand that. And they're always looking for ulterior motives. The motives on—the motive on behalf of this government is to protect the consumer, to make bills transparent. When a veterinarian tells someone it's going to cost a particular price, that that's what it should be. You shouldn't show up at the vet after your pet's been in stress, for example, and then all of a sudden receive a bill that's twice as much. What we want is some 'clarency,' some transparency, that allows the consumer that protection, and most veterinarians do it now, and we want to make sure that this is in practice with good consumer protection.

The Acting Speaker (Rob Altemeyer): Seeing no further questions for the 15—oh. On this? Okay, recognizing the honourable member for Emerson.

Mr. Cliff Graydon (Emerson): Thank you, Mr. Deputy Speaker.

I would like the minister to table the number of complaints that brought this bill forward.

Mr. Lemieux: Members opposite have shown that they are not supportive of consumer protection. Whether it dealt with cellphones, automobile sales,

home warranties, they've raised all kinds of issues that either try to block or get in the way of good consumer protection coming forward.

I mentioned earlier in my comments that there's not a huge amount of complaints coming forward, except that what we want to do is make sure that this is a system that's in place, a regulatory system that's in place, that all veterinarians adhere to it, name changes to the technologist, which is important, things that they've asked for. And what we want to ensure that Manitoba consumers are protected with regard to their pets or animal or livestock.

Mr. Graydon: I would ask the minister, then, is there a complaint mechanism currently to deal with any issues that people feel that they've been overcharged?

Mr. Lemieux: Like in most cases, the Consumer Protection Office will certainly try to mediate—and I'm—I think this is the question that member opposite is asking: Is there anything in place right now except for the increase in fines that this legislation will bring? Is there any way to address some of the concerns that take place?

If somebody has a disagreement with a veterinarian and some of the fees that they've been charged or assessed, there is; Consumer Protection Office will often try to mediate between the two parties before it goes to the association and having the association deal with it directly. This is, I believe, a good model where it allows people to sit down and talk and explain, which maybe previously, well, should've been done, maybe, in advance, ahead of a pet being looked after. But having said that, if that didn't take place, and one has a dispute, you'd want mediation to try to address this before it goes any further.

Mr. Graydon: Mr. Deputy Speaker, it seems that the minister wants to skate in a circle. He brings in a piece of legislation and then doesn't have the—even the answers that precipitated this type of legislation to be coming forward. But at the same time, he sets up a new board and he says that he wants to have a layperson on the board. What qualifications would that layperson have to deal with this type of a situation?

Mr. Lemieux: First of all, the person would be a layperson and, secondly, that means, at least in my humble understanding, it means someone that is not part of the profession and neither a veterinarian or a technologist or someone in the industry, someone

that would represent the public. Now, the person, would they have to own a pet or be a livestock owner? Not necessarily. It's someone that would give sober second thought like the senate that they support.

Now, I would hope that the individuals on this board would be doing a better job than what the Senate does, but I know members opposite support the Senate. So I have no idea what their definition of a layperson would be or a senator, quite frankly.

Mr. Graydon: The—you can see right now that there's somebody that has got his nose out of joint because he doesn't have an opportunity to be on the Senate, that kind of went down in the last opportunities, but—in the last voting opportunities. But, when you put together a board and you're replacing something that's working, then you must have some idea of what the qualifications of those people should be, and surely the minister with his expertise should be able to explain that to this House today.

Mr. Lemieux: I know the person is getting a little antsy and he's getting aggressive and irritated over this, and I respect the fact that he was a beef owner or was in the cattle industry. I understand that. I get that. In fact, he may even have relatives that are veterinarians or people that are in the industry.

My understanding of the layperson that's going to be on this board is someone that gives public opinion with regard to the issues at hand that veterinarians may face or the board may face or issues that come to the board.

So I, you know, I'm sure the member from Emerson does public input into boards without having specific expertise or degrees from university related to the veterinary industry, and we would hope that whoever puts their name forward has a real interest in this area, and we know we have trust that they would do a good job.

The Acting Speaker (Rob Altemeyer): Seeing no further questions—[*interjection*] So no further questions, okay.

We will now proceed to debate of second reading of the bill.

Recognizing the honourable member for Midland.

Mr. Speaker in the Chair

Mr. Pedersen: Very, very short, it's—this bill is the ultimate in hypocrisy from a government who talks about clear and upfront pricing who knocked on every door before the last election and said we will not raise the sales tax. And then they went and raised the sales tax and now they're accusing veterinarians of being dishonest in their pricing, pure hypocrisy.

