

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

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

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The Honourable Daryl Reid  
Speaker*

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

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

## LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, April 16, 2013

*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, 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.

### Speaker's Statement

**Mr. Speaker:** I have a statement for the House.

I must inform the House that Mavis Taillieu, the honourable member for Morris, has resigned her seat in the House effective February 12th, 2013. I am therefore tabling her resignation and my letter to the Lieutenant Governor-in-Council advising of the vacancy created in the House membership.

## ROUTINE PROCEEDINGS

### PETITIONS

#### St. Ambroise Beach Provincial Park

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

The reasons for the petition follow:

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

Signed by J. Chudzik, J. Chudzik and H. St. Roddap and many, many more fine Manitobans.

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

#### Vita & District Health Centre

**Mr. Dennis Smook (La Verendrye):** I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

The Vita & District Health Centre services a wide area of southeastern Manitoba, and it relies—and is relied on to provide emergency services.

On October 17th, 2012, the emergency room at the Vita & District Health Centre closed with no timeline for it to reopen.

This emergency room deals with approximately 1,700 cases, which includes patients in the hospital, the attached personal care home and members of the community and surrounding areas.

Manitobans should expect a high quality of health care close to home and should not be expected to travel great distances for health services.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health consider reopening the emergency room in Vita as soon as possible and commit to providing adequate medical support for residents of southeastern Manitoba for many years to come.

This petition is signed by the following fine Manitobans: M. Gawronsky, C. Friesen, F. Turick and many more fine Manitobans.

### Provincial Road 520 Renewal

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

The background to this petition is as follows:

The rural municipality of Lac du Bonnet and Alexander are experiencing record growth due especially to an increasing number of Manitobans retiring to cottage country.

The population in the RM of Lac du Bonnet grows exponentially in the summer months due to increased cottage use.

Due to population growth, Provincial Road 520 experiences heavy traffic, especially during the summer months.

PR 520 connects cottage country to the Pinawa Hospital and as such is frequently used by emergency medical services to transport patients.

PR 520 is in such poor condition that there are serious concerns about its safety.

We petition the Legislative Assembly as follows:

To urge the Minister of Infrastructure and Transportation to recognize the serious safety concerns of Provincial Road 520 and to address its poor condition by prioritizing its renewal.

This petition is signed by M. Swirsky, A. Grimal, A. Byman and hundreds of other fine Manitobans.

### Personal Care Homes and Long-Term Care— Steinbach

**Mr. Kelvin Goertzen (Steinbach):** Yes, good afternoon, Mr. Speaker. I wish to present the following petition.

And these are the reasons for this petition:

The city of Steinbach is one of the fastest growing communities in Manitoba and one of the largest cities in the province.

This growth has resulted in pressure on a number of important services, including personal care homes and long-term care space in the city.

Many long-time residents of the city of Steinbach have been forced to live out their final years outside of Steinbach because of the shortage of personal care homes and long-term care facilities.

Individuals who have lived in, worked in and contributed to the city of Steinbach their entire lives should not be forced to spend their final years in a place far from friends and family.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health ensure additional personal care homes and long-term care spaces are made available in the city of Steinbach on a priority basis.

And, Mr. Speaker, this petition is signed by D. Downy, V. Downy, J. Penner and hundreds of other fine Manitobans.

## COMMITTEE REPORTS

### Standing Committee on Legislative Affairs First Report

**Mr. Tom Nevakshonoff (Chairperson):** Mr. Speaker, I wish to present the First Report of the Standing Committee on Legislative Affairs.

**Clerk (Ms. Patricia Chaychuk):** Your Standing Committee on Legislative Affairs presents the—

**Some Honourable Members:** Dispense.

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

*Your Standing Committee on Legislative Affairs presents the following as its First Report.*

#### **Meetings:**

*Your Committee met on December 27, 2012 at 2:00 p.m. in Room 255 of the Legislative Building.*

#### **Matters under Consideration:**

- *The re-appointment of the Conflict of Interest Commissioner*
- *The re-appointment of the Information and Privacy Adjudicator*

#### **Committee Membership:**

- *Mr. ALLUM*
- *Mr. DEWAR*
- *Mr. GAUDREAU*
- *Mr. GOERTZEN*
- *Mr. GRAYDON*
- *Hon. Ms. HOWARD*
- *Mr. MARCELINO*
- *Mr. NEVAKSHONOFF (Chairperson)*
- *Mr. SMOOK*

- *Mr. WIEBE (Vice-Chairperson)*
- *Mr. WISHART*

**Motions:**

*Your Committee agreed to the following motions:*

- *THAT the Standing Committee on Legislative Affairs recommend to the Lieutenant-Governor-in-Council that Mr. Ron Perozzo be re-appointed as the Conflict of Interest Commissioner for a term not to exceed three years from date of commencement.*
- *THAT the Standing Committee on Legislative Affairs recommend to the Lieutenant Governor in Council that Mr. Ron Perozzo be re-appointed as the Information and Privacy Adjudicator for a term not to exceed three years from date of commencement.*
- *That the Committee authorize the Chairperson to ask the Speaker to inform all MLAs in writing of the re-appointments of the Conflict of Interest Commissioner and the Information and Privacy Adjudicator, prior to presentation of the committee report in the House.*

**Mr. Nevakshonoff:** Mr. Speaker, I move, seconded by the honourable member for Fort Garry-Riverview (Mr. Allum), that the report of the committee be received.

**Motion agreed to.**

**Standing Committee on Public Accounts  
First Report**

**Mr. Reg Helwer (Chairperson):** I wish to present the First Report of the Standing Committee on Public Accounts.

**Clerk (Ms. Patricia Chaychuk):** Your Standing Committee on Public Accounts—

**Some Honourable Members:** Dispense.

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

*Your Standing Committee on Public Accounts presents the following as its First Report.*

**Meetings**

*Your Committee met on February 25, 2013 at 2:00 p.m. in the Legislative Building.*

**Matters under Consideration**

- *Auditor General's Report – Annual Report to the Legislature dated January 2012*

- *Chapter 1 – Accounts and Financial Statements: Section 10 Annual Report*
- *Chapter 7 – Taxation Division, Audit Branch: Department of Finance*

- *Public Accounts for the fiscal year ending March 31, 2011 (Volumes 1, 2, 3 and 4)*
- *Public Accounts for the fiscal year ending March 31, 2012 (Volumes 1, 2 and 3)*
- *Auditor General's Report – Operations of the Office for the fiscal year ending March 31, 2012*

**Committee Membership**

- *Ms. CROTHERS*
- *Mr. DEWAR (Vice-Chairperson)*
- *Mrs. DRIEDGER*
- *Mr. EWASKO*
- *Hon. Mr. GERRARD*
- *Mr. HELWER (Chairperson)*
- *Mr. JHA*
- *Mr. PEDERSEN*
- *Hon. Mr. STRUTHERS*
- *Mr. WHITEHEAD*
- *Ms. WIGHT*

*Substitutions received prior to committee proceedings on February 25, 2013:*

- *Ms. CROTHERS for Mr. ALLUM*
- *Ms. WIGHT for Ms. BRAUN*
- *Mr. EWASKO FOR MR. CULLEN*

**Officials Speaking on Record**

- *Ms. Carol Bellringer, Auditor General of Manitoba*
- *Hon. Mr. STRUTHERS*
- *Mr. John Clarkson, Deputy Minister of Finance*

**Agreements:**

*Your Committee agreed to conclude consideration of the following chapters of the Auditor General's Report – Annual Report to the Legislature dated January 2012:*

- *Chapter 1 – Accounts and Financial Statements: Section 10 Annual Report;*
- *Chapter 7 – Taxation Division, Audit Branch: Department of Finance.*

**Report Considered and Adopted:**

*Your Committee has considered the following report and has adopted the same as presented:*

- *Auditor General's Report – Operations of the Office for the fiscal year ending March 31, 2012*

**Reports Considered but not Passed:**

Your Committee has considered the following report but did not pass it:

- *Public Accounts for the fiscal year ending March 31, 2011 (Volumes 1, 2, 3 and 4)*
- *Public Accounts for the fiscal year ending March 31, 2012 (Volumes 1, 2 and 3)*
- *Auditor General's Report – Annual Report to the Legislature dated January 2012 (Chapters 1 and 7 – concluded consideration of)*

**Mr. Helwer:** Mr. Speaker, I move, seconded by the honourable member for Spruce Woods (Mr. Cullen), that the report of the committee be received.

**Motion agreed to.**

\* (13:40)

**Standing Committee on Legislative Affairs  
Second Report**

**Mr. Rob Altemeyer (Chairperson):** I wish to present the Second Report of the Standing Committee on Legislative Affairs.

**Clerk (Ms. Patricia Chaychuk):** Your Standing Committee on Legislative Affairs presents the following—

**Some Honourable Members:** Dispense.

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

Your Standing Committee on Legislative Affairs presents the following as its Second Report.

**Meetings:**

Your Committee met on the following occasions in the Legislative Building:

- January 29, 2013
- April 8, 2013

**Matters under Consideration:**

- *The Report and Recommendations of the Judicial Compensation Committee dated July 11, 2012*

**Committee Membership:**

Committee membership for the January 29, 2013 meeting:

- Mr. ALTEMEYER (Chairperson)

- Ms. BRAUN (Vice-Chairperson)
- Mr. CULLEN
- Mr. DEWAR
- Mr. HELWER
- Mr. MALOWAY
- Mr. MARCELINO
- Mrs. MITCHELSON
- Mrs. ROWAT
- Hon. Mr. STRUTHERS
- Hon. Mr. SWAN

Committee membership for the April 8, 2013 meeting:

- Mr. ALTEMEYER (Chairperson)
- Mr. ALLUM
- Ms. BRAUN (Vice-Chairperson)
- Mr. DEWAR
- Mr. GAUDREAU
- Mr. GOERTZEN
- Mr. HELWER
- Mrs. MITCHELSON
- Mrs. STEFANSON
- Hon. Mr. STRUTHERS
- Hon. Mr. SWAN

**Public Presentation at the January 29, 2013 meeting:**

By leave, your Committee heard one presentation on the Report and Recommendations of the Judicial Compensation Committee from:

Susan Dawes, Provincial Judges Association of Manitoba

**Motions:**

Your Committee agreed to the following motion:

- *THAT the Standing Committee on Legislative Affairs accept the recommendations in Schedule A; reject the recommendations in Schedule B for the reasons set out in that Schedule and, substitute as set out in Schedule C, provisions for certain of the provisions proposed by the rejected recommendations set out in Schedule B and, recommend the same to the Legislative Assembly.*

**SCHEDULE A****Recommendations of the Judicial Compensation Committee accepted by the Standing Committee on Legislative Affairs**

1. That effective April 1, 2012, salaries for the Provincial Court puisne Judge be increased by the cumulative adjustment equal to the annual percentage change in the average weekly earnings (AWE) for Manitoba, calculated on the percentage change in AWE in the preceding calendar year.

For calendar year 2011, the AWE percentage change was 2.8%. Therefore; effective April 1, 2012, salaries for the Provincial Court puisne Judge increase to \$224,104 per annum (\$8,590.64 bi-weekly);

and

that effective April 1, 2013, salaries for the Provincial Court puisne Judge be further increased by the cumulative adjustment equal to the annual percentage change in the average weekly earnings (AWE) for Manitoba, calculated on the percentage change in AWE in the preceding calendar year.

For calendar year 2012, the AWE percentage change was 2.7%. Therefore; effective April 1, 2013, salaries for the Provincial Court puisne Judge increase to \$230,155 per annum (\$8,822.59 bi-weekly)

2. That effective April 1, 2012 salaries for Associate Chief Judges be increased by a differential of 5% over the salary for the Provincial Court puisne Judge, to \$235,309 per annum (\$9,020.16 bi-weekly);

and

that effective April 1, 2013 salaries for Associate Chief Judges be increased by a differential of 5% more than the salary for the Provincial Court puisne Judge, to \$241,663 per annum (\$9,263.73 bi-weekly)

3. That effective April 1, 2012 the salary for the Chief Judge be increased by a differential of 8% over the salary for the Provincial Court puisne Judge, to \$242,032 per annum (\$9,277.88 bi-weekly);

and

that effective April 1, 2013 the salary for the Chief Judge be increased by a differential of 8% more than the salary for the Provincial Court puisne Judge, to \$248,567 per annum (\$9,528.39 bi-weekly).

4. For all judges who were either a Chief Judge or an Associate Chief Judge as at April 1, 2011, including those who retired or otherwise leave the Bench and those who were appointed a Chief Judge or an Associate Chief Judge prior to implementation shall be paid a 5% differential in salary between puisne Judge / Master and the Associate Chief Judge / Senior Master and an 8% differential in salary between puisne Judge / Master and the Chief Judge.
5. That effective April 1, 2011, establish a northern living allowance equal to 5% of the salary for the Provincial Court puisne Judge, for judges residing in Thompson or The Pas.
6. That effective April 1, 2011, increase the professional allowance available to each Judge to \$2,000.00 in each fiscal year.
7. That effective April 1, 2011, increase the educational allowance available to each Judge to \$3,000.00 in each fiscal year.
8. That the Province pay 75% of the Judges' legal costs and fees for the Judicial Compensation Committee process, up to a maximum aggregate payment by the Province of \$40,000.00.
9. That the Province pay 100% of Judges' disbursement costs and fees for the Judicial Compensation Committee process, up to a maximum aggregate payment by the Province of \$20,000.00.
10. That, effective the first pay period following implementation, judges participate in the same life insurance plan (CSSB Group Life Plan No. 330780) and coverage as that which the Government makes available to public servants, including the same Dependents' Life Insurance Policy (CSSB Dependent's Life Policy No. 330785). Any future changes to the Plan do not have to be referred to future JCCs.
11. That, effective April 1, 2011, judges pay the same premiums for life insurance as civil servants and that the difference in life insurance premiums paid by judges should be refunded to all judges, including those presently and

formerly in office for any period between April 1, 2011 and the date of implementation.

12. That judges shall be charged for parking at the same rates and in the same manner as provincial employees and these rates may be adjusted from time to time without the necessity of prior recourse to a JCC.
13. Confirmation of JCC7's recommendation effective April 1, 2008, that a Judge away on a leave (whether paid or unpaid) is treated as an active Judge and is to make the same contributions as they normally would as an active judge for both pension plans and/or insurance benefits plans and the Province will continue to make payments based on what it normally pays for an active judge.
14. The Committee considered the JCC recommendation regarding a Judicial Indemnity Policy and do not accept, as submitted by Ms. Dawes, that the recommendation was to adopt the exact policy proposed by the Provincial Judges Association, and submitted to the Committee, but simply one that is based on the form and content ought to be implemented.