Mr. Speaker: Is there any further debate?

Mr. Gerrard: I just want to put a few comments on the record here.

I note that Dr. Gordon Goodridge, who is a veterinarian who's been practising for 40 years, has said that this new rule will be nearly impossible to follow because complications can happen during pet surgery that make upfront quotes sometimes impossible to stick to. He has said that he thinks this is a political decision, not a rational decision.

But I thought I should at least put this point of view on the record. I think that we're—from my point of view I'm very strongly in favour of making sure that people who are getting services get the services that they need and that people represent to the extent that they can the prices that are going to be charged.

But I think it is also going to be up to the veterinary association in Manitoba to be wise in the way that they set some of these rules and make sure that people are appropriately accountable and that the quality of service is good.

I look forward to discussion at the committee stage because I think this is going to be important for this legislation, that we can have a good representation of points of view.

Thank you.

* (16:30)

Mr. Speaker: Is there any further debate on this matter?

An Honourable Member: Question.

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

Question before the House is second reading of Bill 27, The Veterinary Medical Amendment Act.

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

House Business

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, on House business, I'd like to announce the Standing Committee on Social and

Economic Development will meet on Wednesday, October 28th, at 6 p.m., to consider the following: Bill 19, The Legal Profession Amendment Act; Bill 27, the veterinary medical act; Bill 37, The Radiation Protection Act; Bill 38, The Intimate Image Protection Act; Bill 41, the statutes correction and minor amendments act; and Bill 45, The Elections Amendment Act.

Mr. Speaker: It has been announced that the Standing Committee on Social and Economic Development will meet on Wednesday, October 28th, 2015, at 6 p.m., to consider the following bills: Bill 19, The Legal Profession Amendment Act; Bill 27, The Veterinary Medical Amendment Act; Bill 37, The Radiation Protection Act; Bill 38, The Intimate Image Protection Act; Bill 41, Statutes Correction and Minor Amendments Act, 2015; and Bill 45, The Elections Amendment Act.

REPORT STAGE AMENDMENTS

Mr. Speaker: We will now proceed to move to report stage and third readings of bills 18 and 70, starting with bill eight—*[interjection]*—just report stage of Bill 18.

Bill 18—The Certified Occupations Act

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, I move, seconded by the member for Morden-Winkler (Mr. Friesen),

THAT Bill 18 be amended in Clause 7(2) by adding "and be representative of the employer community" at the end.

Motion presented.

Mr. Speaker: The amendment is in order.

Mrs. Stefanson: Mr. Speaker, just to explain a little bit more about this amendment, these amendments were made based on consultation of various stakeholders within the community, as well as based on the presentations that were made at committee stage, and I think it's very important that members opposite consider supporting these amendments as they are supported by members of the community and by those who showed up at committee to speak on this.

Mr. Speaker, it's very important that industry is consulted and it is included in the decision-making process, and this amendment makes that happen. Right now the clause leaves it open to—the existing clause in the bill leaves it open to appoint members of the board who may be knowledgeable of an

industry but may not be representative of an industry, and there is a difference there.

So we believe that industry employers must be appropriately represented on the board. That's what this amendment does, and we hope that members opposite will support this.

Mr. Speaker: Any further debate?

Hon. Kevin Chief (Minister of Jobs and the Economy): Mr. Speaker, a new board will be established which will be responsible for regulating many of the parameters under the act. The Certified Occupations Board will make up of between three and seven members who possess the knowledge, the training, and employment needs for the occupation. We are taking a balanced approach to creating this new board. We've had many discussions with stakeholders, including the member from Tuxedo. I know that we were able to have a conversation about this as well.

I want to ensure that this board represents industry and has a diverse membership that can make effective, fulsome decisions, and that means ensuring employers, employees and others who bring valuable experience to the board need to be at the table. We do not want to restrict membership to this board.

Mr. Speaker: Any further debate on the amendment?

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

Some Honourable Members: Agreed.

An Honourable Member: No.

Mr. Speaker: I hear a no.

Voice Vote

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

Some Honourable Members: Aye.

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

Some Honourable Members: Nay.

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

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

Mr. Speaker: On division.

* * *

Mr. Speaker: Further amendments?

Mrs. Stefanson: Mr. Speaker, I move, seconded by the member for Morden-Winkler (Mr. Friesen),

THAT Bill 18 be amended by adding the following after Clause 12(1):

Board approval required when establishing standards or requirements

12(1.1): Despite subsection (1), the director may not exercise a power under clause 1(a) or (c) unless the director first obtains the board's approval regarding the standards or requirements that are to be established or approved.

Mr. Speaker: It's been moved by the honourable member for Tuxedo (Mrs. Stefanson), seconded by the honourable member for Morden-Winkler,

THAT Bill 18 be amended by adding the following after Clause 12(1)–

An Honourable Member: Dispense.

Mr. Speaker: Dispense? Dispense.

The amendment is in order.

Mrs. Stefanson: With respect to this amendment, we recognize the important role that the director plays in this bill. We recognize that not all decisions should require board approval, but we do believe that board approval should be required in these two areas that are outlined. It simply acts as a checks and balance so that not everything rests on the shoulders of the director. So we believe that more consultation, more approval is better in this instance, Mr. Speaker, rather than the director just making the decision in these two areas by themselves. And it acts to protect the director as well. Thank you.

Mr. Chief: We'll continue to consult and collaborate with industry stakeholders to develop and establish program standards to ensure that they meet the needs of industry. Once a new board is established, the role will be to guide and co-ordinate the development and recognition of occupations and promote occupations. It is beyond the scope of the board to take on an operational role and inconsistent with powers of other boards like the Apprenticeship and Certification Board.

Thank you, Mr. Speaker.

Mr. Speaker: Any further debate on the amendment?

Seeing none, is the House ready for the question?

Some Honourable Members: Question.

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

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

Some Honourable Members: Agreed.

An Honourable Member: No.

Mr. Speaker: I hear a no.

Voice Vote

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

Some Honourable Members: Aye.

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

Some Honourable Members: Nay.

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

Mr. Goertzen: On division.

Mr. Speaker: On division.

* * *

Mr. Speaker: Any further amendments to Bill 18?

Mrs. Stefanson: I move, seconded by the member for Morden-Winkler,

THAT Bill 18 be amended in Clause 14 by replacing the part before clause (a) with "If the board is satisfied that employer stakeholders of any occupation affected by a regulation are in favour of it, the board may, subject to the approval of the minister, make regulations".

Motion presented.

Mr. Speaker: The amendment is in order.

Mrs. Stefanson: Just to explain a little further about this amendment, the amendment ensures that appropriate consultation 'plakes'—takes place with industry representatives, and it would require that, Mr. Speaker. It doesn't take any powers away from the minister. I'm hoping that he will support this amendment today.

Mr. Chief: All regulations will be industry driven, and recommendations will be made by the new board based on industry-identified needs and requirements. We need to ensure that broad stakeholder community is consulted with regarding any proposed requirements as these standards will be set according to the needs of all industry stakeholders, including employers, employees and educators. We are better off through the engagement of many, Mr. Speaker.

Mr. Speaker: Any further debate on the amendment?

Seeing none, is the House ready for the question?

Some Honourable Members: Question.

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

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

Some Honourable Members: Agreed.

An Honourable Member: No.

Mr. Speaker: I hear a no.

Voice Vote

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

Some Honourable Members: Aye.

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

Some Honourable Members: Nay.

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

Mr. Goertzen: On division.

Mr. Speaker: On division.

* * *

Mr. Speaker: Further amendments to Bill 18?

Mrs. Stefanson: I move, seconded by the member for Morden-Winkler (Mr. Friesen),

THAT Bill 18 be amended by striking out Clause 14(f).

Motion presented.

Mr. Speaker: The amendment is in order.

* (16:40)

Mrs. Stefanson: Just to explain briefly what this amendment is about. We believe that the rate of wages should be decided by the industry based on supply and demand and ensuring minimum wage laws are adhered to. Mr. Speaker, it should not be decided by the Minister for Jobs and the Economy or the board, and this was heard loud and clear from stakeholders in the community that we met with as well as those who presented at committee.

So I'm hoping again, Mr. Speaker, that the minister will do the right thing here and support this very important amendment.

Mr. Chief: The intent of this act is to raise the status of occupation and provides individuals with recognition of their work experience, expertise and training. It is really up to the industry to decide if having a common standard of training is important to their profession. If the answer is yes, then the occupations are en route to achieve this. We also want industry stakeholders to be able to set targets on wages if that is something that makes sense for their industry.

The amendment brought forward by the opposition which would shut the door on industry's ability to set targets, to incent workers for their hard work and training.