The Committee accepts that recommendation and, effective date of implementation, the Province will adopt a written Judicial Indemnity Policy based on the form and content proposed by the Judges' Association, excluding coverage for personal matters arising outside the courtroom and including a dispute resolution mechanism that includes disputes of the choice of legal counsel.

15. That unless otherwise stated, all changes shall be effective on the date of approval by the Legislative Assembly of Manitoba.
16. In these recommendations, "date of approval by the Legislative Assembly" means
  - (a) the date that the vote of concurrence referred to in subsection 11.1(28) of The Provincial Court Act takes place with respect to these recommendations; or
  - (b) if the recommendations must be implemented because of subsection 11.1(29) of The Provincial

Court Act, the first day after the end of the 21-day period referred to in that subsection.

### **SCHEDULE B**

#### **Recommendations of the Judicial Compensation Committee rejected by the Standing Committee on Legislative Affairs**

1. That interest is to be paid on any retroactive salary increases.
2. That interest is to be paid on any retroactive life insurance premium refund.
3. That the per diem rate for senior judges be set at 1/218<sup>th</sup> of the salary paid to a provincial court judge.
4. That a professional allowance fund of \$2,000 per senior judge be set up and distributed by the Chief Judge for each sitting senior judge based on the needs of the judge in question.
5. That an educational allowance of \$3,000 per senior judge be set up and distributed by the Chief Judge for each sitting senior judge based on the needs of the judge in question.
6. That effective upon implementation of this report, all judges who retire on or after April 1, 2011 shall be entitled to the same benefits as judges who are not retired.

#### **Reasons**

In considering the Report and Recommendations of the Judicial Compensation Committee, the Standing Committee has examined each of the recommendations individually and collectively. The reasons for rejecting these recommendations are as follows:

#### *Recommendations 1 and 2:*

- The Standing Committee does not accept the view of the Judicial Compensation Committee that it is open to interpret the Provincial Court Act in such a way as to allow the awarding of interest on retroactive salary adjustments.
- The Standing Committee does not accept that the Judicial Compensation Committee has the jurisdiction to award interest.
- The Provincial Court Act does not provide for the payment of interest and the Standing Committee does not accept that the concept of interest falls within the scope of benefits on



which the Judicial Compensation Committee may make recommendations.

- The Standing Committee is of the view that there is no inherent right to interest and in the absence of clear legislative authority to provide for interest, it ought not be paid. The Standing Committee notes that the legislature in Manitoba has enacted specific legislation allowing for the payment of interest, but the Provincial Court Act in this case does not.
- If interest was intended, given the clear time lines within the legislation, the legislation would have expressly provided for it. Further, other than the previous Judicial Compensation Committee, whose recommendations are currently before the Courts, no such payments of interest have previously been recommended by any previous Judicial Compensation Committee.
- The Standing Committee recognizes that the Province has had the use of the money (and conversely the Judges have not) during the relevant period of time. However, that, in and of itself, does not provide the Judicial Compensation Committee with the jurisdiction to recommend interest as it has done so in this case.
- Moreover, as this very issue is currently the subject of an Application before the Manitoba Court of Appeal, the Standing Committee believes it is prudent to await the outcome of that Application.
- Pending the Court of Appeal's decision regarding Justice Oliphant's decision in support of JCC7's awarding of interest, the recommendation of interest payable, by JCC8 is rejected; however the Province will be guided by the decision of the Court of Appeal.
- Accordingly, after careful consideration of the recommendations made in this regard and for the reasons set out above, the Standing Committee rejects the Judicial Compensation Committee's recommendations as they relate to the right to interest.

#### Recommendation 3:

- The Standing Committee does not accept that the per diem rate should be set at 1/218<sup>th</sup> of the salary paid to a Provincial Court Judge.

- The recommendation to set the per diem rate at 1/218<sup>th</sup> of the salary paid to a Provincial Court Judge contravenes The Provincial Court Act (Section 6.5 – Senior Judges) and is a contravention of the number of sitting days determined by Senior Judges Regulation 126/2011, wherein the number of sitting days of the court is 248 for purposes of subsection 6.5(8) of the Provincial Court Act.
- The Standing Committee is guided by the purpose and intent of The Provincial Court Act. The Provincial Court Act allows retired judges to return to the bench to serve on an as needed basis. Their services are to be called upon to address a variety of circumstances including times when a sitting judge is absent for an extended period such as maternity or sick leave. The Provincial Court could also use these resources to support the addition of weekend bail sittings with judges. Senior Judges are to be used under the authority of the Chief Judge of the Provincial Court and have the same powers and jurisdiction as any other judge of that Court when and only when they are called upon to sit. However, these Senior Judges, who advise the Chief Judge of their availability may not be called upon at all or may be called upon for only a day or two a year. At all other times, they are an individual retired from the public service.
- The Standing Committee is of the view that such retired Judges, who may elect to be available and are in fact called to perform judicial duties ought to be paid a per diem which reflects the reality of the frequency of their service and not be paid at a rate which is significantly greater than the existing full time Provincial Court Judges.
- The Standing Committee is of the view that fairness dictates that the per diem rate be set in a manner that creates a reasonable equality with the pay being earned by the existing Provincial Court Judges for each day such judges perform judicial duties.
- In the Standing Committee's view, the per diem rate as set out in the Regulation of The Provincial Court Act accomplishes this objective.
- The Regulation outlines that the per diem rate be set at the annual salary of a full time judge divided by 248 days per year. The Standing

*Committee understands that the annual number of sitting days of the Court is 248. The intent of the Government in setting out 248 days as the divisor to compensate Senior Judges in the Regulation was to align such compensation in close proximity to the actual costs of replacing a current sitting judge for any sitting day of the Court. The Standing Committee is of the view that the staffing of Court services, including the determination of the number of judges and the creation of a Senior Judges designation has been and remains within the sole discretion of the Government. The Standing Committee understands that the existing Provincial Court Judges are paid on the basis of 260 days per year. Twelve of those 260 days are paid in the form of Statutory Holiday pay for a divisor of 248 days. Accordingly, it is the view of the Standing Committee that the use of 248 days which is based on the number of sitting days of the Court, is reasonable and consistent with the authority of the Government to set days of Court service.*

- *The Standing Committee is of the view that the per diem rate be set in a manner that maximizes the number of sitting days based on the funding that the Senior Judge Program receives. Setting the per diem at 1/218<sup>th</sup> reduces the number of sitting days by 30 days, or 12% fewer sitting days than what the intended funding of the Senior Judges Program was to provide for.*
  - *Given the nature and frequency of the service intended to be provided by the Senior Judges, the Standing Committee does not believe that it is equitable to include 30 days of vacation entitlement in the calculation of the denominator which was done by the Judicial Compensation Committee.*
  - *The Standing Committee is of the view that the purpose and intent of Senior Judges Program suggests that the denominator be based on the number of sitting days of the Court.*
  - *If the Judicial Compensation Committee's recommendation were to be accepted, the Senior Judges would effectively be paid significantly more per day than existing full time Judges and such a result is not equitable.*
  - *Accordingly, the Standing Committee rejects the recommendation of the Judicial Compensation Committee that the per diem rate should be set*
- at 1/218 of the salary of a Provincial Court Judge and the per diem as set out in the Regulation shall remain.*
- Recommendation 4 and 5:*
- *The Standing Committee does not accept the Judicial Compensation Committee's recommendation that:*
    - *A professional allowance of \$2,000 per Judge and an education allowance of \$3,000 per Judge be provided; or that*
    - *A fund be set up for each allowance based on the number of Judges sitting*
  - *The Standing Committee has considered the Judicial Compensation Committee's expression of support that Senior Judges should have access to a professional and educational allowance. The Standing Committee has also considered its view and that of the Judges Association that the needs of Senior Judges in this regard do not cease if they are sitting on a part time basis.*
  - *However, although the Standing Committee understands and accepts that all Judges may have needs in this regard, it does not believe it appropriate or necessary to provide an additional allowance for Senior Judges.*
  - *The intention of the program is for the Chief Judge to have access to experienced former members of the judiciary to assist in certain circumstances. It is the expectation that the Chief Judge will select the appropriate and available Judge based on the experience and expertise they can bring to the Bench at the time.*
  - *There is no expectation or need for Senior Judges to seek out additional educational opportunities or to purchase any items required to discharge their duties.*
  - *In the event a Senior Judge is selected, they will be provided with the necessary supports which will allow them to perform their work.*
  - *The Standing Committee has considered the recommendation, but given the uncertainty as to the amount of work that might exist, if any, for Senior Judges it is not a practical or judicious use of resources to fund these allowances as recommended. It is entirely possible that a Senior Judge may not be called upon to sit as a judge in a given year or may only sit for a few days. It would be unfair and inappropriate to*

*provide Senior Judges a professional allowance and an educational allowance, potentially for the rest of their lives, whether or not they actually sit as a judge.*

- *In all of the circumstances, the Standing Committee rejects the recommendations in this regard.*

*Recommendation 6:*

- *The Standing Committee understands that the Province's insurer, Manitoba Blue Cross (MBC) is not prepared to underwrite a benefit plan for retired judges where the benefits are the same benefits as are currently available to judges who are not retired.*
- *The Standing Committee is of the view that the Province ought not participate in the provision of retirement benefits as a policy holder or on a self-insurance basis for retired or former employees or persons formerly employed from the public purse. As a level of government, the Standing Committee is of the view that judges ought not be treated differently from any other level of government. Elected officials, including Ministers and senior executives of the government are not afforded retirement benefits, where the government is a policy holder in any circumstance. The Standing Committee is of the view that Judges, as a recognized third level of government, should not be treated differently than any other level of government.*
- *The Standing Committee understands further that the Province's insurer is not prepared to underwrite a policy that provides retired judges with the same benefits as active judges or to include retired judges in the active judges group benefit plan with benefits that are the same as those afforded to judges who are not retired, without additional cost being imposed on the Province.*
- *The Standing Committee has considered the recommendation as outlined above and substitutes the recommendation as outlined in Schedule C.*

**SCHEDULE C**

***Recommendations of the Standing Committee on Legislative Affairs substituted for recommendations of the Judicial Compensation Committee***

- *The Judicial Compensation Committee recommended that effective upon*

*implementation of its report, all judges who retire on or after April 1, 2011 shall be entitled to the same benefits as judges who are retired. The retired judges shall pay the cost of premiums determined to be payable by the Province's insurer, Manitoba Blue Cross (MBC), for such coverage, or the cost of the premiums reasonably determined to be payable to the Province, if the Province chooses to self-insure for these benefits. The recommendation was premised on the principle that this recommendation did not involve a cost to the Province.*

- *MBC has declined to underwrite a benefit plan for retired judges where the benefits are the same benefits as are currently available to judges who are not retired, and;*
- *The Province chooses to not self-insure any of the benefits that are currently available to current active judges, for retired judges;*
- *The Standing Committee understands that in order to attempt to address the recommendation, MBC has determined that the only manner in which this can be accommodated is with a separate Retired Judges Group Benefit Plan. The Standing Committee understands that, although MBC is not prepared to underwrite a plan with the same benefits, it is prepared to underwrite a plan that provides very similar benefits to retired judges as are provided to active judges.*
- *The Standing Committee has considered the recommendation as outlined above and substitutes the recommendation as outlined below.*
- *Accordingly, to the extent that the MBC is prepared to underwrite benefits that are the same as those afforded to judges who are not retired, with no cost to the Province, the Standing Committee is prepared to recommend that such a Retired Judges Group Benefit Plan be arranged.*
- *The Standing Committee recognizes that the Provincial Judges' Association of Manitoba has requested that its members who have retired be afforded the same benefits as judges who are not retired. Provided that facilitating benefits for retired judges does not involve a cost to the Province and the MBC is prepared to underwrite benefits that are the same as, or as determined*

by MBC, close to the same benefits as judges who are not retired, the Standing Committee is prepared to recommend that a Retired Judges Group Benefit Plan be created to facilitate such benefit coverage.

- In the circumstances, the Standing Committee is prepared to recommend that a separate and distinct Retired Judges Group Benefit Plan be arranged which is acceptable to the MBC and consistent with the recommendation of the JCC, does not involve a cost to the Province.
- In the Standing Committee's view, in order to ensure the creation of a Retired Judges Group Benefit Plan does not involve a cost to the Province, the Province ought not be a policy holder or plan administrator for a Retired Judges Group Benefit Plan, in the same way the Province/government is not a policy holder or plan administrator in the current retired government employees benefit plan. Moreover, if the Province is not the policy holder or plan administrator, this would satisfy the Standing Committee's concern that the retired judges be treated in a manner that is consistent with other levels of government.
- Accordingly, for all of the reasons outlined below, the Standing Committee is recommending that:
  - MBC create a Retired Judges Group Benefit Plan with benefits which are the same as or where MBC is not prepared to underwrite a benefit, benefits which are close to the benefits provided to sitting judges, and where possible the same as, subject to certain terms and conditions prescribed by MBC and as outlined below.
  - The Retired Judges Group Benefit Plan is to be held by the Civil Service Superannuation Board.

The Standing Committee understands that MBC is prepared to create a Retired Judges Group Benefit Plan as recommended above, subject to the specific terms and conditions prescribed by MBC, as follows:

1. MBC will create a separate and distinct Retired Judges Group Benefit Plan for retired judges who have retired from the Bench on or after April 1, 2011. The retired judges shall pay the costs of premiums determined to be payable by

MBC by authorized deductions from pension payments through the CSSF;

The benefits and terms and conditions of the Retired Judges Group Benefit Plan are determined exclusively by MBC, including the following (MBC specific Retired Judges Group Benefit Plan provisions shall prevail where they differ);

- The newly created Retired Judges Group Benefit Plan is effective April 1, 2011 with mandatory enrolment for all judges who were members of the Provincial Judges Group Benefit Plan, including elective (voluntary) benefits of that plan, and who retired on or after April 1, 2011. The effective date of coverage for eligible plan members will be on a current date basis, subject to eligible plan members enrolling within 30 days of the date the plan is launched.
- Each retired judge, from their date of retirement is required to pay retroactive premiums as determined by MBC.
- Mandatory participation where retired judge participated in the Provincial Court Judges Group Benefit Plan, including elective (voluntary) benefits of that plan, prior to retirement.
- Where a retired judge did not participate in the elective (voluntary) benefits of the Provincial Court Judges Group Benefit Plan, i.e. only had coverage through the Province's self insured dental and visions benefits, prior to retirement, that retired judge is not entitled to participate in the new Retired Judges Group Benefit Plan.
- MBC will not underwrite any of these benefits on a select basis, retired judges must enrol for all benefits.
- 100% Ambulance/Hospital coverage equal to active judges - Insured
- 80% Extended Health Benefit coverage – Insured. (Excluding Travel Protection and Provincially paid drug coverage to a maximum of \$650 as contained in the Provincial Court Judges Group Benefit Plan).
- 80% Drug coverage – Insured

- 80% Vision coverage – Insured
  - 80%/60%/50% Dental coverage – Insured
  - 100% Unlimited travel health, 30 day trip duration limitation; “no top” up allowed – Pooled.
  - Future renewal rates will be based on the group’s own claims experience for the insured benefits and will be 100% credible, with the exception of the Unlimited travel health, which is a fully pooled insured benefit.
  - Due to the anticipated small size of this group, renewal rate volatility should be expected.
  - MBC reserves the right to cancel the Retired Judges Group Benefit Plan at any time, with one months notice, in the event of any judge who retires and that judge refuses to participate in the Retired Judges Group Benefit Plan, when the judge was an active participant in the current Provincial Court Judges Group Benefit Plan, including elective (voluntary) benefits of that plan, prior to retirement.
2. The Civil Service Superannuation Board shall determine, from time to time, an administration fee in response to their responsibilities as plan administrator. This administration fee is the responsibility of the retired judges and shall be in addition to the premiums determined by MBC.
  3. The Province’s facilitation of a Retired Judges Group Benefit Plan with its current benefit provider, MBC and retired judges is without prejudice to any jurisdictional or other positions taken in response to the 2011 JCC report and recommendations.
  4. The Province assumes no responsibility and does not accept any continuing responsibility in the creation of, and terms and conditions of, the Retired Judges Group Benefit Plan, should such a plan be created.

**Report Considered:**

Your Committee has completed consideration of the Report and Recommendations of the Judicial Compensation Committee dated July 11, 2012.

**Mr. Altemeyer:** Mr. Speaker, I move, seconded by the honourable member for Radisson (Mr. Jha), that the report of the committee be received.

**Motion agreed to.**

**Standing Committee on Crown Corporations  
First Report**

**Mr. Bidhu Jha (Chairperson):** Mr. Speaker, I wish to present the First Report of the Standing Committee on Crown Corporations.

**Clerk (Ms. Patricia Chaychuk):** Your Standing Committee on Crown Corporations presents the following—

**Some Honourable Members:** Dispense.

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

Your Standing Committee on CROWN CORPORATIONS presents the following as its First Report.

**Meetings**

Your Committee met on the following occasions in the Legislative Building:

- April 23, 2012 (1<sup>st</sup> Session – 40<sup>th</sup> Legislature)
- April 3, 2013

**Matters under Consideration**

- The Annual Report of the Manitoba Lotteries Corporation for the fiscal year ending March 31, 2011
- The Annual Report of the Manitoba Lotteries Corporation for the fiscal year ending March 31, 2012

**Committee Membership**

Committee membership for the April 23, 2012 meeting:

- Mr. ALTEMEYER
- Hon. Mr. ASHTON
- Mr. BRIESE
- Mr. EWASKO
- Mr. GRAYDON
- Mr. JHA (Chairperson)
- Mr. NEVAKSHONOFF
- Hon. Ms. SELBY
- Mrs. STEFANSON
- Hon. Mr. SWAN
- Mr. WIEBE (Vice-Chairperson)

*Committee membership for the April 3, 2013 meeting:*

- *Hon. Mr. ASHTON*
- *Mr. BRIESE*
- *Mr. CULLEN*
- *Mr. GRAYDON*
- *Hon. Ms. IRVIN-ROSS*
- *Mr. JHA (Chairperson)*
- *Mr. MAGUIRE*
- *Mr. MALOWAY*
- *Mr. MARCELINO*
- *Mr. SARAN*
- *Ms. WIGHT*

*Your Committee elected Ms. Wight as the Vice-Chairperson at the April 3, 2013 meeting.*

#### **Officials Speaking on Record**

*Officials Speaking on Record at the April 23, 2012 meeting:*

- *Winston Hodgins, MLC President & Chief Executive Officer*
- *Bev Mehmel, MLC Director Corporate Social Responsibility*

*Officials Speaking on Record at the April 3, 2013 meeting:*

- *Winston Hodgins, MLC President & Chief Executive Officer*

#### **Report Considered and Passed**

*Your Committee considered and passed the following report as presented:*

- *The Annual Report of the Manitoba Lotteries Corporation for the fiscal year ending March 31, 2011*

#### **Report Considered but not Passed**

*Your Committee considered the following report but did not pass it:*

- *The Annual Report of the Manitoba Lotteries Corporation for the fiscal year ending March 31, 2012*

**Mr. Jha:** Mr. Speaker, I move, seconded by the honourable member from St. James, that the report of the committee be received.

**Motion agreed to.**

#### **Standing Committee on Crown Corporations Second Report**

**Mr. Bidhu Jha (Chairperson):** I wish to present the Second Report of the Standing Committee on Crown Corporations.

**Clerk (Ms. Patricia Chaychuk):** Your Standing Committee on Crown Corporations—

**Some Honourable Members:** Dispense.

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

*Your Standing Committee on CROWN CORPORATIONS presents the following as its Second Report.*

#### **Meetings**

*Your Committee met on the following occasions in the Legislative Building:*

- *September 21, 2010 (4<sup>th</sup> Session – 39<sup>th</sup> Legislature)*
- *May 24, 2011 (5<sup>th</sup> Session – 39<sup>th</sup> Legislature)*
- *April 18, 2012 (1<sup>st</sup> Session – 40<sup>th</sup> Legislature)*
- *April 4, 2013 (2<sup>nd</sup> Session – 40<sup>th</sup> Legislature)*

#### **Matters under Consideration**

- *Annual Report of the Manitoba Public Insurance Corporation for the fiscal year ending February 28, 2009*
- *Annual Report of the Manitoba Public Insurance Corporation for the fiscal year ending February 28, 2010*
- *Annual Report of the Manitoba Public Insurance Corporation for the fiscal year ending February 28, 2011*
- *Annual Report of the Manitoba Public Insurance Corporation for the fiscal year ending February 29, 2012 (by leave)*

#### **Committee Membership**

*Committee Membership for the September 21, 2010 meeting:*

- *Ms. BLADY (Chairperson)*
- *Mr. CULLEN*
- *Mr. DEWAR*
- *Mr. FAURSCHOU*
- *Mr. GRAYDON*
- *Mr. JHA (Vice-Chairperson)*
- *Hon. Mr. LEMIEUX*

- *Mr. MARTINDALE*
- *Hon. Mr. STRUTHERS*
- *Hon. Mr. SWAN*
- *Mrs. TAILLIEU*

*Committee Membership for the May 24, 2011 meeting:*

- *Mr. BOROTSIK*
- *Mr. CULLEN*
- *Mr. DEWAR*
- *Mr. GRAYDON*
- *Hon. Ms. MARCELINO*
- *Mr. MARTINDALE*
- *Mr. NEVAKSHONOFF (Chairperson)*
- *Mr. SARAN (Vice-Chairperson)*
- *Hon. Mr. SWAN*
- *Mrs. TAILLIEU*
- *Mr. WHITEHEAD*

*Committee Membership for the April 18, 2012 meeting:*

- *Mr. CALDWELL (Vice-Chairperson)*
- *Mr. GAUDREAU*
- *Mr. GRAYDON*
- *Mr. DEWAR*
- *Mr. HELWER*
- *Mr. JHA (Chairperson)*
- *Hon. Ms. MARCELINO*
- *Mr. PEDERSEN*
- *Mr. SARAN*
- *Mr. SCHULER*
- *Hon. Mr. SWAN*

*Committee Membership for the April 4, 2013 meeting:*

- *Mr. BRIESE*
- *Ms. CROTHERS*
- *Mr. DEWAR*
- *Mr. EWASKO*
- *Mr. GAUDREAU*
- *Mr. HELWER*
- *Mr. JHA (Chairperson)*
- *Mr. MALOWAY*
- *Mrs. ROWAT*
- *Hon. Mr. ROBINSON*
- *Hon. Mr. SWAN*

*At the April 4, 2013 meeting, your Committee elected Ms. CROTHERS as the Vice-Chairperson.*

### **Officials Speaking on Record**

*Officials speaking on the record at the September 21, 2010 meeting:*

- *Ms. Marilyn McLaren, President and Chief Executive Officer*
- *Mr. Jake Janzen, Board Chairperson*

*Officials speaking on the record at the May 24, 2011 meeting:*

- *Ms. Marilyn McLaren, President and Chief Executive Officer*

*Officials speaking on the record at the April 18, 2012 meeting:*

- *Ms. Marilyn McLaren, President and Chief Executive Officer*
- *Mr. Jake Janzen, Board Chairperson*

*Officials speaking on the record at the April 4, 2013 meeting:*

- *Ms. Marilyn McLaren, President and Chief Executive Officer*
- *Mr. Jake Janzen, Board Chairperson*

### **Report Considered and Passed**

*Your Committee considered and passed the following report as presented:*

- *Annual Report of the Manitoba Public Insurance Corporation for the fiscal year ending February 28, 2009*

### **Reports Considered but not Passed**

*Your Committee considered the following reports but did not pass them:*

- *Annual Report of the Manitoba Public Insurance Corporation for the fiscal year ending February 28, 2010*
- *Annual Report of the Manitoba Public Insurance Corporation for the fiscal year ending February 28, 2011*
- *Annual Report of the Manitoba Public Insurance Corporation for the fiscal year ending February 29, 2012*

**Mr. Jha:** I move, seconded by the honourable member from St. James, that the report of the committee be received.

**Motion agreed to.**

**Standing Committee on Crown Corporations  
Third Report**

**Mr. Bidhu Jha (Chairperson):** I wish to present the Third Report of the Standing Committee on Crown Corporations.

**Clerk (Ms. Patricia Chaychuk):** Your Standing Committee on Crown Corporations—

**Some Honourable Members:** Dispense.

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

*Your Standing Committee on CROWN CORPORATIONS presents the following as its Third Report.*

**Meetings**

*Your Committee met on the following occasions in the Legislative Building:*

- November 17, 2009 (3<sup>rd</sup> Session – 39<sup>th</sup> Legislature)
- March 8, 2010 (4<sup>th</sup> Session – 39<sup>th</sup> Legislature)
- October 25, 2010 (4<sup>th</sup> Session – 39<sup>th</sup> Legislature)
- May 30, 2011 (5<sup>th</sup> Session – 39<sup>th</sup> Legislature)
- April 4, 2012 (1<sup>st</sup> Session – 40<sup>th</sup> Legislature)
- April 9, 2013 (2<sup>nd</sup> Session – 40<sup>th</sup> Legislature)

**Matters under Consideration**

- *Annual Report of the Manitoba Hydro-Electric Board for the fiscal year ending March 31, 2009*
- *Annual Report of the Manitoba Hydro-Electric Board for the fiscal year ending March 31, 2010*
- *Annual Report of the Manitoba Hydro-Electric Board for the fiscal year ending March 31, 2011*
- *Annual Report of the Manitoba Hydro-Electric Board for the fiscal year ending March 31, 2012*

**Committee Membership**

*Committee membership for the November 17, 2009 meeting:*

- Mr. BOROTSIK
- Ms. BRICK (Vice-Chairperson)
- Mr. CULLEN
- Mr. DEWAR
- Mr. GRAYDON
- Mr. JHA
- Hon. Ms. MARCELINO
- Mr. MCFADYEN

- Mr. REID (Chairperson)
- Mr. SARAN
- Hon. Ms. WOWCHUK

*Committee membership for the March 8, 2010 meeting:*

- Mr. BOROTSIK
- Mr. CALDWELL
- Mr. CULLEN
- Mr. DEWAR
- Mr. GRAYDON
- Hon. Ms. IRVIN-ROSS
- Mr. MCFADYEN
- Mr. REID (Chairperson)
- Mr. SARAN
- Mr. WHITEHEAD (Vice-Chairperson)
- Hon. Ms. WOWCHUK

*Committee membership for the October 25, 2010 meeting:*

- Mr. BOROTSIK
- Ms. BRICK (Vice-Chairperson)
- Mr. CULLEN
- Mr. DEWAR
- Hon. Ms. HOWARD
- Hon. Ms. IRVIN-ROSS
- Mr. MCFADYEN
- Mr. PEDERSEN
- Mr. REID (Chairperson)
- Ms. SELBY
- Hon. Ms. WOWCHUK

*Committee membership for the May 30, 2011 meeting:*

- Mr. BOROTSIK
- Mr. CULLEN
- Mr. DEWAR (Vice-Chairperson)
- Hon. Ms. HOWARD
- Mr. MARTINDALE
- Mr. MCFADYEN
- Mr. PEDERSEN
- Mr. REID (Chairperson)
- Hon. Mr. ROBINSON
- Hon. Mr. STRUTHERS
- Hon. Ms. WOWCHUK

*Committee membership for the April 4, 2012 meeting:*

- Mr. ALLUM
- Hon. Mr. CHOMIAK
- Mr. CULLEN



- Mr. DEWAR
- Mr. HELWER
- Mr. JHA (Chairperson)
- Hon. Ms. MARCELINO
- Mr. MARCELINO (Tyndall Park)
- Mrs. STEFANSON
- Ms. WIGHT (Vice-Chairperson)
- Mr. WISHART

*Substitutions received during committee proceedings on April 4, 2012:*

- Mr. MCFADYEN for Mrs. STEFANSON

*Committee membership for the April 9, 2013 meeting:*

- Hon. Mr. CHOMIAK
- Ms. CROTHERS (Vice-Chairperson)
- Mr. EICHLER
- Mr. DEWAR
- Mr. EWASKO
- Mr. FRIESEN
- Mr. JHA (Chairperson)
- Mr. MARCELINO
- Mr. SCHULER
- Hon. Mr. SWAN
- Mr. WIEBE

***Officials from Manitoba Hydro speaking on the record at the November 17, 2009 meeting:***

- Mr. Bob Brennan, President and Chief Executive Officer
- Mr. Vic Schroeder, Chairman

***Officials from Manitoba Hydro speaking on the record at the March 8, 2010 meeting:***

- Mr. Bob Brennan, President and Chief Executive Officer
- Mr. Vic Schroeder, Chairman

***Officials from Manitoba Hydro speaking on the record at the October 25, 2010 meeting:***

- Mr. Bob Brennan, President and Chief Executive Officer
- Mr. Vic Schroeder, Chairman

***Officials from Manitoba Hydro speaking on the record at the May 30, 2011 meeting:***

- Mr. Bob Brennan, President and Chief Executive Officer
- Mr. Vic Schroeder, Chairman