Mr. Speaker: Any further debate on the amendment?

Seeing none, is the House ready for the question?

An Honourable Member: Question.

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

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

Some Honourable Members: Agreed.

An Honourable Member: No.

Mr. Speaker: I hear a no.

Voice Vote

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

Some Honourable Members: Aye.

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

Some Honourable Members: Nay.

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

Mr. Goertzen: On division.

Mr. Speaker: On division.

* * *

Mr. Speaker: Are there any further amendments to Bill 18? No, seeing none.

Bill 70—The Real Estate Services Act

Mr. Speaker: We'll now be calling under report stage Bill 70, The Real Estate Services Act.

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, I'm rising to declare a conflict on Bill 70. Since this bill was last before the Legislature, my spouse has become involved—become employed in the industry that is the subject of Bill 70; as such, I filed a conflict of interest form. I'll be removing myself from all future legislative and committee debate, and I've filed a conflict of interest form with the Clerk's Office.

Mr. Speaker: I thank the honourable member for Steinbach for that information.

Mr. Ron Schuler (St. Paul): Mr. Speaker, I wish to move the following amendment, seconded by the member for Arthur-Virden (Mr. Piwniuk),

THAT Bill 70 be amended by

(a) replacing Clauses 46(6) to 48(8) with the following:

Search Warrant

48(6) On application by investigator, a justice may issue a warrant if he or she is satisfied by information on oath that there are reasonable grounds to believe that

(a) the circumstances in subsection (1) exist or that it is in the public interest that investigation begun under subsection (2) continue; and

(b) there is,

(i) in any premises or place anything relating to those circumstances or that investigation, or

(ii) information or evidence relating to those circumstances or that investigation that might be obtained by doing anything described in the warrant.

Powers under warrant

48(7) A warrant under this section may authorize an investigator and/or other person or persons named in the warrant

(a) to enter or access the premises or place specified in the warrant (referred to in this section as the "place of inspection") and examine or seize anything described in the warrant;

(b) to use any data storage, processing or retrieval device or system used in carrying on business in order to produce information or evidence described in the warrant, in any form;

(c) to require the assistance described in subsection 49(1) or production of records as described in subsection 49(4); and

(d) to do anything else described in the warrant.

Entry of dwelling

48(8) Despite subsection (7), an investigator shall not exercise the power under a warrant to enter a place, or part of a place, occupied as a private residence unless

(a) the justice is informed that the warrant is being sought to authorize entry into a private residence; and

(b) the justice authorizes entry into the residence.

Conditions on warrant

48(8.1) A warrant under this section may contain any condition that justice considers necessary to ensure that a search authorized by the warrant is reasonable in the circumstances.

Identification to be shown on request

48(8.2) An investigator must show his or her identification if requested to do so.

(b) in the part of Clause 49(1) before clause (a), by striking out "mentioned in subsection 48(6)" and—"substituting"—substituting—pardon me—"being investigated"; and

(c) by repealing Clause 53—1.

Mr. Speaker: It's been moved by the honourable member for St. Paul, seconded by the honourable member for Arthur-Virden,

THAT Bill 70 be amended

(a) replacing Clauses—dispense?

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

Is it the pleasure of the House to consider the amendment as printed?

Some Honourable Members: Agreed.

An Honourable Member: No.

Mr. Speaker: I hear a no.

Is it the pleasure of the House to consider the amendment as printed? [Agreed]

THAT Bill 70 be amended by

(a) replacing Clauses 48(6) to 48(8) with the following:

Search warrant

48(6) *On application by an investigator, a justice may issue a warrant if he or she is satisfied by information on oath that there are reasonable grounds to believe that*

(a) the circumstances in subsection (1) exist or that it is in the public interest that an investigation begun under subsection (2) continue; and

(b) there is,

(i) in any premises or place anything relating to those circumstances or that investigation, or

(ii) information or evidence relating to the those circumstances or that investigation that might be obtained by doing anything described in the warrant.

Powers under warrant

48(7) *A warrant under this section may authorize an investigator and any other person or persons named in the warrant*

(a) to enter or access the premises or place specified in the warrant (referred to in this section as the "place of inspection") and examine or seize anything described in the warrant;

(b) to use any data storage, processing or retrieval device or system used in carrying on business in order to produce information or evidence described in the warrant, in any form;

(c) to require the assistance described in subsection 49(1) or production of records as described in subsection 49(4); and

(d) to do anything else described in the warrant.

Entry of dwelling

48(8) *Despite subsection (7), an investigator shall not exercise the power under a warrant to enter a*

place, or part of a place, occupied as a private residence unless

(a) the justice is informed that the warrant is being sought to authorize entry into a private residence; and

(b) the justice authorizes entry into the residence.

Conditions on warrant

48(8.1) *A warrant under this section may contain any condition the justice considers necessary to ensure that a search authorized by the warrant is reasonable in the circumstances.*

Identification to be shown on request

48(8.2) *An investigator must show his or her identification if requested to do so.*

(b) in the part of Clause 49(1) before clause (a), by striking out "mentioned in subsection 48(6)" and substituting "being investigated"; and

(c) by repealing Clause 53.

Mr. Speaker: The amendment is in order.

Mr. Schuler: Mr. Speaker, in the last few years, we have seen legislation coming forward, and this is the third piece, where individuals who are tasked with enforcing legislation passed by this Legislature can enter a premises without any due oversight, and I as one legislator and as a opposition party, it is our responsibility to point out where this kind of legislation could be used or misused. It could—it's a power that is dangerous when individuals are given right to enter premises and seize items and there is no oversight.

One of the things that we pride ourselves in our democracy, our modern democratic state, is that we have checks and balances placed into the system, and one of those is our courts with a judiciary who are independent from a legislative body, and, in fact, we as legislators are not even allowed to reflect upon legislators and the work they do. And, in this instance, where an individual wants to enter a premise and seize documents, it is the belief by the opposition and probably by most in the country who if were approached on this legislation would feel that it's only right that it would—that these individuals would have to go in front of a judge, explain what it is that they're trying to do, explain what it is they're trying to seize, and there would be that oversight.

I think we are on a very slippery slope, that if we continue as government to pass legislation where we write out any kind of oversight without anybody

sitting down and saying you have to have some accountability for why you're wanting to seize something out of a premises or out of a business, I think this is a very dangerous precedent.

It is now the third time we have seen this kind of legislation come forward, and I would recommend to all members of this Legislature who believe strongly in democracy, who believe very strongly that when we pass legislation and we put checks and balances in, this is not about in the next week or the next year or the next 10 years; this is something that over time, in the next 15, 20, 30 years, could lend itself to abuse. And we should be passing legislation that can pass the test of time, not just what happens in the next days or weeks or months or even years, but that it would be able to withstand any individual or group that wants to use this legislative authority and perhaps misuse it.

We believe that this is a very important—a check; it's a balance. I don't think this is a political statement of any kind. I think it is a protection for individuals and businesses that at least there is some oversight before the premise is entered and items are removed and are seized that at least it go in front of a judge and be given some kind of second look at it and some accountability.

So I would ask the legislator to think—the Legislature to think very seriously about this amendment and consider including it in the legislation.

Thank you, Mr. Speaker.

* (16:50)

Mr. Speaker: Any further debate on the amendment?

Seeing no further debate, is it the pleasure of the House to adopt the amendment?

Some Honourable Members: Agreed.

An Honourable Member: No.

Mr. Speaker: I hear a no.

Voice Vote

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

Some Honourable Members: Aye.

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

Some Honourable Members: Nay.

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

Recorded Vote

Mr. Cliff Cullen (Acting Official Opposition House Leader): Request a recorded vote.

Mr. Speaker: Recorded vote having been requested, call in the members.

* (17:00)

Order, please.

The question before the House is the amendment proposed by the honourable member for St. Paul (Mr. Schuler) to Bill 18.

Division

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

Yeas

Briese, Cullen, Driedger, Eichler, Ewasko, Friesen, Gerrard, Graydon, Martin, Mitchelson, Pedersen, Piwniuk, Rowat, Schuler, Smook, Stefanson, Wishart.

Nays

Allan, Allum, Altemeyer, Ashton, Braun, Caldwell, Chief, Chomiak, Dewar, Gaudreau, Howard, Irvin-Ross, Jha, Kostyshyn, Lemieux, Mackintosh, Maloway, Marcelino (Logan), Marcelino (Tyndall Park), Melnick, Nevakshonoff, Oswald, Rondeau, Saran, Selinger, Struthers, Swan, Wiebe, Wight.

Clerk (Ms. Patricia Chaychuk): Yeas 17, Nays 29.

Mr. Speaker: I declare the amendment defeated.

Mr. Speaker: The hour being past 5 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow morning.

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, October 26, 2015

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