***Officials from Manitoba Hydro speaking on the record at the April 4, 2012 meeting:***

- Mr. Scott Thomson, President and Chief Executive Officer
- Mr. Bill Fraser, Chairman

***Officials from Manitoba Hydro speaking on the record at the April 9, 2013 meeting:***

- Mr. Scott Thomson, President and Chief Executive Officer
- Mr. Bill Fraser, Chairman

#### **Report Considered and Passed**

*Your Committee considered and passed the following report as presented:*

- Annual Report of the Manitoba Hydro-Electric Board for the fiscal year ending March 31, 2009

#### **Reports Considered but not Passed**

*Your Committee considered the following reports but did not pass them:*

- Annual Report of the Manitoba Hydro-Electric Board for the fiscal year ending March 31, 2010
- Annual Report of the Manitoba Hydro-Electric Board for the fiscal year ending March 31, 2011
- Annual Report of the Manitoba Hydro-Electric Board for the fiscal year ending March 31, 2012

**Mr. Jha:** I move, seconded by the honourable member from St. James, that the report of the committee be received.

**Motion agreed to.**

#### **Standing Committee on Crown Corporations Fourth Report**

**Mr. Bidhu Jha (Chairperson):** I wish to present the Fourth Report of the Standing Committee on Crown Corporations.

**Clerk (Ms. Patricia Chaychuk):** Your Standing Committee on Crown Corporations presents the following—

**Some Honourable Members:** Dispense.

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

*Your Standing Committee on CROWN CORPORATIONS presents the following as its Fourth Report.*

**Meetings**

Your Committee met on the following occasions in the Legislative Building:

- February 28, 2011 (5<sup>th</sup> Session – 39<sup>th</sup> Legislature)
- March 21, 2012 (1<sup>st</sup> Session – 40<sup>th</sup> Legislature)
- April 15<sup>th</sup>, 2013

**Matters under Consideration**

- Annual Report of the Manitoba Liquor Control Commission for the year ended March 31, 2010
- Annual Report of the Manitoba Liquor Control Commission for the year ended March 31, 2011
- Annual Report of the Manitoba Liquor Control Commission for the year ended March 31, 2012

**Committee Membership**

Committee Membership for the February 28, 2011 meeting:

- Ms. BLADY
- Mr. BOROTSIK
- Ms. BRICK (Vice-Chairperson)
- Hon. Mr. CHOMIAK
- Mr. CULLEN
- Mr. EICHLER
- Mr. GRAYDON
- Hon. Mr. MACKINTOSH
- Hon. Ms. MARCELINO
- Mr. MARTINDALE
- Mr. NEVAKSHONOFF (Chairperson)

Committee Membership for the March 21, 2012 meeting:

- Ms. CROTHERS
- Mr. EWASKO
- Mr. GAUDREAU
- Mr. GOERTZEN
- Mr. NEVAKSHONOFF (Chairperson)
- Hon. Mr. ROBINSON
- Hon. Mr. RONDEAU
- Mr. SCHULER
- Mr. SMOOK
- Hon. Mr. SWAN
- Ms. WIGHT (Vice-Chairperson)

Committee Membership for the April 15, 2013 meeting:

- Mr. ALLUM
- Mr. CULLEN
- Mr. EICHLER
- Mr. JHA (Chairperson)
- Hon. Ms. MARCELINO
- Mr. MARCELINO
- Hon. Mr. RONDEAU
- Mr. SMOOK
- Mr. WIEBE
- Ms. WIGHT
- Mr. WISHART

At the April 15, 2013 meeting, your Committee elected Ms. Wight as the Vice-Chairperson.

**Officials Speaking on Record at the February 28, 2011 meeting:**

- Ken Hildahl, President & CEO
- Ingrid Loewen, Chief Financial & Strategy Officer

**Officials Speaking on Record at the March 21, 2012 meeting:**

- Roman Zubach, Acting President and CEO
- Carmen Neufeld, Chair Board of Commissioners

**Officials Speaking on Record at the April 15, 2013 meeting:**

- Winston Hodgins, President and CEO
- Tannis Mindell, Chairperson of the Board

**Report Considered and Passed**

Your Committee considered and passed the following report as presented:

- Annual Report of the Manitoba Liquor Control Commission for the year ended March 31, 2010

**Report Considered but not Passed**

Your Committee considered the following report but did not pass it:

- Annual Report of the Manitoba Liquor Control Commission for the year ended March 31, 2011
- Annual Report of the Manitoba Liquor Control Commission for the year ended March 31, 2012

**Mr. Jha:** I move, seconded by the honourable member from Burrows, that the report of the committee be received.

**Motion agreed to.**

## TABLING OF REPORTS

**Mr. Speaker:** I have a report to table for the House.

I am pleased to table the Annual Report of the Legislative Assembly Management Commission for the year ending March 31st, 2012. Copies of the report have been placed on each of the member's desks.

## MINISTERIAL STATEMENTS

### Boston Marathon Bombing

**Hon. Greg Selinger (Premier):** I'd like to make a ministerial statement today.

I rise to add my voice to that of the Prime Minister and the many other Canadians who were shocked and saddened to learn of the explosions that occurred during the Boston Marathon yesterday.

Many of us in this Chamber and throughout Manitoba look to marathons as events that bring people and communities together. That such a positive and inspiring event was targeted is particularly horrifying.

We know from reports that dozens of Manitobans were to take part in the marathon. Thankfully, they all appear to be safe, though undoubtedly shocked. Not all were as fortunate. Mr. Speaker, we all have relatives and friends who are runners. We would be hard pressed to imagine the horror of this celebration of skill and endurance turned into such a catastrophe.

En tant que Manitobains, nous devons rester unis avec nos amis et alliés aux États-Unis en condamnant cette violence insensée et en envoyant nos plus sincères condoléances aux survivants, ainsi qu'aux amis et aux familles des victimes.

### *Translation*

*As Manitobans, we must remain united with our friends and allies in the United States by condemning such senseless violence and by sending our most sincere condolences to the survivors, as well as to the friends and families of the victims.*

### *English*

All Manitobans must stand united with our friends and allies in the United States of America in condemning this senseless violence and in sending deepest sympathies to the survivors, friends and families of the victims.

**Mr. Brian Pallister (Leader of the Official Opposition):** I thank the Premier for his comments and will add my own on behalf of our party and just say that I know all of us here are sickened by the horrifying events yesterday.

We understand that three people lost their lives, that approximately 130 were injured and all of us were affected. The images that we were witness to last evening and again today undeniably evoke other images of not that many years ago of another horrifying attack, and these attacks, of course, are designed to evoke that horror. They are designed to coincide with the maximum presence of people, as was the case yesterday, the timing of the attacks to coincide with the maximum presence of runners at the most common finishing time, the maximum presence of spectators at the site at the world's oldest marathon. And our hopes are that justice will be swift for those who would perpetrate such a malicious act and turn what should be a beautiful scene of accomplishment and triumph into something so sad.

\* (13:50)

All of us here reaffirm our commitment to offer support and condolences and encouragement to all affected directly or indirectly and to dedicate ourselves to the never-ending pursuit of a safe and secure world for free and loving people.

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

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

**Mr. Gerrard:** Mr. Speaker, I want to join others in this Chamber in extending sympathy and condolences to those who died and sympathy to those who were injured during the Boston Marathon bombings yesterday. Boston is a fine city of tremendous, well-known universities doing tremendous amounts of research and innovation as well as many other things. I've had the opportunity to be there many occasions, and it's tragic for this to happen to such a fine city.

Indeed, Mr. Speaker, quite a number of years ago, I had the opportunity to run in the Boston Marathon, and I remember the day well, the Heartbreak Hill at mile 17 and being completely exhausted when I crossed the finish line some three hours, 44 minutes after I started. I wasn't a fast

runner, but I made it, and I can tell you that the last thing I would have expected coming up to and crossing that finish line was bombings like this. It's completely shattering, shocking, devastating, and certainly it is something that we need to stand up very strongly against.

It was actually just recently that we had at a Thinkers' Conference in Winnipeg Jack Calhoun, who's from Massachusetts and started his work against violence there. He put it well: We need to build communities and cities which don't breed violence. We have some distance to go, clearly, to achieve this, but it's perhaps fitting today that we join together at the very beginning of this session to stand 'togay' against such efforts and dedicate ourselves to building a better future. Thank you.

**Mr. Speaker:** Any further ministerial statements? Seeing none, we'll move to—

#### Introduction of Guests

**Mr. Speaker:** I'd like to draw the attention of honourable members to the loge to my right where we have with us today the former member for Burrows Doug Martindale and the former member for Springfield Andy Anstett as guests if—to the Assembly. I'd like to welcome you here this afternoon on behalf of all honourable members.

And I'd like to draw the attention of honourable members to the public gallery where we have with us today Mayor Martin Harder from the City of Winkler and Mr. Dave Burgess, the city manager of the City of Winkler, who are the guests of the honourable member for Morden-Winkler (Mr. Friesen). On behalf of all honourable members, we welcome you here today.

And also, seated in the Speaker's Gallery, we have with us today, from the House of Assembly of Nova Scotia, Mr. Brian Skabar, MLA for Cumberland North. On behalf of all honourable members, we welcome you here today.

#### ORAL QUESTIONS

##### Constituency of Morris By-election

**Mr. Brian Pallister (Leader of the Official Opposition):** In the spirit of earlier offerings and as a consequence of yesterday's events, I am reminded of what an honour and privilege it is to serve with such fine representatives of the people of Manitoba on all sides of the House, and I want to begin this

session by welcome everyone back—welcoming everyone back, and you too, Mr. Speaker.

And I want to offer congratulations to our Premier for his thoughtful visit just recently to the Pots N Hands restaurant in Morris. I think that was a wonderful thing to do. I think it sent a strong message that the conduct of some few people in that community was totally unacceptable to all of us here and to Manitobans generally, and I congratulate him for his efforts. These people are not representative of Manitoba values, Canadian values or the values of the people of Morris. And I thank him personally on behalf of our party.

And I would ask him, given that there has been, as he knows, for a few weeks now a vacancy in that seat, if he would consider with some urgency the need to call a by-election in Morris.

**Hon. Greg Selinger (Premier):** I thank the Leader of the Opposition for his comments, and I'm glad that we've all joined together to speak out against racism and homophobia.

And I'd like to put on the record my support and my respect for the mayor, Mayor van-Gavin Linde—van der Linde, in Morris, who has done an excellent job speaking out against antiracist acts that occurred before Christmas as well as homophobic acts which have occurred in his community, and want to tell the people of Morris and around Morris of the excellent respect that we have in this Legislature for them in standing up to these events, and they are good people.

I was down there visiting on flood preparations and I can report that they're well along the road of being ready for the possibility of flood events occurring in the valley this year, and the investments that have been made over the last decade for ring dykes and lifting up homes and improvements to the roadways will stand them in good stead this year.

With respect to the question of a by-election, that will occur, of course, in due course and we will continue to work with the people of that community on their needs as we go forward.

##### Cattle Industry Freight Assistance Program

**Mr. Ralph Eichler (Lakeside):** The cattle business has been through a lot over the past few years: floods, drought, high grain prices to name a few. What we've seen as a result of these factors is that our numbers of cattle have declined in Manitoba.

Mr. Speaker, one area that the government could do is to ensure our cattle numbers stay viable in this province is to create a freight assistance program or reinstate the past one so that feedstocks and others could be reinstated.

Mr. Speaker, I ask the Minister of Agriculture today if the Budget 2013 will have a freight assistance program and scrap the million-dollar vote tax in place of it.

**Hon. Ron Kostyshyn (Minister of Agriculture, Food and Rural Initiatives):** Good afternoon, Mr. Speaker, and I apologize for my speaking throat here. It's—I think Kermit the frog got the best of me as of this morning. So I apologize for my sore throat.

In regards to the devastation that's happening in Lake Manitoba—and we're well aware of the 2011 flood and the carry-over of the 2012 to the producers that have been affected—I want to acknowledge the member opposite that we've been in due consultation with Premier Ritz—or, pardon me, Minister Ritz regarding the severity and in the sincerity of the flood of 2011 and 2012. It is an ongoing discussion that we're having with the minister and we are in-still in consultation. We have not gone any type of recognition of time, if there's going to be any. But I want to ensure you, as the agricultural minister—

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

**Mr. Eichler:** With the flood of 2011, a large number of acres were flooded and lost production of feedstocks as a result of that flood. It will take a number of years for this land to come back into production.

Mr. Speaker, I ask the Minister of Agriculture again: Will the budget of 2013 implement a freight assistance program in place of the vote tax, a million-dollar waste of money?

**Mr. Kostyshyn:** Mr. Speaker, we've had staff working with the landowner producers to regard the devastation of the flood of 2011 and 2012, and we do recognize—and we've asked the federal government to assist us in the helping us in sustaining some freight supply, some hay supply for the producers that are being affected.

We just recently met yesterday with some producers in Lake Manitoba and they voiced their concerns. And we encouraged them to write a letter to Minister Ritz, as I've talked to Minister Ritz numerous times asking for some recognition of the

severity of the situation there is in Lake Manitoba. And I want to assure you, our province, our government stands behind the severity of the problem, but we need to have a shared cost, as we've paid out \$345 million to the producers around Lake Manitoba and have not received a dollar yet from the federal government.

### **Cattle Industry Flood Recovery Costs**

**Mr. Stuart Briese (Agassiz):** Mr. Speaker, it's high time the Minister of Agriculture of this province took responsibility for agriculture here.

In 2011 the minister of agriculture of rural initiatives made a promise to flooded property owners and ranchers around Lake Manitoba. He promised multi-year recovery programs.

Will the minister now clarify that promise? Did he really mean to take multi-years to get the act together and actually deal with the Lake Manitoba flood victims, or did he mean that there would be new programs to cover ongoing recovery costs?

\* (14:00)

**Hon. Ron Kostyshyn (Minister of Agriculture, Food and Rural Initiatives):** Mr. Speaker, as I've indicated the previous two comments I made, when we talk about the flood we talk about a joint effort between the federal and provincial government. Obviously, Minister Ritz is quoted by saying, he only pays for one flood event. He doesn't pay for consid—flood events that happened in 2011 to 2012, 2013.

Our government has made a commitment. We're going to work—we have staff working with producers that been affected with—and I want to assure you that our continuant conversation with Minister Ritz is ongoing. But until we have some form of rebate of the \$345 million we've paid out in programs for the 11–2011, I think we've done our due diligence as far as a provincial government to help the producers.

Thank you so much.

**Mr. Briese:** Mr. Speaker, there was only one flood; it was in 2011, not in 2012.

Mr. Speaker, the ranchers around Lake Manitoba understood that it would take more than one year for pasture and hay land facilities to recover from the flood. They approached the minister of the day with their concern and he made a promise. He promised

multi-year flood recovery programs, and they believed him.

The NDP are ignoring the needs of Lake Manitoba ranchers and farmers at the same time they are imposing a vote tax to fatten their own party coffers. Two thousand and twelve has come and gone with no feed and freight compensation.

I ask the minister: Did he inadvertently mislead the Lake Manitoba ranchers?

**Mr. Kostyshyn:** Mr. Speaker we've invested more than 400 bill–\$450 million in excess moisture claims in the province of Manitoba. We've provided funding for Lake Manitoba flooding and assistant program and pasture programs. We've provided greenfeed assistant programs. We've paid for the 2011 spring blizzard programs. Not one—not one—dollar, not one penny has come from the federal Treasury department, and all we're asking for today is the federal government become somewhat responsible in helping pay for costs that we've incurred of \$450 million in the last number of years.

#### **Shellmouth Dam Compensation for Artificial Flooding**

**Mrs. Leanne Rowat (Riding Mountain):** Well, what we're asking for is this government to pay attention to the families that are hurting out there, and this government fails to take action, Mr. Speaker.

Mr. Speaker, in 2011 the NDP government proclaimed legislation requiring compensation to be paid to landowners in the Assiniboine valley if the operation of the Shellmouth Dam leads to artificial flooding of the property. In 2012 the Finance Minister said, and I quote: The principle that we've accepted is that if you are a Manitoban who's hitting a—who's taking a hit on behalf of other Manitobans, then it's a good cause for compensation.

Well, in 2013 the NDP government failed to announce flood compensation for the Assiniboine valley landowners who are looking for their compensation package, Mr. Speaker. The NDP has no problem giving a million-dollar vote tax to themselves to build their coffers.

Mr. Speaker, can the minister confirm what many residents in southwestern Manitoba believe, that the Shellmouth compensation act was put in place so this NDP government would never have to compensate Manitoba families in Assiniboine valley?

**Hon. Steve Ashton (Minister responsible for Emergency Measures):** Well, Mr. Speaker, I think it's really important to—that members opposite that, all members of this House, reflect on what was clearly identified in the flood report, and that is the 2011 Manitoba flood was of scope and severity never before experienced in recorded history. For that reason, and we were very up front, we were fighting the flood in 2011. We are fighting it—many areas in 2012, and as the Minister of Agriculture (Mr. Kostyshyn) pointed out it's still not over for the people around Lake Manitoba and Lake St. Martin. We urge the federal government to come to the table and recognize it as we have.

We have a \$1.2-billion investment, Mr. Speaker, in terms of fighting floods, in terms of work we did during the flood and in terms of compensation programs, and I want to indicate that it's this government that actually brought in the compensation package. When members opposite were in government representing many of those people they had to go begging to government of the day because there was no statutory program. There was some delay in getting the technical work done, but—

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

#### **Highway 41 Flood Protection (St. Lazare)**

**Mrs. Leanne Rowat (Riding Mountain):** This does not take away from the fact that there are farm families who are asking this government to help them. We have young farmers who are turning their backs on their livelihood because they can't get a crop in the ground, Mr. Speaker.

The community of St. Lazare, at the fork of the Qu'Appelle and Assiniboine rivers, were devastated by flood waters in 2011, and some residents in that area still have not been able to get back to their homes, Mr. Speaker. For years, St. Lazare has requested a long-term solution to address the structural damage Highway 41 endures with each flood along the Qu'Appelle River bend. The community leaders have asked for the road to be raised, as it is the main access to the community, and this has not been done. They've taken a million dollars in vote tax, but they can't help Manitoba families in rural Manitoba.

Mr. Speaker, I ask the minister: Has he prepared the community of St. Lazare with large sandbags to

hold back the Qu'Appelle valley river along Highway 41 as they've requested?

**Hon. Steve Ashton (Minister responsible for Emergency Measures):** Well, Mr. Speaker, one of the things that's been very clear about historic floods in this province, including the worst flooding we saw in recorded history in 2011, is that what we do following that flood is we look at what went right and we look at what could be done better.

And one of the key areas that we identified with the report that we have accepted—there are 126 recommendations in this report—is investing in flood mitigation, flood protection.

By the way, we have a track record in this province. This government has—this—invested over a billion dollars, Mr. Speaker, in flood protection since 1999. And I can say to the members opposite, one of the things I indicated on behalf of this government when we released those reports and adopted those recommendations, we're looking at a billion-dollar-plus potential investment in flood infrastructure. We are already working on that, doing the technical work.

We are going to further flood protect Manitobans. That's the Manitoba way, and I hope members opposite will support that.

**An Honourable Member:** Point of order.

#### Point of Order

**Mr. Speaker:** The honourable member for Steinbach, on a point of order.

**Mr. Kelvin Goertzen (Steinbach):** Yes, Mr. Speaker, on a point of order, you've often indicated in your role of Speaker that we are able to lose—use the loges for private discussions, but I believe it's unparliamentary to participate in the debate from those loges, whether you are a current or former members.

If there are current members who want to participate in the debate, I would encourage them to take their seats but not use the loge as a way to participate in debate, Mr. Speaker.

**Mr. Speaker:** I—on the point of order raised by the honourable member for Steinbach, I take it very seriously, the point that he has raised. And I did observe that there was some participation from the loges and I'm asking the members that are sitting in the loges, whether they be former or current, to please not participate in the proceedings of the

House, unless you are an active member and you're sitting in your place in the Chamber. So I hope that will resolve the point of order.

\* \* \*

**Mr. Speaker:** We'll now proceed—the next question, the honourable member for Portage la Prairie.

#### Flooding (2011) Update on Evacuees

**Mr. Ian Wishart (Portage la Prairie):** Mr. Speaker, it is now two years since the flood of 2011 displaced thousands of Manitobans from their homes. In the intervening time, some have been able to return. But over 1,600 people still remain away from their homes.

I ask this Premier: How long must it go, and when did two years become an acceptable time to remain homeless?

**Hon. Greg Selinger (Premier):** No amount of time is appropriate for being homeless, and that's exactly why we've made very significant investments in strengthening those communities.

We've acquired land, what we call higher land, so that there's an opportunity to relocate there. We provided ready-to-move homes for people. We've worked very closely with not only the communities but also with the federal government to ensure that there's a long-term solution there.

Mr. Speaker, these are very important matters. We do want Manitobans to be safely and securely located back in their homes and communities, where they're no longer at risk of further flood damage in the future.

And, Mr. Speaker, we have that at the top of our list for future investments in Manitoba. And we will find a way to ensure that these kinds of tragedies do not occur in the future in those areas that were affected in the 2011 flood.

**Mr. Wishart:** Mr. Speaker, we know that it takes more than rhetoric to get action.

After two years of 'figures-ably' treading water, will this government commit today to find a prompt solution for those remaining homeless and put their priority ahead of political funding?

**Mr. Selinger:** Mr. Speaker, we will certainly make sure that there is a priority to ensure that people have been displaced by the 2011 fund have all the ways and means available to them to return home, to

return home to better homes, to return—homes on higher ground, to return to homes and communities where there's less threat of flood risk in the future.

The members will know that we took extraordinary action in building the channel in Lake St. Martin in 2011. We've seen a report come out from independent reviewers that are recommending making that channel permanent. These are the kinds of recommendations we will give very serious attention to in all future budgets, Mr. Speaker.

\* (14:10)

### **Provincial Road 340 Completion of Paving**

**Mr. Cliff Cullen (Spruce Woods):** Mr. Speaker, there are 13 kilometres of road on Provincial Highway 340 near CFB Shilo that remain unpaved. This has been an ongoing issue for people in southwestern Manitoba for many years.

People now realize the NDP have put their political party at the front of the line, ahead of much-needed infrastructure work. Mr. Speaker, I have received many complaints over maintenance and safety issues on this 13-kilometre stretch of road. The completion of the hard surfacing of this road would lead to enhanced social and economic development in the area.

I ask the minister: Will he commit to paving the remaining 13 kilometres of Provincial Road 340?

**Hon. Steve Ashton (Minister of Infrastructure and Transportation):** Mr. Speaker, I love it when members opposite talk about infrastructure in this province; it gives me the opportunity to point out that when they were in government, they spent \$85 million in highway capital. In our last budget, we spent \$350 million, and I'm not clairvoyant, but I'm sure that the Minister of Finance (Mr. Struthers), in a few moments, is going to once again make a real commitment to Manitoba infrastructure, something they don't do.

**Mr. Cullen:** We've heard the hollow and broken promises from this government before.

This road is a valuable piece of infrastructure for the region. It's even more valuable now that two bridges are no longer in service in the area. And, Mr. Speaker, this government has not indicated if they will either repair or replace those structures. As a result, residents are forced to travel many extra miles and use Provincial Road 340. We now understand

the NDP priority is to look after their political interest and not the interests of Manitobans.

Will the minister indicate when this project will be finalized?

**Mr. Ashton:** Mr. Speaker, once again, we've made historic investments in infrastructure, and we're committed to making additional historic investments in infrastructure in the go-forward situation.

And to members opposite who've raised questions in terms of flood infrastructure, that includes taking on that challenge identified in this report, the billion-dollar-plus challenge, in terms of making sure that Manitobans are protected against flooding.

But when it comes to highways, Mr. Speaker, I want to suggest to members opposite, rather than stand up and ask questions, they're going to have the opportunity when this budget is brought down in a very short period of time, when the debate takes place, when the vote takes place, they'll have a choice. Every budget we've brought in which has had historic investments in highways, they voted against. Maybe this time if they really believe in highways they'll vote for that [*inaudible*] the provincial budget.

### **Flooding (2011) Update on Lake St. Martin Evacuees**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, my question to the Premier: When the NDP came to power over 13 years ago, there were few if any flood evacuees. Today, almost 2,000 people are still evacuated almost two years after the flood of 2011, and they're unable to return home, with many still living in costly hotels.

Why has the government stalled the return of people to Lake St. Martin by purchasing low-lying land, which the people of Lake St. Martin didn't ask for, and failing to purchase the land they have asked for so they can build a new community?

**Hon. Greg Selinger (Premier):** The member raises an important question about why people continue to be displaced, and it is a matter of great concern to all of us in this Legislature. We are working closely with that community to ensure that they get land that is safer for them, that they have a community that is viable for the future, that they can withstand the kinds of events that we saw in 2011, unprecedented flooding in that part of Manitoba.

We are going to, and have already, invested in infrastructure, notably the channel that reduces the



volume of water on that lake; it's reduced it by over three feet in the last year alone as well on Lake Manitoba.

We will continue to work closely with them to buy land that meets their needs for long-term safe housing as well as other needs they have. They're interested in resources as well that will allow them to have greater economic opportunity.

So we will continue to work with them until we resolve that matter to the satisfaction of all parties, the First Nations community itself and, of course, the two levels of government involved, the federal and provincial governments.

#### **Northern Manitoba Communities Access to Running Water**

**Hon. Jon Gerrard (River Heights):** The Premier could have done better. You know, the Lake St. Martin is still a foot above operating range, which was now—and was confirmed recently in the reports. So they haven't done very much.

When the NDP came to power 13 years ago, there were more than a thousand homes in northern Manitoba without running water, a basic human right. Today, there are still more than a thousand homes in northern Manitoba without clean running water.

How much money will the NDP commit this year to retrofitting homes so this significant human rights issue can be addressed?

**Hon. Greg Selinger (Premier):** Again, I appreciate the question from the member opposite because when he was a member of the federal Cabinet he had the opportunity to directly invest in sewer and water and facilities for people in those First Nations communities that are under the federal jurisdiction. We will work with those communities; we are working with those communities. Over a hundred homes have been currently retrofitted.

We've made a commitment to provide training and skills upgrades for those people so that they can have the permanent ability to protect those homes and ensure they have adequate services. We, of course, have discussed this on a regular basis and are seeing some additional investment from the federal government. We want to move forward on that.

People should be able to live in a home with proper sewer and water. We will certainly do our

part. I only wish the member would have done his part when he was a member of the federal Cabinet.

#### **Phosphorus Reduction Update**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, when I was a member of the federal Cabinet, Ontario came to us with an agreement, a partnership, and it was funded, but the Manitoba government never came. Where was the Premier? Missing in action.

My question to the Premier: When the NDP came to power, concerns over Lake Winnipeg's status were just beginning. In 2003, the Premier's NDP government said that in two or three years they'd have Lake Winnipeg well on its way to recovery. But the NDP's allowed delay after delay, so that now Lake Winnipeg's the most threatened lake on the planet.

Two years ago, this NDP government committed to reduce the amount of phosphorus going into Lake Winnipeg by 50 per cent.

I ask the Premier: What proportion of that 50 per cent reduction has been achieved as of right now?

**Hon. Greg Selinger (Premier):** I appreciate the question from the member opposite because reducing phosphorus loading in Lake Winnipeg is fundamental to its long-term survival. We did have Dr. Leavitt with his report that recommended that we bring in stricter regulations, which we've done, against quite significant resistance from the official opposition.

We've reduced—we, for example, banned winter spreading of manure on land in areas of sensitive land areas. We've required higher standards for sewer and water upgrades with respect to our major municipalities, including the City of Winnipeg. We've brought in a phosphorus ban on products, detergents and soaps that are used in Manitoba, a concept that has now been adopted Canada-wide.

Manitoba continues to find ways to move forward to reduce phosphorus loading on Lake Winnipeg, including a very innovative cattail project which takes phosphorus out of the water, harvests the cattails and grows new crops to reduce phosphorus loading in the future.

We are very seized of this matter. We'll continue to move forward on it. We look forward to support from the members opposite as we take additional initiatives in the future, Mr. Speaker.

### **Education Week Government Initiatives**

**Ms. Erna Braun (Rossmere):** Mr. Speaker, this week is Education Week. Investing in our children and their education is fundamental to their future success, which in turn is the success of our province. We continue to ensure that our children have the best opportunities and supports as they pursue their educational goals. This week we acknowledge the importance of education and our educational partners.

Would the Minister of Education please share with us the good news from yesterday's announcement that I had the privilege of attending?

**Hon. Nancy Allan (Minister of Education):** I was very pleased to be in River East Transcona School Division with the trustees yesterday and our education partners to celebrate Education Week here in the province of Manitoba because we know how important education is to our young people, to our families, to our communities and to our businesses. We have had a long-standing relationship with our partners, and it was terrific to be there with them. We recognized all the hard work that goes on on the front lines for all of our education staff. They are certainly contributing to our economy.

I was pleased to announce yesterday that, once again, our graduation rate has gone up. It is now 84.1 per cent. We know how important it is, Mr. Speaker, that young people get that graduation diploma in their hands so that they can continue—

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

### **Wilkes Avenue Twinning**

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, South Charleswood is soon going to have a new development where there is going to be up to 8,800 more people living in the area. So we're going to see thousands more cars travelling on Wilkes Avenue. I understand that in the provincial transportation master plan Wilkes Avenue is supposed to be twinned.

So I'd like to ask the Minister of MIT today if he could tell us when Wilkes Avenue will be twinned.

\* (14:20)

**Hon. Steve Ashton (Minister of Infrastructure and Transportation):** Mr. Speaker, I'm going to be

really interested to see if this renewed interest from members opposite in transportation in this province continues in about 10 minutes or so and over the next number of weeks, because I want to say to the member we've made significant investments not only, by the way, in terms of provincial infrastructure but through local government.

We're now actually investing very significantly in regional streets and bridges in the city of Winnipeg, and, again, it's because this government, since we were elected in 1999, has taken a real challenge upon, which is the challenge of building our infrastructure. It's also one of the reasons why we're getting growth in Charleswood, why we're getting it in Morden and Winkler and Steinbach.

The members opposite get up and they demand, Mr. Speaker, daily, infrastructure and for growth. Well, you know what? If maybe once they would vote for growth in infrastructure, I might take them more seriously.

**Mrs. Driedger:** Mr. Speaker, it's so hard to take that minister seriously when he yells like that in the House all the time.

Mr. Speaker, for a long time Wilkes Avenue has not been in really good shape. In fact, some parts of it may even be unsafe. Sadly, the NDP have spent more time maneuvering to try to get a vote tax while the rest of us are left maneuvering around ruts and potholes on Wilkes Avenue.

So I'd like to ask the minister if he could just tell us: Will the poor condition of Wilkes Avenue be fixed before 8,800 more cars start to travel on that road?

**Mr. Ashton:** Mr. Speaker, my apologies to the member opposite if I get a little bit passionate about growth in infrastructure in this province, but there's not one person on this side of the House that isn't passionate about it.

And I do find it ironic. The members opposite stand up almost daily, they bring in petitions, they ask questions, they say there's growth in this province. Well, welcome to the year 2013. There is growth in this province, and, Mr. Speaker, if we want to keep it up, we have to invest in it.

So, again, I'm not clairvoyant. I get the feeling there might be some reference to infrastructure and transportation in the upcoming budget and economic growth. And maybe if the member would share in

some of our passion and enthusiasm, she might actually vote for that budget.

### **Highway 32 South Upgrades**

**Mr. Cameron Friesen (Morden-Winkler):** Mr. Speaker, I'm so pleased to see this minister exuberantly talking about his commitment to improving streets and roads, and I can—and based on that exuberance, I'm inviting him to consider the city of Winkler, which is one of the fastest areas of the province that's growing: population growth of 17 per cent and a population now approaching 11,000 people, a hub for business and industry, 400 new housing starts.

It's a major link within this city is Highway 32 south. Engineering reports put the road counts here at 17,500 cars per day, and the city has made it clear that their priority is the expansion of this roadway within the city of Winnipeg—or Winkler.

When will this minister get his priorities straight and get this project done?

**Hon. Steve Ashton (Minister of Infrastructure and Transportation):** I'm glad I have the opportunity to talk about the fine city of Winkler, and I want to—in fact, I had the opportunity to talk to the mayor earlier today. I want to put on the record that when we came into government, one of the first capital projects we announced was paving the main street in Winkler, Mr. Speaker. The Conservatives voted against that in the budget.

I want to indicate that we've successfully increased the capital budget year after year. They voted against it every time.

And I want to, perhaps, put a challenge to the member opposite if he's really concerned about Winkler: If the upcoming budget addresses the kind of concerns he's raised and other members have raised, will he vote for that budget, Mr. Speaker? Because I know one thing: every member on this side will be standing up to vote for investments in growth in infrastructure.

**Mr. Friesen:** Mr. Speaker, this minister still hasn't gotten this important project on his five-year capital plan. So he can rant all he wants, but you cannot find a stretch of two-lane road in this province with a higher volume of traffic on it by any standard of measurement, including his own engineering reports. This road should have been four-laned years ago.

This area of the province has a great attitude, optimism, a get-it-done attitude, independence and pride. They built their own P.W. Enns performing hall. They've built their own Bethel Heritage Park. They built their own Winkler fire station. They're constructing a new police services building. No one can argue they haven't done their share.

The question is: Will this minister get up and do his share? With the mayor present, will he now commit to getting the job done on Highway 32 south?

**Mr. Ashton:** Mr. Speaker, I actually think that the way the member opposite described Winkler is basically the way you could 'subscribe' the entire province of Manitoba right now.

We've gone from low and slow and no growth in the 1990s to the point, Mr. Speaker, that we are a growth province. And we are proud on this side of the House of what's happening in Morden and Winkler and in Steinbach and Winnipeg and every part of this province.

We recognize it brings with it challenges in terms of infrastructure, but it's only really two choices. You either invest in infrastructure, Mr. Speaker, and continue that growth, or what you do is what members opposite do: they talk infrastructure, but every time there's a vote, they vote against it.

Once again, I challenge the member opposite if he's going to really stand up for Winkler, will he support a budget that will be investing—

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

### **Vita Hospital Emergency Services**

**Mr. Dennis Smook (La Verendrye):** Mr. Speaker, the honourable minister forgot to mention Vita in his speech there.

The emergency room in the Vita hospital has been closed for six months. The regional health authority and the—this NDP government have yet to attract the full complement of doctors for this facility.

The University of Manitoba graduates 110 new doctors a year with more and more coming from rural backgrounds. Graduation is rapidly approaching for another year and regional health authorities need to be recruiting these graduates for rural hospitals.

Mr. Speaker, I want to ask the Minister of Health: Is one of these new doctors about to set up shop in Vita, or is the emergency room going to remain closed?

**Hon. Theresa Oswald (Minister of Health):** I thank the member for the question, and I would begin by acknowledging that the member has taken the opportunity to remind us all that we were able to turn a pretty ugly tide of cutting spaces to medical school—a decision chosen by members opposite during challenging economic times—we restored those cuts, Mr. Speaker, and indeed we did increase the number of spaces in medical school to 110 seats. It's a decision that is serving Manitobans well, and so I appreciate his acknowledgement of same.

Further, I would tell the member that, as he knows, the regional health authority is actively recruiting medical professionals to focus on reopening the ER. We have to ensure that the care there is safe and that there is an appropriate complement of doctors. At this time there isn't an appropriate complement and so there is a suspension going on there, but I can assure the member that the work continues to ensure that that emergency room is reopened appropriately.

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

**Mr. Smook:** Mr. Speaker, this NDP government is willing to take vote tax dollars to fund their own political activities. This is money that could be spent on new doctors in Manitoba, in creating a stronger health-care system for everyone. With the NDP, politics comes first, not patients.

Mr. Speaker, I want to ask the Minister of Health: Will she today provide a date for the emergency room in Vita hospital to be reopened?

**Ms. Oswald:** Yes, Mr. Speaker, and again I would say to the member opposite, the regional health authority is actively recruiting a doctor, but I would certainly point out to him that it is true that patients do come first. We know that when, indeed, you are facing uncertain economic times, there are choices to be made. It was not our choice to cut the spaces in medical school. In fact, we've increased it to 110, a record high in Manitoba's history.

It certainly, Mr. Speaker, is not our choice to freeze all health capital spending as was the choice of the Conservatives during the recession that they faced. They froze all health capital projects because they said they had no choice. Nothing could be

further from the truth, and we know that when you're facing challenging times, you can fire a thousand nurses if you have no imagination, or you can grow your workforce, and that's what we're doing.

\* (14:30)

### **Victoria Avenue (Brandon) Upgrades**

**Mr. Reg Helwer (Brandon West):** Yes, Mr. Speaker, more myths again.

I'm sure that most members of this House are familiar with the annual CAA survey on Manitoba's worst roads. Victoria Avenue in Brandon, Highway 1A, is again in the running and ranked at the top, or should I say bottom, as Manitoba's worst road. Victoria Avenue has been patched for years; experimental patches, conventional patches, they've all failed, like many of this government's failures. I'm told it will be three years before Victoria Avenue is rebuilt.

Will the minister tell this house today, indeed, that it will be three years before the government rebuilds Victoria Avenue?

**Hon. Steve Ashton (Minister of Infrastructure and Transportation):** Mr. Speaker, no area of the province has seen more investment in highways than western Manitoba. And the member only has to take a drive around his own community to see the significant improvements in terms of bridges, in terms of access routes, et cetera. And not only that, we are not only there dealing with the ongoing infrastructure challenges in Brandon, we've been there and we were there in 2011 working with the people of Brandon right in the middle of the historic flood that hit that community, and there's nothing that more typifies, again, the spirit of this great province than communities like Brandon.

But, you know, Mr. Speaker, there's something that Brandon always talks about when it's promoting his community; it talks about Brandon First. This member represents Brandon and I wonder why, time and time again, when he and other members get up and talk about infrastructure, when it actually comes to voting for it, when it's come to every budget that's invested significantly in his area, he's voted against it. Will he finally—

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

**Mr. Helwer:** Well, where is the other member of Brandon, Brandon East, when we come to speak

about infrastructure in Brandon on Victoria Avenue? Three years to be—rebuild a road. What else happens in three years, Mr. Speaker? Gee, I think that's an election. Isn't it strange that an election drives infrastructure.

Instead of taking the vote tax, we could rebuild part of Victoria Avenue. So how much will it cost to rebuild Victoria Avenue? Let us get it out on the floor here today so you can at least give part of the vote tax back to Manitobans and build it there, Mr. Speaker.

**Mr. Ashton:** Mr. Speaker, the member opposite asks where the member of Brandon East was. I can tell where he was in the 2011 flood: he was out fighting the flood with the people of Brandon. He asked where the member for Brandon East was—*[interjection]*

**Mr. Speaker:** Order, please. We were doing pretty good there for a long time.

The honourable Minister of Infrastructure and Transportation has the floor.

**Mr. Ashton:** Well, Mr. Speaker, I can tell you where the member for Brandon East was, just like every member of this government since 1999: voting for every investment in infrastructure, the ones that members opposite voted against.

And, Mr. Speaker, I want to say to this member as well that I'll be looking to see what he does, and again, I'm not being clairvoyant; I'm just thinking ahead to what might be announced in a budget. But assuming there's anything in there that is going to deal with infrastructure, I wonder if the member opposite will put the money where his mouth is and actually vote for the provincial budget. He hasn't done it since he came in this House. Will he stand up for his community and support a budget that will invest in his community?

#### **Vote Tax Government Priorities**

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, you don't need to be clairvoyant to know what each of these members were doing over the last four months: trying to get money into the pockets of their political party.

We've heard today the priorities of Manitobans. We've heard about bad roads in Winkler, in Steinbach, in Winnipeg, in Brandon. We've heard about people who can't get emergency services in Vita, and that story is told throughout Manitoba, Mr.

Speaker. And what has the priority been of these members over the last four months? They're trying to find a way to get the vote tax, to get dollars into the pockets of their political party. They still have time. It's not too late to change their minds before the budget comes forward.

I want to ask them: Will they embrace the priorities of Manitoba, turn their back on the vote tax, turn their back on putting money and their interests first into their political party, and embrace what Manitobans consider to be priorities, not putting money into the NDP party, Mr. Speaker?

**Hon. Jennifer Howard (Minister of Family Services and Labour):** It's nice to see the member of Steinbach also back in the House.

I can tell you what we've been doing over the past four months. We've been out, we've been talking to our neighbours. We've been talking and listening to Manitobans as they talk to us about issues like the very real issue of bullying in their schools. We've been listening to them on that, and we've been standing with Manitobans as the Premier (Mr. Selinger) did in going to eat at the restaurant in Morris and giving a lot of credit to the mayor there, who spoke up against homophobia. We've been listening to Manitobans and taking action to make their schools a safer place. And one of the things I'll be looking forward to in this session is the debate on Bill 18, on the antibullying bill. I look very forward to hearing all of us put the needs of Manitobans first in that debate and taking a brave step to protect the safety of our kids in their schools.

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

#### **MEMBERS' STATEMENTS**

##### **Amy Todoruk**

**Mr. Stuart Briese (Agassiz):** Mr. Speaker, it's a pleasure for me today to pay tribute to Amy Todoruk, resident of Neepawa who was the recipient of the 2011-2012 Skate Canada Manitoba Grassroots Bursary.

Amy is a 14-year-old figure skater who is based out of the Neepawa Figure Skating Club and also trains with a coach in Brandon. Last year, Amy became the—Neepawa's first ever Skate Canada Manitoba Grassroots Bursary winner. This bursary is given only to select athletes each year to support the training and development of elite skaters. Along with this award, she also received the Sport Manitoba Sports Excellence Award of Merit and her gold

dance certificate for completing her figure skating grades. Earlier last year, Amy also qualified for the Western Challenge, which features the best skaters from across Canada, after she placed first in—at the provincial sectionals.

Amy, who is in her 11th year in the sport, spent six months this past winter nursing a knee injury, but with perseverance that comes from good work ethic and a real love of the sport, she came back to earn the bursary and merit awards. A quote from Amy: If you like skating and if you are committed, then you can do what you want. End quote.

I know that her parents and the whole community of Neepawa are very proud of her accomplishments and hard work. We wish her all the best in her future endeavours.

Mr. Speaker, I hope all honourable members will join in congratulating Amy for her hard work and dedication to the sport of figure skating. I know that she will be successful in any future challenge she takes on.

Thank you, Mr. Speaker.

#### **Minor Hockey (The Pas)**

**Mr. Frank Whitehead (The Pas):** Mr. Speaker, all across Manitoba people come together through sport, and The Pas is no exception. In The Pas, everyone's favourite sport is hockey. Whether it is played together as a family, as a community or whether it is enjoyed by spectators, hockey brings us all together. Now that spring is, hopefully, around the corner, I would like to congratulate all those who participated in The Pas Minor Hockey Association's season.

At the end of March, The Pas Huskies held their year-end awards. At each league's awards night, players were recognized for their outstanding achievements with awards for most sportsmanlike player, most improved player, most dedicated player, best goalie, best defence, best forward, most improved player and most valuable player. The year-end awards brought the teams together to share in each other's successes.

Children and youth participation in sport is extremely important in every community in the world. This is why I am so proud of all those who took part in this year's hockey season. Not only does playing sports lead to a healthier lifestyle, it also leads to a safer and more connected community. When we play and enjoy team sports like hockey, we learn many valuable lessons. We learn to look out for

each other and ensure that support is always right there behind you. We learn to forget our differences and work together towards the same goal. We also learn that even if you slip and fall, you must get up and skate on. These lessons teach us the skills needed to develop and grow in our schools and in our communities.

Mr. Speaker, I would like to thank all the players, the parents and staff who make hockey a success in The Pas. I would like to also acknowledge the dedicated volunteers who are not always seen but who are always there in the background ensuring smooth skating.

Congratulations to everyone and good luck next season.

#### **Ross L. Gray Raiders**

**Mr. Dennis Smook (La Verendrye):** Winning one provincial basketball championship is quite a feat, but winning three in a row has put the Ross L. Gray Raiders from the community of Sprague in a class by themselves.

\*(14:40)

At the Manitoba High School Athletic Association Single A provincials in Glenboro this year, the Raiders made quick work of their opponents, defeating Hamiota 94-49, the Westpark Royals of Portage 93-49, before defeating Carman in the finals, 70-56. Cole Machej, a grade 10 student, was named tournament MVP, and Justin Goodman, also a grade 10 student, was named to the all-star team. The team was led by coach Jared Baines, assistant coach Keith Preteau, and manager Cam Brown.

The Ross L. Gray School is one of the smallest high schools in the province, with only 33 students in grade 9 to 12, boys and girls. The team's roster is comprised of four grade 12 students, three grade 10 students and three grade 9 students. A small number of eligible boys are not on the team, meaning most boys in high school are on the roster, requiring dedication and teamwork to have success on the basketball court. The community of Sprague supports the team and travels to many of their games, giving them a cheering section wherever they go.

Mr. Speaker, on behalf of myself and all my constituents in La Verendrye, I would like to congratulate the Ross L. Gray Raiders on their third straight provincial basketball championship, and I

look forward to seeing them capture their fourth straight in 2014.

The members of this team are: Tyler Vinet; Matthew Brown; Cole Machej; Ian O'Connor; Alex Toche; Jordan Hebel; Kyle Cooper; Justin Goodman; Marko Schoenbach; Joshua Hebel-Allard; coach Jared Baines; assistant coach Keith Preteau; and manager Cam Brown.

Thank you.

**Mr. Speaker:** Just before I proceed to recognize the honourable member for Flin Flon, I want to advise our guests who are with us today in the public gallery that, before we proceed with the budget in a few moments, I want to advise you that you must first have the budget pass to allow you to remain in the gallery when the budget speech starts. So, if you do not have that, I would encourage you to please exit at this point in time and then we can proceed with the budget at that point in time.

**Tom Gallant**

**Mr. Clarence Pettersen (Flin Flon):** Mr. Speaker, I rise today as an MLA and a former teacher to congratulate a dedicated and innovative principal in Lynn Lake. This past February, the organization The Learning Partnership recognized Tom Gallant as one of Canada's outstanding principals. This prestigious award honours principals across the country who have shown exemplary leadership by improving academic achievement, creating a positive school atmosphere and engaging the community.

Tom Gallant has been the principal of West Lynn Heights School for 11 years. His devotion and passion has helped to create a welcoming learning environment where students strive to succeed. Throughout his years as principal, Tom has been very supportive of forging alliances with the broader community by providing space for many groups, including an evening quilting and beading club, the photography club and recreational sports groups among others.

Under the his direction, win-West Lynn Heights has seen enrolment increase and new developments in educational programming. The blossoming music program at the school recently hosted 200 visiting musicians for the annual Frontier Fiddle Jam. And the school's no barriers philosophy has led to exciting educational opportunities for students who have been able to reach across the world, from participating in technical education with Sisler High to taking point in a joint video game

project with students from Lynn Lake, Winnipeg and Uganda.

Another incredible initiative at West Lynn Heights is the successful breakfast club. Run entirely by school staff, parent volunteers, the breakfast club provides 20 to 50 students per day with a nutritious breakfast while helping to further a sense of belonging. This positive program has improved school atmosphere, decreased disciplinary concerns and helped to ensure that kids can focus on learning while in class.

Mr. Speaker, Tom Gallant has been a great team leader to his staff and students in Lynn Lake. His expertise and his desire to improve learning opportunities for northern students have resulted in many successes. I would like to ask my fellow members, and especially the former teachers in the Legislative Assembly, to join me in congratulating one of Canada's outstanding principals.

Thank you.

**Helen Bially**

**Mr. Cliff Graydon (Emerson):** Mr. Speaker, in southeastern Manitoba, The Carillon news connects dozens of small communities. Each small community has correspondents who file regular updates of the goings on and allows readers to be in touch with the area that they call home. If there is local news that needs reporting, the Carillon news is the place to read about it.

Over 50 years ago the community of Tolstoi needed a correspondent. Helen Bially, a lifelong resident of the area, took over that very important job. Dedicated for her weekly column reporting on local events, such as anniversaries, births, weddings, funerals, graduations, travel, visitors and local news that matters to people, Helen has brought the people of southeastern Manitoba into her community, and it is a testament to the importance of local news. Her favourite event that she covered was the centennial celebration in 1967, when over 2,000 people congregated in the small community of Tolstoi, including neighbours from across the border. Helen's longevity in the reporting on her community comes out of a deep love for the people and the community, for acknowledging their achievements, their happiness, their common struggles and experiences with living in rural Manitoba.

Faith is a common thread in her articles, whether that be for someone who is ill, for farmers and their work, or for the local church, and in her reporting,

that has allowed the community of Tolstoi to be showcased for the rest of southeast, and has allowed simple, everyday accomplishments to be celebrated by a wider audience.

I would like to take this opportunity, on behalf of the residents of Tolstoi and my constituents, to congratulate Helen on 50-plus years of reporting, and I look forward to reading her next column.

Thank you, Mr. Speaker.

## ORDERS OF THE DAY

### GOVERNMENT BUSINESS

#### House Business

**Hon. Jennifer Howard (Government House Leader):** Mr. Speaker, I wonder if we could just have a brief recess, three or four minutes, just to make sure that the gallery is ready for the Budget Address, and everything is in place for that.

**Mr. Speaker:** Is it the will of the House to recess for three to four minutes, to allow the gallery folks to readjust? *[Agreed]*

We'll ring the bells just prior to the House coming back.

*The House recessed at 2:47 p.m.*

*The House resumed at 2:52 p.m.*

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

### BUDGET ADDRESS

**Hon. Stan Struthers (Minister of Finance):** I move that this House—I move, seconded by the Minister of Family Services and Labour (Ms. Howard), that this House approves in general the budgetary policy of the government.

*Motion presented.*

**Mr. Struthers:** Mr. Speaker, I am proud to present Budget 2013. This budget is about building. It builds a better Manitoba for today and for the long term while protecting what matters most to families in an uncertain world. Much of the uncertainty we face dates back to the global financial crisis of 2008. Our immediate response was to put families first by projecting—protecting the jobs and services they rely on.

Since then, we have taken a balanced approach, finding innovative ways to save money while redirecting the savings to front-line services. A balanced approach means cutting administration in health care by merging regional health authorities and redirecting the savings into home care, family doctors and free cancer drugs for all patients. A balanced approach means taking the long view, making smart, targeted investments in education and training to support growth and prepare young people for the jobs of tomorrow. In short, a balanced approach means focusing on what matters most.

Manitoba has weathered the financial crisis better than most provinces. Over the last five years, our province's average annual economic growth rate was second best out of all provinces and almost double the rate of the national economic growth. Forecasters expect us to outperform the national growth rate again in 2013, but the economic outlook remains uncertain and the source of that 'uncertainty' lies outside our borders. It is now clear the financial crisis was not a short-term event, as economies around the world are struggling to regain strength, including our traditional export markets and trading partners. Most other provinces face similar challenges.

In Manitoba, the effects of this slow international recovery have been compounded by a challenge much closer to home: the increased frequency of major flooding. Manitobans have faced three major floods in five years. Two years ago, our province suffered the worst flood in recorded history, costing more than a billion dollars. Two years before that, the flood of 2009 cost nearly \$100 million. And today, even as we meet here in this House, Mr. Speaker, hundreds of Manitobans are again working together to protect their homes and their communities from this year's flood.

First things first, Mr. Speaker: I say to those Manitobans, you will not face this flood on your own. Our government will be there to support you as we always have been.

Total floodfighting and protection costs over the last 15 years were four times greater than over the previous 15 years. As costly as these floods have been, the bill would have been much, much higher if it were not for the foresight and investments made by Manitobans in the past. Just imagine if Winnipeg had not been protected by the floodway, built in the wake of the 1950 flood. The floodway cost \$63 million to build and another \$665 million to expand to



one-in-700-year protection levels. These investments have saved over \$30 billion in damages.

La prévoyance et la détermination des générations précédentes pour protéger les Manitobains et Manitobaines ont sauvé des foyers, des entreprises et des collectivités.

**Translation**

*The foresight and determination of previous generations to protect Manitobans have saved homes, businesses and communities.*

**English**

We know our climate is changing and the consequences will be far reaching and unpredictable. The responsibility to build better protection against future floods now falls to us. Flood protection used in the past must be enhanced and complemented by new approaches that involve improving drainage licensing and water storage projects for drought years. A modern approach to flood protection will also require innovative research and extensive engineering and construction projects. We know major initiatives will be essential to protect homes, farms, businesses and our communities. After the record flood of 2011, we ordered two major flood reviews. These reports, which were released this month, identified flood protection investments that could cost over \$1 billion.

\* (15:00)

At the same time, we must continue to invest in the renewal of critical infrastructure: streets and highways, sewer and water systems, schools and hospitals. The 10-year Building Canada plan, announced in last month's federal budget, offers real potential for instruction—for infrastructure renewal in Manitoba.

By taking full advantage of this opportunity, we will require provincial funding to match federal dollars. These imperatives, the need to protect against future floods and to invest in critical infrastructure, must not be met at the cost of cutting core services.

So this year we will introduce a time-limited, one-point increase in the provincial sales tax. Our PST will remain third lowest in the country and this measure will expire along with the Building Canada Fund after 10 years. This change will be offset by a \$250 increase to the basic personal income tax exemption, which benefits all taxpayers. We will also provide a break to young families by expanding

the list of items exempt from PST to include essential baby items such as diapers, car seats and strollers.

Raising any tax, no matter how small, is not an easy decision, but this revenue will help protect Manitobans against flooding and against uncertainty. It will allow us to continue to protect key services and deliver a balanced budget by 2016. It will enhance productivity and innovation and create good jobs in the short and in the long-term, and it will provide a dependable revenue stream to match federal infrastructure funding so we do not leave any federal funds on the table.

Mr. Speaker, the PST is the fairest way to reach these goals because the cost will be shared by everyone. Manitobans work hard for what they earn; Manitobans deserve to know how their taxes will be spent. I am proud to announce the funds raised through this new measure will make up the man—the new Manitoba Building and Renewal Plan.

Mr. Speaker, every dollar that goes into this plan will be spent on infrastructure, guaranteed by law. In fact, we will now be spending two full points of PST revenue on infrastructure; one-seventh of PST is spent on municipal infrastructure through the Building Manitoba Fund—that amount will increase by almost \$30 million in this year. The remainder of the total two points of PST will be used to support flood prevention infrastructure, as well as additional capital investments from hospitals to hockey rinks, from schools to splash pads.

The Manitoba Building and Renewal Plan will benefit communities right across our province. This plan will be enshrined in legislation this spring. It will allow us to double our funding for residential road renewal in Winnipeg and support water, sewer and municipal road improvements in rural communities. Municipalities are ready to get to work on these projects and, Mr. Speaker, budget 2013 makes it possible.

An affordable quality of life is one of the things families value about our province the most. Our government is committed to keeping life affordable for all Manitobans as we continue to grow our economy. Manitobans enjoy the lowest cost in Canada on their combined electricity, home heating and auto insurance bills. Mr. Speaker, we are the only province that protects this advantage in law.

Compared to 1999, families will save more than \$850 million in income and property taxes this year

as a result of changes made by our government. For example, a family of five with two salaries totalling \$75,000 saves almost \$3,800; a senior couple with a total \$60,000 income saves almost \$2,600; and a university or college graduate earning \$50,000 saves more than \$5,000, thanks in large part to our tuition rebate.

Since 1999, the basic personal exemption has increased from \$6,794 to \$8,884. This year's \$250 improvement to the basic personal exemption, the spousal exemption and the dependent exemption, will save Manitobans almost \$20 million this year, and take an additional 5,500 people completely off the provincial tax rolls.

Other provinces have chosen to deal with uncertainty by imposing a harmonized sales tax. Manitoba is one of the few provinces to reject the HST. As a result, Manitoba families pay no provincial sales tax when they buy clothes for their kids, buy a new home or pay their home heating bills. Mr. Speaker, we stand by our decision not to impose the HST on Manitobans, a decision that saves Manitobans \$405 million every year.

We also continue to make investments to help all Manitoba seniors enjoy their retirement years in dignity and comfort. This year, we are increasing the seniors' education property tax credit to a maximum of \$1,100. Starting in 2014, we will begin to implement our commitment to eliminate school taxes paid by seniors on their principal residences, and, Mr. Speaker, by 2015, seniors in Manitoba will no longer pay this tax.

Budget 2012 made a number of commitments to find responsible ways to save money and deliver services more efficiently. We said we would reduce the number of regional health authorities, merge two Crown corporations, cut \$128 million from government spending in year, consolidate government offices, freeze or reduce the budgets of 10 departments and realize \$75 million through the sale of government assets. Mr. Speaker, in short, we said it and we did it. We met all those commitments and the money we saved is being reinvested in front-line services.

Last fall, we committed to reduce the size of the civil service by 600 over three years and we're ahead of schedule on realizing that commitment. Budget 2013 builds on this success and continues additional measures including: freezing or reducing the budgets of 11 departments; expanding lean management practices to more departments to improve efficiency;

extending the 20 per cent reduction on ministerial salaries; limiting overall departmental spending increases to 2.1 per cent; and initiating program efficiency reviews.

Nous nous modernisons aussi afin de mieux servir les Manitobains et Manitobaines à moindre coût pour les fonds publics.

#### **Translation**

*We are also modernizing to provide better services to Manitobans at lower cost to the public purse.*

#### **English**

Businesses know that Manitoba is a great place to do business. We know this because each year they are investing more in new tools, new machinery and new buildings. In the last five years, total capital investments have increased by 38 per cent, mineral investments have increased by \$700 million and capital investment in housing has grown by more than \$1 billion.

Businesses are optimistic about the future we are building together. This year, Statistics Canada projects private businesses will increase their investments in Manitoba more than in any other province except one. This increase is nearly eight times greater than the national average.

\* (15:10)

Research and development growth in Manitoba has exceeded national levels for the last two years. Manitoba businesses are also growing beyond our borders. The made-in-Manitoba expertise of our entrepreneurs and our researchers is in high demand. For example, Westeel is helping India tackle the challenges of food security; New Flyer Industries allows families all across North America to get around in more efficient buses; and StandardAero is keeping airplane passengers flying safely around the world.

This year we will continue building on the connections made through recent trade missions to China, India and Brazil, and events like Centrallia to help more Manitoba businesses take their goods and their services to other markets. Small businesses are the engine of job creation here in our province.

Mr. Speaker, Manitoba is the only province to have eliminated the small business tax. Now we are expanding the benefit to even more small businesses by raising the threshold to \$425,000. We will also extend the small business venture capital tax credit to

help more small businesses raise the funds they need to grow and create jobs, and we will continue to foster the growth and development of innovative sectors by renewing and enhancing the interactive digital media tax credit and extending the film and video production tax credit.

In addition, we will help farmers and rural businesses by negotiating a new Growing Forward agreement with the federal government to invest in strategic programs and initiatives that focus on innovation and competitiveness, and promote research and development.

Our government will also support a new, local sustainable food initiative to increase purchasing from local agricultural producers. This will promote community economic development by creating linkages with local farmers to bring more fresh, healthy foods into public institutions and facilities.

We are also renewing our support to the First Peoples Economic Growth Fund. Since it was established five years ago, this fund has approved approximately \$13 million in loans and support to First Nations businesses and leveraged nearly \$35 million into the Manitoba economy.

We are also proud to work with the Manitoba Metis Federation on economic development initiatives, recognizing traditional harvesting rights and other partnerships now and into the future.

Our unemployment rate in 2012 was the third best in the country and well below the Canadian average. In fact, Mr. Speaker, more Manitobans were employed in 2012 than at any point in our history. This growth was led by 7,500 new, private sector jobs.

Each province has its own labour market with its own unique needs and opportunities. In Manitoba, our low unemployment rate means businesses may not be able to grow if they cannot find the workers with the skills they need. That is why we have focused on skills development and training. For example, our new Skill Build and Journey-person Business Start programs will help northern and rural Manitobans put their skills to work. These programs build on measures introduced in Budget 2012 to enhance tax credit incentives for employers who hire apprentices. The measures we have introduced so far to match Manitobans with jobs are effective, but we must continue to build on these successes.

In our 2012 Speech from the Throne, our government made the bold commitment to add 75,000 more workers to the province's labour force by the year 2020. This is an ambitious target, but one we can and we will reach if all sectors—business, labour, educational institutions and government—work together. To guide this work, our Premier convened a skills summit this past February to develop strategic priorities for Manitoba. The community leaders who came together for the summit embraced our ambitious jobs target. They made many helpful suggestions for action.

I can announce today that as a first step we have partnered with WANTED Technologies to develop a leading-edge, online tool to help job seekers and employers find each other quickly and successfully.

Hydroelectricity is Manitoba's oil, and Wuskwatim is now generating power and growth. Mr. Speaker, we will not mothball our province's economic future by cancelling new dams, and furthermore our government will build hydro because customers want it.

In 2010, 16,000 fewer Manitobans were living in poverty than in 2000, but there still is more to do to reduce poverty and support social inclusion. This year we asked Manitobans for their views to help guide the implementation of our ALL Aboard poverty reduction strategy. We heard about the need for increased resources to help people living in poverty and supports for Manitobans who face particular barriers to employment, that is why we are introducing a \$240 per year increase to RentAid benefits. We will make it easier to apply for RentAid, and increase health care and prescription benefits for people on Employment and Income Assistance.

Our government is also committed to the long-term objective of improving and streamlining portable shelter benefits to better support transitions to financial independence. We will never return to the days in Manitoba when the provincial government clawed back the National Child Benefit from families in need. For that government, a welfare snitch line was their response to poverty.

Mr. Speaker, the real solution to a shortage of affordable housing is to build more housing, and so we will develop hundreds more social housing units over the next three years and support the construction of hundreds of new, affordable rental units. These units will be in addition to the 1,500

social housing and 1,500 affordable housing units that are on schedule for 2014.

As well, we are introducing a new tax credit that will encourage even more rental housing construction. The best support for vulnerable Manitobans is to help them find jobs and participate in their communities; doing so is good for everyone involved.

Our government has rewarded work by increasing the minimum wage every year, a policy that helps the lowest income earners and their families most of all. This year we will increase the minimum wage to \$10.45 an hour.

A sustainable employment strategy will be introduced to enhance training for people with barriers to employment. Services will support transitions to working life and will help employers make jobs sustainable in the long term.

Manitoba Hydro has seen great success in increasing training opportunities in the north. Today 42 per cent of Hydro's northern employees are First Nations and Metis. We are building on the success of this initiative by providing new training and skills development opportunities in northern Manitoba.

We will also help more women get into industrial trades with more skills training and apprenticeship opportunities.

Strong universities and colleges are also essential for a modern, growing economy. We have worked with the University of Manitoba, the University of Winnipeg, Brandon University, Université de Saint-Boniface and University College of the North to expand and rebuild their campuses. These investments benefit students as well as surrounding neighbourhoods and we are working with the institutions to continue building.

Over the last three years provincial funding to universities has increased by 12 and a half per cent. While many other provinces are cutting funding we will provide an additional 2.5 per cent increase and new supports targeted at enhancing teaching innovation and excellence in our post-secondary institutions.

\*(15:20)

We will help keep a university education within reach by capping tuition increases at the rate of inflation. Red River College, Assiniboine Community College, and l'École technique et

professionnelle will each receive a 2 per cent increase in operating grants.

International students enrich our universities and, indeed, our province. We will become the first province in Canada to introduce legislation to help ensure that international students have a safe and positive experience here in Manitoba. We will help integrate internationally trained professionals into our economy by creating programs that support them as they adapt their skills and training to Manitoba's needs and requirements.

Budget 2013 includes more than \$620 million for roads, highways and bridges, including—including—improvements to passing lanes on PTH 10 between Brandon and Minnedosa, PTH 1 between Portage La Prairie and PTH 16, PTH 83 south of Roblin, PTH 6 north of Sasagiu Rapids, roads along Centreport Canada Way, Victoria Avenue in Brandon, PR 373 north and south of Jenpeg and the interchange of PTH 1 at the east Perimeter. This funding will also support work on the east-side road. We will continue our efforts to work with the federal government and Little Grand Rapids and Pauingassi First Nations to construct community access roads. Work will continue on a number of flood repair projects, including work on roads and bridges on PTH 21 near Hartney, PTH 10 over the Souris River, PR 227 over the Assiniboine River Diversion, and PR 513 from PTH 6 to the Dauphin River.

Additional infrastructure funding is also being invested in projects in a number of communities, including improvements to the Keystone Centre in Brandon, upgrades to the Town Centre facility in Churchill, the development of a plan to support tourism at Hollow Water First Nation, the gateway to the Pimachiowin Aki World Heritage Site, upgrades to northern airports, a new recreational multiplex at the Peguis First Nation and upgrades at the Selkirk Mental Health Centre.

The recently released provincial park strategy will guide investments in parks over the next eight years. This year, investments will include repairs to flood-damaged infrastructure at nine parks, including Spruce Woods and St. Ambrose provincial parks, as well as improvements in parks throughout our province.

Last year, we expanded our successful Community Places Program with the creation of a new Community Places north program, which provides grants for recreation and community projects. This year, 17 grants have been approved for

projects in more than a dozen northern and First Nations communities. Our government continues to strengthen ties with Nunavut and northern communities through the HudBay regional round table taking place at the end of this month. And to advance the vision of Churchill as an Arctic gateway to the north, we will work with the federal government to plan the development of a winter road between Churchill and Rankin Inlet.

Our Province continues to implement TomorrowNow-Manitoba's Green Plan. Securing a UNESCO World Heritage Site designation for the largest protected area of boreal forest in North America will help keep Lake Winnipeg's cleanest source of water unpolluted. To further protect Lake Winnipeg, we have partnered with the City of Winnipeg to upgrade waste-water treatment, and funding will be provided to innovative programs such as a project to harvest cattails for bioenergy resulting in the removal of phosphorus from our waterways.

The Province is also providing significant funding for the environmental cleanup of the former Dominion Bridge site in Winnipeg, and work will continue to remediate a number of other contaminated sites and abandoned mines across our province.

Budget 2013 invests \$3.2 million in emerging clean-clean energy production and technologies like developing geothermal and electric vehicle charging infrastructure, creating green jobs and lowering greenhouse gas emissions. We will continue to use revenues from Manitoba's emissions tax on coal to help coal users transition to locally grown biomass energy.

Manitoba's transportation industry is growing, creating jobs and supporting new trade opportunities while implementing innovative techniques to protect the environment. In the year ahead, Manitoba will begin working with energy producers and the transportation sector to support further sustainable growth and the adoption of greener fuels.

The last provincial government to face this degree of economic uncertainty responded by reducing medical school spaces, closing hospitals, firing nurses and cutting capital investments. Mr. Speaker, nothing is more important than the health of our families. We will continue to invest in better health care for all Manitobans. Budget 2013 includes investments that will make quality care even more accessible to Manitobans. This year, funding will be

invested in initiatives to ensure every Manitoba has access to a family doctor by 2015, including funding to support teams of care providers to better coordinate health care services, new clinics to be opened across the province and new tools to make it easier for Manitobans to find a family doctor.

Wait times have been reduced for many services and targeted investments will be made to support cancer patients. New cancer treatment hubs across the province will help shorten the time from the suspicion of cancer to diagnosis and treatment to under 60 days. This budget also expands the STARS emergency helicopter program to a 24-hour, 7-day-a-week operation. Manitoba patients already benefit from successful initiatives to train and recruit more doctors, nurses, nurse practitioners, paramedics, technologists and other front-line, health-care providers.

This budget funds a number of new programs to educate and retain more health professionals. Manitoba is recognized as a leader in providing home care and other services for seniors, and this remains a key focus of our health care investments. Budget 2013 funds more personal care home beds and more supports for seniors to live independently.

Prevention continues to be an important part of our health-care strategy. This year, increased funding will support the expansion of the Provincial Tobacco Control Strategy and smoking cessation supports. Stronger mental health and addiction services support vulnerable Manitobans. Manitoba Liquor and Lotteries Corporation is committing 2 per cent of net income to responsible gaming and consumption programming.

Mr. Speaker, it is important to give children a good start to help them reach their full potential, so this year we will increase funding for Manitoba schools by \$27.2 million or 2.3 per cent, to give students better supports and more of the attention that they need. An additional \$4 million is being provided this year to reduce class sizes for kindergarten to grade 3.

Our investments, Mr. Speaker, are making a difference. Yesterday we announced our high school graduation rates have increased to 84.1 per cent, and that's up more than 18 per cent since 2002. Every child in Manitoba deserves the same high quality education, whether they live in Rossmere, Rossburn or Roseau River.

\* (15:30)

We commit to work with First Nations and the federal government on a new model to build and improve schools on reserve. But Budget 2013 also provides supports and resources for parents, teachers and students to fight bullying to make sure all kids feel safe at school.

Nous croyons qu'il est important d'investir dans les enfants dès le départ, des soins prénatals jusqu'aux services aux enfants plus âgés et aux adolescents.

### **Translation**

*We believe in investing in children right from the start, from prenatal care to services for older children and teens.*

### **English**

We know that high quality child care is vital to a growing economy and strong workforce. This year we will fund new child-care spaces and new child-care centres, including Le Coin Magique in Ste. Agathe, which will help parents, especially women, find and keep stable, rewarding jobs. Our government will also partner with parents to support efforts to recruit and retain much-needed child-care workers. The recently announced After School Network brings community-based organizations together to provide more structured after-school activities and programs.

Many business and community leaders have embraced mentorship, and we will recognize their extraordinary contributions by creating a Premier's award for mentors.

Budget 2013 also adds half a million dollars to support Manitoba's new domestic violence strategy. It will support women's shelters to recruit and retain qualified staff and further expand innovative prevention programs like our partnership to break the silence on violence against women with the Winnipeg Blue Bombers. We are also increasing funding to support the implementation of Manitoba's sexual exploitation strategy and the Native Women's Transition Centre.

This year funding will be provided for more police officers and cadets and to hire new prosecutors and support staff to ensure greater public safety. New measures will also be introduced to improve road safety and crack down on reckless drivers.

This year we will reduce public subsidies to horse racing and direct resources to priority

front-line services through legislative changes to The Pari-Mutuel Levy Act and the Manitoba Jockey Club VLT site-holder agreement.

In conclusion, Mr. Speaker, Manitoba has made a lot of progress over the last decade. From better hospitals and health care centres, new schools and campuses, to world-class attractions such as the MTS Centre, the new Investors Group Field and the Canadian Museum for Human Rights, this budget prepares us for the decade to come.

While Manitoba's economy remains stable, there are risks ahead. The global economic recovery remains uncertain, and major floods are happening more frequently. This budget rejects short-sighted reckless cuts to services. Instead, it chooses responsible building and smart investments to protect Manitobans against flooding and against economic uncertainty.

This is a growth budget. At a time when some governments are running the risk of cutting off economic growth, we choose to invest in people and in communities. Our approach creates jobs, gives more Manitobans training that will help them succeed, and supports healthy families and healthy communities. By focusing on what matters most to families, Budget 2013 will help guide Manitoba into an even brighter and more prosperous future. Thank you very much. Merci.

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

**Mr. Brian Pallister (Leader of the Official Opposition):** I move, seconded by the member for Charleswood (Mrs. Driedger), that the debate be adjourned.

**Mr. Speaker:** It's been moved by the honourable Leader of the Official Opposition, seconded by the honourable member for Charleswood, that the debate be adjourned.

*Motion agreed to.*

### **Messages**

**Mr. Struthers:** Mr. Speaker, I have two messages from His Honour the Lieutenant Governor, as well as the budget documents, including the statement summarizing the poverty reduction and social inclusion strategy, which I would like to table.

**Mr. Speaker:** Order, please. Order, please. All members please rise for the reading of the messages from his Honour. Order, please.

The Lieutenant Governor transmits to the Legislative Assembly of Manitoba Estimates of sums required for the services of the province for the fiscal year ending 31st day of March, 2014, and recommends these Estimates to the Legislative Assembly.

And the Lieutenant Governor transmits to the Legislative Assembly of Manitoba Estimates of sums required for the services of the province for capital expenditures and recommends these Estimates to the Legislative Assembly.

Please be seated.

**Hon. Jennifer Howard (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Health (Ms. Oswald), that this House do now adjourn.

*Motion agreed to.*

**Mr. Speaker:** The hour being 3:46 p.m., this House is adjourned and stands adjourned until 1:30 p.m. tomorrow afternoon.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, April 16, 2013

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